

## Policy KF Community Use of School Facilities

Issued 6/10

Purpose: To establish the basic structure for community use of school facilities.

As a service to the community, the board will allow responsible and properly organized community groups to use school facilities in keeping with the following general policies.

- The board provides public school facilities through the use of taxpayers' funds collected for educational purposes.
- Use of school facilities by the schools and by school related organizations takes precedence over all other uses.
- Requests by local agencies and by other agencies/organizations for the use of facilities for educational purposes take priority over other requests for the use of facilities.
- The board restricts the use of facilities to recognized nonprofit community organizations. The board will not rent any building or part thereof to an individual or group for private or corporate gain, except when the activity is considered to be a desired part of the school curriculum and the school does not offer the activity in its curriculum. This would include activities such as music lessons, art lessons and dance lessons. Both the principal of the school and the superintendent must approve any such use or rental where a profit could be realized.
- The use of a school building, facility or other school property for any non-school purpose must not interfere with the school program.
- With the exception of 501C-3 non-profit organizations, non-school groups may not use school facilities for money-raising events.
- Some city and county entities may use some facilities without charge upon approval of the principal and superintendent.
- Organizations using school facilities are responsible for the proper conduct of all persons in attendance. The district will set forth all terms in a contract which an official representative of the organization must sign.
- The administration will set up a schedule of fees which takes into consideration the purpose of the event. Fees will be sufficient to cover operational expenses and a reasonable amount for overhead.
- When school facilities are used by non-school persons, a school employee must be present while the facility is in use. The employee's services will be paid for by the group using the facility. For league play, a district employee will not be required for practices.
- Non-school groups wishing to use any school kitchen must have members of the kitchen staff from that particular school present. Kitchen staff members will be paid for their services by the organization using the facility.
- The administration may establish detailed regulations pertaining to public use of school facilities in keeping with the above policies. However, the board will not allow groups to use school facilities if they advocate unconstitutional or illegal acts, or if their activities are contrary to the best interests of the public schools or to the educational welfare of its students.
- The board will not allow groups to use school facilities when the proposed function presents an obvious danger to the safety of persons and property.
- The board directs the administration to seek board approval prior to administrative action in any case of doubt.
- No alcoholic drinks or tobacco-related products will be sold, distributed or used on school property at any time by anyone.

- There is hereby set a fee schedule for the use of district facilities when and if the use of such facilities is deemed appropriate by the district pursuant to this policy [see exhibit [KF-E\(3\)](#)].
- Any third party contracting to use a district facility will provide a written report of proceeds and payment(s) to individuals. Principals and athletic directors at facility will be responsible for collection and transmission of this information
- Teams and school groups can use district facilities to host fundraisers without being charged a fee (subject to requirements set forth in board policy [JJE](#), Student Fundraising Activities). A use of facilities fee waiver application must be submitted by the organization along with an application for community use of school facilities. Both forms must be approved by the school principal and assistant superintendent for administration and student services [see exhibits and [KF-E\(4\)](#)].
- Coaches of sports or any district employee can apply for a waiver for summer and off season events as long as the activity is in compliance with the South Carolina High School League and other governing agencies. No fees will be charged if 100 percent of the student participants are Lexington Two students. The school principal and assistant superintendent for administration and student services must approve the activity prior to the use of district facilities. A use of facilities fee waiver application must be submitted by the organization along with an application for community use of school facilities. Both forms must be approved by the school principal and assistant superintendent for administration and student services [see exhibits [KF-E\(1\)](#) and [KF-E\(4\)](#)].
- Other events that may be of service to our students may also qualify for a reduction or waiving of facility fees. The administration may set guidelines for such an activity as they deem necessary. Such reduction or waiver of fees will be determined by the school principal and assistant superintendent. A use of facilities fee waiver application must be submitted by the organization along with an application for community use of school facilities. Both forms must be approved by the school principal and assistant superintendent for administration and student services [see exhibits [KF-E\(1\)](#) and [KF-E\(4\)](#)].

