

GREEN BAY AREA SCHOOL DISTRICT
Board Policy Manual

830-Rule

FACILITY USE RULES AND REGULATIONS

A. Facility Use Requests and Agreements

1. Any non-school organization, group or individual wishing to request the use of school facilities for use during the instructional day or after the instructional day shall request a user account from the Facilities Department using the facility rental software program located on the District website.
2. To allow ample time for processing and approval, users are encouraged to enter their requests for facility use a minimum of 30 days in advance of the event date using the facility rental software program provided by the District. Requests submitted less than 30 days prior to the event date are not guaranteed to be processed and reviewed for facility usage. Each request is tentative until all documents are digitally signed, including approval of projected costs, and a permit is issued. Required documents are embedded in the software and include:
 - a. Proof of Insurance or completed insurance application with premium payment.
 - b. Responsible Use Agreement.
 - c. Community Member Request Form.
 - d. Camp Request Form - If use of school facilities is being requested for the purpose of conducting a camp as defined below (e.g., athletic camp), a "Camp Request Form" must be completed and submitted to the Associate Superintendent of PreK-16 or his/her designee for approval.
 - e. Recreational User of School Facilities Request/Agreement - Non-school organizations, groups or individuals requesting use of school facilities for recreational activities, other than the swimming pool, gymnastics or weight training equipment, will be required to complete and submit the "Recreational Use of School Facilities Request /Agreement." "Recreational activities" are defined as any indoor or outdoor physical activity, sport, team sport, or game, whether organized or unorganized, undertaken for the purpose of exercise, relaxation, diversion, education or pleasure, including practice or instruction in any such activity. "Recreational activities" do not include any indoor or outdoor organized team sport or activity organized and held by a school board or school district.
3. Facility use requests may be made no more than one calendar year prior to the date of the use of the facility in accordance with Section G as provided below. Buildings are ineligible for use on days when schools are not in session, canceled or are closed. The District reserves the right to make exceptions for extenuating circumstances.

4. The Manager of Facilities Operation, or designee, will approve or deny the facility use request within 10 working days of receipt of a complete request. Approval of the facility use request will be indicated by the return of a permit to the requestor.
5. The individual or group using/renting school facilities (“lessee”) will pay any required rental fees as set forth in the Facility Use Fee Schedule within 30 days after the date of the invoice. Fees for personnel are non-negotiable. The lessee may be required to pay an advance deposit. The lessee shall not make any facility use payments directly to a District employee.
6. The subletting of school facilities by the lessee is prohibited.
7. A building principal, designated employee or a maintenance/custodial staff representative must be present during all facility use.
8. All cancellations of facilities use must be made by calling the Facilities and Related Services Department at 920-448-2180 between the hours of 8:00 a.m. to 4:00 p.m., at least one business day prior to the scheduled use (event/activity). Failure to provide this notification will result in costs incurred by the District being billed to the lessee. Should the District determine to close schools for emergency purposes such as weather, all facility use for that day/night shall also be cancelled. Facility use fees shall not be charged and deposits will be returned or applied to a future event in such circumstances.

B. Insurance Requirements

1. Certificate of Insurance. The lessee must provide the District with a certificate of insurance showing liability coverages specified in Section B(2) below as being in force during the entire time of the facility use agreement, unless the requirement is waived by the District in writing.
 - a. The Green Bay Area Public School District must be named as an additional insured on the facility user’s general liability and excess umbrella. If the lessee has an umbrella policy that follows the underlying general liability policy, the certificate must state so.
 - b. Insurance carriers must be domestic (U.S. based), have a Best's rating of "A" - Class VI, and be an admitted carrier in Wisconsin.
 - c. The certificate should evidence Workers Compensation if:
 - i. the organization sponsoring the event normally carries such coverage by statute;
 - ii. the organization received monies from the participants in the event for purposes of selling consumables or wares;
 - iii. the event involves participants of more than one organization, and/or
 - iv. persons assisting with or participating in the event receive compensation or other benefit, monetary or of monetary value, as a result of or in exchange for their services.

