



KF - USE OF DISTRICT FACILITIES

This policy shall govern the scheduling and use of Poudre School District facilities outside of their regular District use. Such activities and events shall not interfere with the District's overall education program or the facilities' regular use. As used in this policy, District "facilities" means District buildings, grounds and athletic fields, and all other District real property and the improvements thereon.

Community use of District facilities under this policy shall not constitute District endorsement of any organization, the beliefs of the organization or group, the expression of any opinion regarding the nomination, retention, election, or defeat of any candidate, or the expression of any opinion as to passage or defeat of any election issue.

The District's Customer Support Center ("CSC"), under the supervision of the director of facility services, shall administer this policy and the associated fee schedules, calendars, scheduling and related communications.

SCHEDULING

All activities and events at District facilities outside of the facilities' regular District use shall be scheduled in accordance with the following terms and conditions:

DISTRICT ACTIVITIES AND EVENTS

To the extent possible, District activities and events shall be scheduled in advance of each fiscal year (July 1 - June 30) on or before June 30. Thereafter, District activities and events must be scheduled at least ten (10) days prior to the date of requested use subject to availability of the requested facility. Such activities and events may be scheduled for a single date or for periodic or regularly recurring dates during the fiscal year. The scheduling of such activities and events shall not be considered approved until a facility use permit is issued and signed.

At least one District employee shall be designated as the individual for CSC to contact if and when matters arise concerning scheduling or use of the facility. In addition, at least one District employee shall assume responsibility for ensuring compliance with the terms and conditions of this policy and for on-site supervision of the scheduled activity or event.

COMMUNITY ACTIVITIES AND EVENTS

Community activities and events must be scheduled at least ten (10) days prior to the date of requested use, subject to availability of the requested facility, beginning on July

1 of each fiscal year. Such activities and events may be scheduled for a single date or for periodic or regularly recurring dates during the fiscal year.

In order for a Community activity or event to be scheduled at a District facility, the following requirements must be met:

1. The prospective Community user shall apply for use of the requested facility in accordance with procedures prescribed by CSC, and shall satisfy all conditions required under such procedures and under this policy for use of the requested District facility.
2. The prospective Community user shall designate an individual whom CSC may contact if and when matters arise concerning scheduling or use of the facility, and shall assign an individual who shall be responsible for on-site supervision of the scheduled activity or event.
3. The prospective Community user shall furnish proof of insurance as required by the District's risk manager. Depending on the type of activity or event being planned and the facility being requested, the prospective Community user may also be required to provide a damage deposit and/or furnish a surety bond.
4. The District approves the prospective Community user's application and issues a facility use permit, which must be signed by an authorized representative of the Community user to be effective.
5. The authorized representative signing the facility use permit shall be required to assume legal and financial responsibility for the Community user's compliance with the terms and conditions of this policy.
6. As an alternative to the requirements specified in paragraphs 1-5 above, the Community user shall sign a District-approved contract governing the terms and conditions of the facility use.

CANCELLATION AND RESCHEDULING

District and Community users shall provide CSC with at least two (2) business days' advance notice of cancellation of their scheduled facility use. Cancellation charges may be assessed against users who fail to provide this required notice.

In the event of inclement weather or other exigent circumstances requiring the cancellation of any scheduled activity or event, the District or Community user shall contact CSC to make arrangements if they wish to reschedule.

If the superintendent or designee determines that an unforeseen District activity or event must be scheduled at a date and time previously reserved for a Community

activity or event, the Community activity or event shall be cancelled and CSC shall attempt to make alternative scheduling arrangements with the Community user.

DENIAL OF COMMUNITY USE APPLICATIONS AND REVOCATION OF COMMUNITY USE PERMITS AND CONTRACTS

The facility use application filed by a prospective Community user may be denied, and the facility use permit or contract of a Community user may be revoked, on the following grounds:

1. Violation or reasonably anticipated violation of the terms of this policy.
2. Violation or reasonably anticipated violation of the terms of the facility use permit or contract.
3. Failure to pay in a timely manner all fees and charges assessed in connection with the use of a District facility.
4. Damage, destruction or loss of District property in connection with the use of a District facility.

REGULATIONS GOVERNING USE OF DISTRICT FACILITIES

REGULATIONS APPLICABLE TO DISTRICT AND COMMUNITY USERS

1. All use of District facilities is subject to governing laws and District policies that prohibit discrimination on the basis of race, color, religion, national origin, ancestry, sex, sexual orientation, marital status, veteran status, age or disability.
2. District facility use shall not create a nuisance, safety hazard, or disruption within the District or within the neighborhood surrounding the facility.
3. District facility use shall at all times be subject to compliance with all governing laws and all applicable District Policies and regulations, including but not limited to District Policy ADC (Tobacco-Free District).
4. A District custodian or other designated employee (i.e., coach, sponsor) shall be on site at all times when a District facility is being used for an activity or event under this policy. Exceptions to this regulation may be made by CSC for the use of athletic fields and other District facilities that are outside of District buildings, in which case District employees shall perform post-event inspections regarding the condition in which the facility was left.
5. District facility use shall be confined to the areas and times scheduled by CSC.

