



July 1, 2015

Use of Facility Applicants:

Thank you for your interest in using one of our facilities for your event. Our School Board holds a strong belief that our facilities are community facilities and wishes to allow the use of our facilities when they are not needed for our regular educational programs. Enclosed are certain restrictions and requirements to the use of our facilities to protect our public school property and to protect the funding provided exclusively for educational programs.

The School Board's Policy Article 11, Sections 10-11.1 and 10-11.2 and related regulations Article IV, Sections 4-4.1 – 4-4.5 are enclosed. Application forms are available at each facility. Applicants must submit their application for a use of facility directly to the school principal's office. **The application must be received by the principal's office no later than 21-days prior to the event date.** Any application received later than 21 days prior to the event date will be denied by the principal and returned to the applicant.

If the application is received by the principal's office at least 21 days prior to the event, the principal will then determine whether the requested space is available and whether the required staff is available to monitor the building/equipment during the event. The principal may deny the use of facility if the requested space is not available or if the required staff is not available. Principals are instructed to allow the use of facility for events that benefit the community. We cannot allow the use of facilities for private events such as weddings, wedding receptions, birthday parties, anniversaries, family reunions, baby showers or similar activities.

Rental fees (4-hour minimum), custodial overtime charges, cafeteria worker overtime charges and audio technician/equipment costs are payable 2 weeks prior to the event. The principal will estimate all overtime required for the deposit calculation. The user will be billed additional overtime charges if the principal requires the custodian/cafeteria worker/audio technician to work longer than originally expected. If less time is required, a refund check will be issued.

Rental rates from July 1, 2015 through June 30, 2016 are as follows. The 4-hour minimum fee is required for all uses.

	Elementary		Middle		High	
	4-Hour Min.	Add'l Hours	4-Hour Min.	Add'l Hours	4-Hour Min.	Add'l Hours
Auditorium	300	75	300	75	400	100
Gymnasium/Cafetorium	300	75	--	--	--	--
Gym	300	75	500	125	600	150
Gym-Auxiliary	--	--	--	--	200	50
Little Theater	--	--	--	--	320	80
Cafeteria	240	60	240	60	240	60
Kitchen (cafeteria personnel required)	160	40	160	40	160	40
Classroom	100	25	100	25	100	25
Chorus Room	140	35	140	35	140	35
Commons Area	240	60	240	60	240	60
Batting Facility (NRHS)	--	--	--	--	25	100
Football Stadium/restrooms incl. lights	--	--	--	--	1,000	250
Football Stadium/restrooms excl. lights	--	--	--	--	800	200
Athletic Field/Tennis Courts incl. lights	100	25	100	25	100	25
Athletic Field/Tennis Courts excl. lights	80	20	80	20	80	20
Parking Lot or Grounds Only	100	25	100	25	100	25

Current **hourly rates** are as follows:

Custodial	\$ 22.00
Cafeteria Worker	22.00
Audio Technician	40.50

A certificate of insurance must also be provided 2 weeks prior to the event date.

The certificate of insurance must provide at least the following coverage:

- \$1,000,000 each occurrence (Bodily Injury)
- \$2,000,000 general aggregate (Bodily Injury)
- \$3,000,000 each occurrence (Property damage)

or

\$1,000,000 combined single limit

Coverage is to include Products Liability, Personal Injury, and Fire Damage Legal Liability. **The certificate must list Suffolk Public Schools as the certificate holder and must state that Suffolk Public Schools is named as an additional insured.** Listing the school as certificate holder and/or additional insured will not be accepted. If the organization has one or more employees involved in the event, the certificate must also show evidence of workers' compensation coverage.

Please refer to the attached policy and regulations for additional requirements. If all requirements are not met on time, the principal will be instructed to deny access to the space requested. While using the facility, any problems should be reported to the custodian who will inform the principal and/or maintenance personnel. Thank you again for your interest in Suffolk Public Schools.