- d. Certificates should evidence Employers Non-Ownership Auto Liability (including volunteers) and Hired Auto Liability for any organization having employees or volunteers in connection with the event.
 - e. Certificates of insurance must be received a minimum of three weeks prior to the event.
 - f. A 30-day written notice of cancellation or material change in coverage is required on all certificates of insurance.
2. Required Limits of Coverage. The lessee will maintain the following minimum levels of coverage during the term of the facility use agreement for General Liability (including volunteers, if used):
- a. For events involving attendance of 300 persons or more, sporting events, multiple dates of use, attendee participation (i.e., dancing, adult education, karate classes, bingo, etc.), animals, or usage of District's janitorial or custodial staff:
 - i. General Aggregate Limit: \$2,000,00
(Other Than Products - Completed Operations)
 - ii. Products - Completed Operations Aggregate Limit: \$2,000,000
 - iii. Personal & Advertising Injury Limit: \$2,000,000
 - iv. Each Occurrence Limit: \$2,000,000

Minimum limits can be obtained alone or in conjunction with an umbrella.

- b. For all other events:
 - i. General Aggregate Limit: \$1,000,000
(Other Than Products - Completed Operations)
 - ii. Products - Completed Operations Aggregate Limit: \$1,000,000
 - iii. Bodily Injury and Property Damage Liability: \$1,000,000 (per occurrence)
 - iv. Personal and Advertising Injury: \$1,000,000 (per person/per organization)

The District reserves the right to adjust insurance criteria for events if deemed necessary.

3. Alternative Insurance. Many times the cost of a short-term liability policy for groups using/renting school facilities from the Green Bay Area Public School District is too expensive for the event to absorb. The District, through Community Insurance Corporation, offers an extension of its own liability coverage to these groups.

The endorsement will limit coverage to Bodily Injury & Property Damage only, with a per occurrence limit of \$250,000 and is subject to a per occurrence deductible of \$250.00, which is the responsibility of the lessee. However, to qualify for this type of coverage, individual's or groups' use of the school facilities must fall within one of the following events:

- a. Meetings - Indoor/Outdoor
- b. Musicals/Plays
- c. Seminars
- d. Social Gatherings – Indoor

- e. Social Gatherings – Outdoor
- f. Theatrical Performance
- g. Wedding Receptions
- h. Auctions
- i. Auto Shows
- j. Bingo Games
- k. Exhibitions
- l. Instructional Classes (non-mechanical)
- m. Block Parties/Street Closures
- n. Parades under 500
- o. Picnics
- p. Political Rallies
- q. Rummage Sales/Sidewalk Sales
- r. Speaking Engagements
- s. Aerobics/Jazzercise Arts
- t. Festivals
- u. Animal Training
- v. Animal Shows
- w. Craft Shows
- x. Food Concessions
- y. Dances

In order to secure coverage, the District must submit a completed application for each event, along with the lessee's premium payment, payable to Community Insurance Corporation, at least seven days prior to the date of the event. The insurance company will then issue a certificate of insurance to the lessee as evidence of coverage.

C. Facility Use Rules and Limitations on Such Use

1. Approval of Use. No organization or individual shall be permitted to use District facilities when such use interferes with the use of the property for school purposes or school-related functions. The Board of Education reserves the right to deny use of District facilities for activities which are harmful to District students or incompatible with the mission of the District. Approval may be denied if the intended use is contrary to District policy, conflicts with use of the property for school purposes, or may result in danger to others or District property. The determination of whether a requested use interferes with the use of the facilities for school purposes or school-related functions shall be made by the building principal (where applicable) and the District's Manager of Facilities Operation who shall consider the following:
 - a. If the proposed activity is directed in whole or in part to a student audience, or involves student participants, the following will be taken into consideration:
 - i. Whether the proposed activity is consistent with the educational mission of the public schools as identified by references in Wis. Stat. ch. § 118;
 - ii. Whether the proposed activity involves or encourages behavior that is deemed inappropriate under school policies governing student conduct during school hours; and

- iii. Whether the proposed activity poses an unreasonable risk of physical injury to students.
- b. Whether the proposed activity poses a substantial risk to school security.
- c. Whether the proposed activity poses a substantial risk of damage to school property.