6. Facility users shall be responsible for the payment of custodial services at the District's cost (including overtime, where applicable) necessitated by unusual trash removal or cleaning requirements, and/or facility use outside of the times scheduled by CSC.
7. Facility users may be permitted to use District equipment in connection with their activity or event for an additional charge, as determined by CSC. Such equipment use may require supervision and/or operation by one or more District employees at an additional charge, as determined by CSC.
 - a. Stage lights and other stage production equipment shall be operated by qualified District employees.
 - b. Kitchens may be used in compliance with District food service guidelines, subject to approval by the director of child nutrition or designee and supervision by a qualified District food service employee.
8. The use or possession of any dangerous weapon, as defined in District Policy JICI, by any person at a District facility is prohibited.
9. The use or possession of alcohol and/or illegal drugs by any person at a District facility is prohibited.
10. Gambling and unlicensed games of chance (i.e., bingo, lotteries, raffles) at a District facility is prohibited.
11. The District shall not be responsible for any damage, destruction or loss of a facility user's personal property that occurs in connection with the use of a District facility.
12. The District shall not be responsible for any personal injury or death to a facility user that occurs in connection with the use of a District facility.

REGULATIONS APPLICABLE ONLY TO COMMUNITY USERS

1. As a condition of any Community use of a District facility under this policy, the Community user shall agree to indemnify and hold harmless the District and the District's Board, employees, representatives and agents from and against any and all liability arising from any suit, action, grievance, charge or proceeding brought in connection with or related to the facility use and/or the conduct of any of the Community user's employees, volunteers, agents, representatives or invitees. The Community user's indemnification and hold harmless obligation shall include all attorney fees, costs and expenses incurred by the District and/or the District's Board, employees, representatives and/or agents in defense of said suits, actions, grievances, charges and/or proceedings.

2. Facility use permits and contracts are not transferrable and may not be assigned.
3. If snow removal is required for the Community use of a District facility, the Community user may be charged therefor at the District's cost unless such snow removal is otherwise required for a District or District-contracted use of the facility.
4. No storage space shall be provided for Community users at District facilities. Community users must remove all of their personal property and other items from District facilities after each use.

PROHIBITED SCHEDULING AND USES OF DISTRICT FACILITIES

District facilities shall not be scheduled for activities or events by District or Community users on days designated as paid holidays for District employees or on the weekends immediately preceding or following paid holidays, except for: (1) CHSAA-sanctioned activities and events; and (2) outdoor events that do not require entry into a District building. A calendar designating such non-use days shall be published each fiscal year by CSC.

Community use of District athletic fields shall not be scheduled during the period each year from November 1 through March 15.

District facilities shall not be scheduled for personal or family use (including but not limited to parties, memorials, reunions, weddings, funerals and receptions) by District or Community users,

District facilities shall not be used for activities or events by District or Community users that: (1) advocate social or political change by violence; (2) advocate or advance any doctrine or theory subversive to the Constitutions of the United States or of Colorado; (3) organize or convene an organization for subversive purposes; or (4) assist in raising funds for any of the foregoing purposes.

FEES

Fees shall be charged for the use of District facilities in accordance with the following schedule, excepting fees that may be negotiated with other governmental entities and specified in intergovernmental agreements. In addition to any fees charged, Community users shall also be charged for: (1) all damage, destruction or loss of District property that occurs in connection with the facility use; (2) use of District equipment and employees as provided under this policy; (3) custodian services as provided under this policy; and (4) snow removal as authorized under this policy.

TIER 1 - Facility Use Fees Waived

1. District and District-contracted curricular, enrichment and extracurricular activities for pre-kindergarten through 12th grade children.
2. District and District-contracted child care programs during the school year for pre-kindergarten through 12th grade children.
3. Meetings and approved activities of student-initiated and led organizations, as authorized under District Policy IGDA.
4. Meetings and approved activities of District employees and authorized employee associations.
5. Meetings and approved activities of authorized parent/teacher organizations.
6. Governmental elections.

TIER 2 - Facility Use Fees Charged at 25% of Full Rate

1. District and District-contracted child care programs during the summer for pre-kindergarten through 12th grade children.

TIER 3 - Facility Use Fees Charged at 50% of Full Rate

1. Meetings and approved activities of service, social and civic organizations exclusively for kindergarten through 12th grade children.
2. Athletic, recreational, artistic and musical activities exclusively for kindergarten through 12th grade children.

TIER 4 - Facility Use Fees Charged at Full Rate

1. Meetings and approved activities of service, social and civic organizations not exclusively for kindergarten through 12th grade children.
2. Athletic, recreational, artistic and musical activities not exclusively for kindergarten through 12th grade children.
3. Services and approved activities of community-based religious organizations.
4. Government meetings and approved government activities.

APPEALS

Prospective Community users whose applications are denied and Community users whose facility use permits or contracts are revoked may file a written appeal with the director of facility services or his/her designee. Prospective Community users and Community users who are not satisfied with the decision of the director of facility services or his/her designee may appeal that decision to the superintendent, whose decision shall be final.

Adopted by Board: April 1972

Revised by Board: December 1974

Revised by Board: September 1975

Revised by Board: August 1980

Revised by Board: May 1982

Revised by Board: May 1988

Revised by Board: February 1994

Revised by Board to conform with practice: May 22, 1995

Revised by Board: March 25, 1996

Revised by Board: September 9, 1996

Revised by Board: June 23, 1997

Revised by Board: February 11, 2002

Revised by Superintendent: May 18, 2009, effective July 1, 2009

Revised by Superintendent: May 2, 2011, effective July 1, 2011

LEGAL REF:

C.R.S. 22-32-110(1)(f)

CROSS REFS:

ADC, Tobacco-Free District

EDC, Authorized Use of School-Owned Materials and Equipment

IGDA, Secondary School Student Organizations