POLICY

Article 11

Community Use of School Facilities

Section 10-11.1. Use of school buildings during non-school hours; authority of School Board.—A. The superintendent, subject to the approval of the School Board, may provide for or permit the use of school buildings and grounds during non-school hours or during the school term, or during vacations for any legal assembly. School facilities also may be used as voting places in any primary, regular or special election.

B. The School Board is authorized to permit use of school property under its control when such use will not impair the efficiency of the school. (Adopted January 12, 1995; Revised November 16, 1995)

Legal Authority – Virginia Code §22.1-131 (1950), as amended.

Section 10-11.2. Groups Permitted to Use School Facilities; Requirements for use by religious organization; Exception to 100 day limit; Superintendent to Make Report; Superintendent to develop regulations for its implementation.—A. The following groups and/or organizations are permitted to contract for use of school facilities for a total of no more than 100 days during the contractual period as provided for in regulations adopted by Suffolk Public Schools:

(1) A Group I organization is defined as any organization that sponsors programs and/or activities which benefit school age children enrolled in Suffolk Public Schools. Group I organizations include youth organizations, governmental units, and volunteer safety organizations. Specific examples include, but are not limited to P.T.A.'s, Scouts, 4-H Clubs, City of Suffolk departments, volunteer fire departments and rescue squads, police auxiliaries, school business partners, the YMCA, and the Suffolk Art League.

(2) A Group II organization is defined as any cultural, charitable, or civic organization which has been granted 501(c)(3) status by the Internal Revenue Service.

(3) A Group III organization is defined as any group, club, business, partnership, or association, which does not meet the definition of a Group I or II organization.

B. With regard to any religious organization including, but not limited to, churches, synagogues, temples and mosques, interested in using any Suffolk Public School facility for continuous religious observances, the religious organizations must (a) renew their application for use of the facility at six month intervals; and (b) provide to the School Board sufficient evidence to establish that the religious organization has taken steps to secure a permanent place of worship which may include, but shall not be limited to, (i) the purchase of land (ii) the development of architectural and/or engineering plans for the construction of a new facility or the renovation of an existing facility; or (iii) proof of project financing for the construction of a new facility or the renovation of an existing facility.

C. The 100 day limit referenced in subsection A shall not apply to government units. Uses by governmental units can be granted for periods longer than 100 days.

D. The Superintendent shall report to the School Board at the end of each month any action under this section.

E. The Superintendent shall also develop regulations for the implementation of this policy. (Adopted January 12, 1995; Revised August 12, 1999; Ordinance 00/01-1; Revised May 8, 2008; Ordinance Number 07/08-11; Effective May 8, 2008)

Note: The 2008 amendment to Section 10-11.2, Subsection A limited the number of days a group can contract to use a school facility to no more than 100 days during the contractual period. The words “must comply with all applicable policies, rules and/or regulations of Suffolk Public Schools and whenever the anticipated use of the facility will be longer than six (6) months”, was deleted from Subsection B, line 3. A new Subsection C was added setting forth that the 100 day limit referenced in Subsection A did not apply to governmental units. The 1999 revision to Section added subsection A (1) and amended subsections (2) by deleting the word “organizations” in lines one and two, inserted the word “or” in line two, and added the words “organization which has been granted 501 (c)(3) status by the Internal Revenue Code in line two. This revision also amended subsection (3) by adding the word “Any”, deleting the word “Churches” in line one, and added the words “including, but not limited to, churches, synagogues, temples and mosques, that are interested in using any Suffolk Public School facility, etc. and deleted language which provided that the church must be a recognized church employing a minister and must be located within the City of Suffolk, etc.

Legal Authority - Virginia Code §22.1-131 (1950), as amended.

REGULATION

Article IV

COMMUNITY USE OF SCHOOL FACILITIES

Section 4-4.1. Certain substances and weapons prohibited; School Board authority.— A. Use or possession of alcoholic beverages, illegal substances, and weapons of any kind, as defined in School Board Policy, are not allowed on school property at any time.