Use of District facilities for the following shall be strictly prohibited:

- a. Usage for obscene, pornographic, lewd, vulgar or indecent purposes; or
 - b. Usage that will likely cause substantial disruption or materially interfere with the proper and orderly operation and management of the District's schools.
2. Supervision. The lessee shall provide and be responsible for all supervision and security at the facility use/rental function and must provide sufficient supervision to satisfy the building principal and Manager of Facilities Operation. The lessee shall monitor or maintain all exterior doors to the facility use/rental area in a locked position. Supervision shall remain in effect until all attendees have vacated the premises.
 3. Fire Code. All fire code regulations shall be followed. The use of open flame, pyrotechnics, smoke or chemical fog is prohibited.
 4. Prohibited Substances. There shall be no smoking or other use of tobacco products on school premises. The lessee will not permit the use of alcoholic beverages or illegal controlled substances on school premises.
 5. Damages. The lessee shall be responsible for any damage or loss to District property and/or equipment resulting from their usage and shall reimburse the District for all such damage or loss immediately upon receipt of a written demand for payment form from the District. Failure to do so may result in the denial of the lessee's subsequent requests for facility usage.
 6. Prohibited Materials. The use or possession of destructive devices (including explosives), firearms or other dangerous weapons on District property is prohibited, except under limited circumstances authorized by state law and the District's weapons policy (Policy 832).
 7. Food and Refreshments. When refreshments are served, the lessee will not permit food or drinks in auditoriums or gymnasiums. Use of school-owned concession stands must be cleared with the building principal prior to the event. All food and/or drink products must be adequately removed from the premises at the conclusion of the facility use.
 8. Use of Equipment.
 - a. Stage lighting and equipment, audiovisual equipment and kitchen equipment may be used provided it is operated by District-approved personnel. Other school-owned equipment (other than seating, lecterns and tables) shall not be used by the lessee.

- Lessee shall be required to pay any related fees associated with the operation of such equipment by District-approved personnel.
- b. Scenery, stage materials and equipment belonging to student organizations of the school shall not be used by the lessee.
 - c. The lessee will not roll, tie up or take down any stage hangings, and the lessee will not permit anything to hang on the same batten with the borders and light battens. Stage curtains shall not be allowed to touch the floor.
 - d. No electrical equipment shall be brought in for use or wiring changes made without prior approval of the Manager of Facilities Operation and inspection by the District electrician.
 - e. The lessee shall remove all equipment brought in as soon as the facility use/rental period is over.
 - f. The District will not assume any responsibility for any lessee property brought into the school or on school premises.
 - g. The lessee will not cut holes or drive nails or screws into any school fixture, floor, ceiling or wall.
 - h. School equipment shall not be taken from the school premises without the prior written approval of the building principal.
 - i. Usage of District informational technology equipment must be consistent with the District's policies and procedures including, but not limited to, the District's Responsible Use Policy. Technology resources available for external users include:
 - i. Access to Guest Wi-Fi network;
 - ii. Access to secure credentials, upon request; and
 - iii. Access to school site-based computer labs.All other equipment, including mobile devices, projection units and computer accessories, must be provided by the lessee.
9. Contact Information. It is the lessee's responsibility to provide a wireless telephone for emergency or other use.
10. Hold Harmless. Lessee will save and hold harmless the District and the District's employees and agents from and against any losses, damages, liability, or expense (including reasonable attorneys' fees) resulting from, claimed by or against, or incurred by the District, arising from any injury to any person or loss of or damage to any property, to the extent caused by or resulting from any negligence or willful acts or omissions of the lessee or the lessee's use of the District's property and facilities, except to the extent of the negligence or willful conduct of the District or its employees, agents, or invitees.

D. Special Provisions Related to Use of Specialty Areas

1. East, Preble, Southwest, and West Stadiums.
 - a. A District employee is required to be present when stadiums are used.
 - b. The lessee will pay for costs of cleaning the stadium grounds after the event.
2. Tennis Courts. Formalized events or activities requiring use of tennis courts shall comply with Section E procedures. When the tennis courts are not being utilized as such, informal, recreational use of the tennis courts shall be permitted on a first-come, first-serve basis.
3. Computer Lab Use.
 - a. In order to keep the software installed on personal computers (PCs) consistent, the District secures the installed software. As a result, the lessee will not be able to install any programs. Only applications currently installed will be available to the lessee. Filtered internet access is also provided.
 - b. The lessee must complete a “Community Partners Agreement” prior to the use of District computers and technology equipment. The District cannot guarantee that users of school computer facilities will not experience downtime.
4. Use of School Kitchens.
 - a. State regulations require the District to maintain food service facilities in conformance with all sanitation and health standards as stated in Wis. Admin. Code HSS § 196. These standards must be met at all times, including the use of food service facilities for functions other than school meal preparation.
 - b. Whenever a school kitchen is used by a non-school organization, group or individual, one of the District’s School Food Services employees must be present. The Director of Food Service will determine the need for the staffing and the cleaning of the kitchen used.