### **School property**

At all times school property related to a particular school will be under the control of the district administration and the school principal. In regard to athletic fields and facilities, the principal of a particular school will coordinate with and supervise the appropriate athletic director in regard to the school's properties in order to ensure that the school property and facilities are used only in strict compliance with board policy.

### **League play**

Only organizations which run athletic leagues as 501C-3 non-profit organizations will be entitled to contract with the district for use of district property in connection with the operation of the leagues. The fees to be charged such leagues will be reviewed from time to time by the district administrator who will recommend changes to the board on an as needed basis. Fees should be charged for league play in and amount to at least cover direct and indirect costs of such play.

### **Tennis courts**

Except when the tennis courts are in use by a particular school, they will remain locked and will not be available for public usage. Signage will be placed upon the tennis courts indicating the courts are not maintained for public use and such use is prohibited.



**Use by outside groups**

Absolutely no outside group will make use of athletic fields after October 31st of any given year without the express approval of the board.

At the conclusion of any use by any outside group authorized to use district facilities, the property will be restored to its original condition. Athletic fields and other facilities rented will be assumed in an "as is" condition. Further, such facilities will never be made available to use under any circumstance if the facility is not in a condition deemed appropriate by the principal of the applicable school and/or the athletic director.

No outside user will ever use any district personal property without first renting such property through the office of the principal with the consent of the athletic director when district fields or athletic facilities are being utilized.

District-owned concession facilities will not be used by outside organizations.

**Auditoriums and gyms**

Auditoriums and gyms will be under the direct control of the principal of the applicable school where such facility is located.

**Insurance**

No use of district property of any type will ever be made by a third party without the district being provided an insurance policy in proper form with the district named as a loss-payee.

Any outside athletic team providing leagues of any type on district property will acquire a policy of liability insurance of at least one million dollars and the Lexington County School District Two will be added as a loss-payee on such policy.

**Booster clubs or support organizations**

Booster clubs and legitimate support organizations affiliated with any particular school may make such use of district property as is allowed by the principal of the school. Provided, however, any funds realized from the operation of such clubs or organizations will be reported to the principal of the school who will pass along the information with regard to the fundraising to the chief financial officer of the school district.

All third party users of any district property will pay a fee for the use of the facility. Provided, however, that the assistant superintendent for administration and student services will retain the right to waive such fee but only for legitimate school booster organizations or affiliated support clubs.

**Walking tracks**

Lexington County School District Two walking tracks will remain open to the general public, provided, however, that the principal of each school will monitor the condition of the tracks. Walking tracks are located at the following schools: Congaree Elementary School, Pineview Elementary School, Springdale Elementary School, Taylor Elementary School, Northside Middle School and Pine Ridge Middle School. Should such public usage ever be deemed to create a problem to the district, the

board will be notified and appropriate action will be taken to limit the use or usage of such walking tracks.

### **Separate facilities fund**

There will be maintained by the school district a separate fund balance known as the facilities usage fund. Money coming into the district pursuant to the policies enumerated will be maintained in said fund and will be used by the board at its discretion for facilities maintenance and improvement or for such other purpose(s) as the board may deem appropriate. Any monies paid by any third party for the use of district facilities will be paid to Lexington County School District Two and will pass through the chief financial officer of the school district.

### **Contracts**

All contracts for the use of district facilities by third party will be first approved by the principal and the assistant superintendent for administration and student services pursuant to the fee schedule and pursuant to conditions agreed to by the district board of trustees.

Adopted 6/17/76; Revised 7/30/81, 6/20/96, 1/17/08, 6/17/10

#### **Legal references:**

S.C. Code of Laws, 1976 as amended:

[Section 7-9-110](#) - Conducting elections or primaries in a facility that receives state funds.

[Section 59-1-370](#) - Closing of educational institutions on general election day.

#### **Court cases:**

*Child Evangelism Fellowship of South Carolina v. Anderson School District Five*, 470 F.3d 1062 (4th Cir. 2006).

Lexington County School District Two