E. Classification and Priority of Groups Using School District Facilities

1. Permitted usage and availability of District facilities shall be determined by classification of the group requesting use of the facility. Charges for use of District facilities, including rental and custodial fees, shall vary in accordance with such classification.
2. Priority of Facility Use. The Manager of Facilities Operation or designee will categorize groups eligible to use District facilities under one of the seven classifications/categories defined below. District facilities shall be made available to eligible groups in the following order, as space and priority allow:
 - a. School site activities and groups scheduled by the building principal – Category A

- b. District activities and groups – Category A
 - c. District-endorsed before and after school groups – Category B
 - d. District-endorsed future/feeder programs – Category B
 - e. District employee sponsored camps (fees less than \$30 per participant) – Category C
 - f. City of Green Bay Recreation Department sponsored groups – Category C
 - g. Non-profit community programs for students (fees less than \$30 per participant) – Category D
 - h. District employee sponsored camps (fees more than \$30 per participant) or non-District employee sponsored camps – Category G
 - i. Non-profit community programs for students (fees more than \$30 per participant) – Category D
 - j. Non-profit community programs for adults – Category F
 - k. Local, state and federal government agency – Category E
 - l. Private, for-profit usage for student-orientated programs – Category G
 - m. Private, for-profit other individuals or groups – Category G
 - n. Other non-school activities by in-District persons or entities on a first-come, first-served basis.
 - o. Other non-school activities by authorized non-District entities on a first-come, first-served basis.
3. Facility Use Reservations. Requests for facility usage will be processed in accordance with the designated timeline as noted below. In the event of a conflict, an effort will be made to find an alternative placement.

Category A: School and District activities and groups

School- and District-sponsored activities and groups are those groups that are directly related to a District educational program or extra-curricular program sponsored by the District, including academics, athletic, cultural and social group activities.

Examples: All Green Bay Area Public School District (GBAPSD) youth programs, 21st Century Community Learning Center (21CCLC) programs, PTA/PTO Meetings/Fundraising Events and School Business Partnerships.

Fees: There will be no charge for any rental fee, personnel expenses, utility fee and equipment fee beyond normally scheduled hours. No

application will be approved which requires custodial overtime without the approval of the Chief Financial Officer or his/her designee.

Reservations:

Annual reservations shall be scheduled each year up to June 1st and the period from August 1st to August 30th of each year. Additional annual reservations may be made at other times in which a school or District activity or group needs space for school purposes.

Should a request be made by a group under Category A for school purposes after August 30th that creates a conflict with another person/group's facility use request in Categories B-G, the other person/group may be displaced (bumped) from using such facility if: (1) all the alternatives for using other space in the school/District have been exhausted and no suitable alternative can be found; and (2) the Manager of Facilities Operation or his/her designee has determined that the school's need to use the space is compelling enough to displace the other person/group. The other person/group shall be notified that their facility use request has been displaced.

Category B: District endorsed before and after school groups

The Board of Education recognizes the value of extended school day opportunities for school age students and their parents/guardians, including state-certified extended day care programs. Therefore, the Board will cooperate with state-certified day care programs in making these opportunities available within the District. Such approved entities shall be required to enter into a contract with the District in providing such opportunities for students.

The Board of Education also understands the value of programs designed to foster interest and skills in its students. For those programs officially endorsed as a feeder or future program of the District/school, such programs shall be treated as a Category B entity. The school Activities Director may grant such endorsement.

Examples: State-licensed before and after school child care services, District/school-endorsed feeder/future programs.

Fees: There will be no charge for any rental fee, personnel expenses, utility fee and equipment fee beyond normally scheduled hours.

Reservations:

Annual reservations shall be scheduled each year between June 15th and August 1st. Additional annual reservations may be made after August 30th and at other times in which a Category B group or individual needs space for school purposes.

Should a request be made by a group under Category B after August 30th that creates a conflict with another person/group's facility use request in Categories C-G, the other person/group may be displaced (bumped) from using such facility if: (1) all the alternatives for using other space in the school/District have been exhausted and no suitable alternative can be found; and (2) the Director Facilities/Operations or his/her designee has determined that the school's need to use the space is compelling enough to displace the other person/group. The other person/group shall be notified that their facility use request has been displaced.

Category C: District employee sponsored camps (fees less than \$30 per participant) and City of Green Bay Recreation Department sponsored groups

"Camp" shall be defined as a full-day or multi-day event for the benefit of District students and/or employees focused on a specific extra-curricular subject matter directly related to District students and/or employees (e.g., athletic or fitness camp or music camp). Category C camps are District employee-sponsored camps that have the permission of the building principal, and charge a participation fee of \$30 or less.

City of Green Bay Recreation Department sponsored groups are those groups or programs that are directly sponsored and administered by the City of Green Bay's Recreation Program.

Recreation Department sponsored groups will be allowed to use District facilities for any lawful purpose that promotes recreation and physical fitness of the District's residents and students.

Fees: Category C groups or events will be permitted to use District facilities during non-school hours with the permission of the building principal and Manager of Facilities Operation. There will be no charge for any rental fee, personnel expenses, utility fee and equipment fee beyond normally scheduled hours.

Reservations:

Annual reservations shall be scheduled each year between June 15th and August 1st. Additional annual reservations may be made after August 30th and at other times in which a Category C group or individual needs space for school purposes.

Should a request be made by a group under Category C after August 30th that creates a conflict with another person/group's facility use request in Categories D-G, the other person/group may be displaced (bumped) from using such facility if: (1) all the alternatives for using other space in the school/District have been exhausted and no suitable alternative can be found; and (2) the Director Facilities/Operations or his/her designee has determined that the school's need to use the space is compelling enough to

displace the other person/group. The other person/group shall be notified that their facility use request has been displaced.

Category D: Non-profit community programs for students (fees less than \$30 per participant)

Non-profit community programs for students are those groups not under a direct relation of the school or District but provide services to resident District students. The focus of the use of District facilities must be to provide a program that actively involves young people who reside within the boundaries of the District. If a fee is charged, it must be less than \$30.00 per participant.

Examples: Boy Scouts of America, Girl Scouts of America, private school programs, any athletic or student activity organization not officially sponsored by a District athletic group or student activity group.

Fees: There will be no charge for any rental fee, personnel expenses, utility fee and equipment fee beyond normally scheduled hours.

Reservations:

Beginning on July 1st of each year, individuals/organizations in Category D shall submit a facility use request. After August 30th of each year, requests shall be granted on a “first come, first served” basis.

Category E: Local, state or federal government agencies

Local, state or federal government agencies are those governmental offices or agencies requiring facility usage for purposes directly related to their governmental function.

Examples: Federal, state and local elections or Department of Transportation meetings.

Fees: There will be no charge for any rental fee, personnel expenses, utility fee and equipment fee beyond normally scheduled hours.

Reservations:

Beginning on July 1st of each year, individuals/organizations in Category E shall submit a facility use request. After August 30th of each year, requests shall be granted on a “first come, first served” basis.

Category F: Non-profit community programs for adults

Non-profit community programs for adults are non-profit groups that intend to use District facilities for a lawful non-school purpose primarily for adults.

Examples: NWTC Community programs, YMCA-type adult programs, churches or other adult groups.

Fees: Category F groups and functions or organizations will be charged a rental fee, personnel expenses, utility fee and equipment fee beyond normally scheduled hours.

Reservations:

Beginning on July 1st of each year, individuals/organizations in Category F shall submit a facility use request. After August 30th of each year, requests shall be granted on a “first come, first served” basis.

Category G: Private for-profit individuals or groups; non-profit groups, functions or organizations charging a fee of greater than \$30 per participant; non-District employee camps; or other groups

For-profit individuals or groups and any function or organization charging a per participant fee of \$30 or more (including District employee camps charging \$30 or more per participant) or non-District employee camps or any other group not identified above that intend to use District facilities for lawful non-school purposes shall constitute Category G applicants.

Examples: For-profit groups which provide instructional opportunities for students or adults; organizations which offer performances or contests in which fees, donations, admission or implied charges may occur to any individual who is solicited to attend; and individuals or organizations that attempt to sell products or services through a presentation.

If a camp is sponsored by a District employee and a fee is assessed for more than \$30 per participant or a non-District employee group at any fee, the camp is considered a Category G function and must conform to all requirements of such Category.

Fees: Category G groups and functions or organizations will be charged a rental fee, personnel expenses, utility fee and equipment fee beyond normally scheduled hours.

Reservations:

Beginning on July 1st of each year, individuals/organizations in Category G shall submit a facility use request. After August 30th of each year, requests shall be granted on a “first come, first served” basis.

For groups that do not clearly meet the classification for Categories A, B, C, D, E, F or G, applications will be individually reviewed by the Manager of Facilities Operation or his/her designee and a decision will be made consistent with the intent of this policy.

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