B. The School Board may cancel permission to use school buildings and grounds when such action is necessary for the best interest of the school division. The principal or his agent shall be present for all activities. (Issued January 12, 1995; Revised October 12, 1999)

Legal Authority - School Board Policy §§10-11.1 & 10-11.2

Section 4-4.2. Use by school groups; non-school groups; 100 Day Limit on facilities constructed using tax exempt governmental bonds.— A. Use of buildings and grounds by school groups within the same school for educational purposes after school hours shall be handled by the principal of the school for educational purposes after regulations of the School Board. The school group shall submit to the principal its request for use of the facility on the standard use of facility form. If approved by the principal, notice of the approval along with a copy of the use of facility form must then be sent by the principal to the superintendent for informational purposes only.

Use of buildings and grounds by school groups within the division but not within the same school requires the submission of the standard use of facility form to the principal. If the principal approves the use, he/she will then forward the form to the superintendent or designee for final approval.

B. Use of buildings and grounds by non-school groups requires the submission of the standard use of facilities form to the principal, which must be subsequently approved by the superintendent or designee. Requests shall be presented for action no less than twenty-one days prior to the date scheduled for the event. The custodial services of a School Board employee are required. Payment for this service shall be based on an hourly rate (including overtime where necessary) plus related fringe benefit costs and shall be collected by the administrative office of the Suffolk Public Schools. Custodial fees shall not be charged to P.T.A.s, Scouts and 4-H clubs. Where the use of a school kitchen and equipment is requested, an employee of the Food Services Department must be present. Payment for this service shall be based on an hourly rate (including overtime where necessary) plus related fringe benefit costs and shall be collected by the administrative office of Suffolk Public Schools.

C. The 100 day limit on use of school facilities as set forth in School Board Policy 10-11.2 shall apply on to school facilities constructed after 2007 where tax exempt government bonds were issued to finance school construction and the obligation for payment on bonds remains outstanding. (Issued January 12, 1995; Revised October 12, 1999; Revised May 8, 2008; Issued May 8, 2008)

Note: The 2008 revision to this regulation inserted Subsection C.

Legal Authority – School Board Policy §§ 10-11.1 & 10-11.2

Section 4-4.3. General regulations; fees and payment of.— A. Any person, group, or organization wanting to use a Suffolk Public School facility must adhere to the following:

- (1) Provide Suffolk Public Schools with the current address and telephone number of a contact person, and that contact person will agree to work cooperatively with the principal and provide assurance that the person, group or organization will follow all policies of the School Board and all applicable rules and/or regulations of Suffolk Public Schools.
- (2) Provide Suffolk Public Schools with a certificate of insurability, upon request of the superintendent, to show the following:

Commercial General Liability - \$1,000,000 each occurrence (Bodily Injury)

- \$2,000,000 general aggregate (Bodily Injury)
- \$3,000,000 each occurrence (Property Damage) or

A combined single limit of \$1,000,000

Coverage is to include Products Liability, Personal Injury, and Fire Damage Legal Liability. The Certificate shall certify that the policy has been endorsed to name, as an additional insured, Suffolk Public Schools, with respect to the use of the premises. If the organization has an employee(s), the Certificate must also show evidence of Worker's Compensation coverage.

These amounts may be adjusted by Suffolk Public Schools depending upon the risk exposure factors present.

- (3) Agrees to hold harmless and indemnify Suffolk Public Schools with respect to any claim of loss, injury, or damage because of negligence of the user or user's employees or agents, including damage to School Board property for which the School Board would be liable.
- (4) Shall arrange and pay for such insurance and security personnel as required by Suffolk Public Schools. Security is defined as either a Suffolk police officer(s) or a Suffolk Sheriff Department Deputy(ies). In determining the amount of insurance and the level of security, if any that will be required, the superintendent will consider the following:

- (a) The nature of the activity
 - (b) The time of day
 - (c) The length of time encompassing the activity
 - (d) Historical antecedents associated with the activity or a like activity
 - (e) Crowd analysis to include (1) size; (2) student mix; (3) mix of students and adults; (4) the involvement of students from more than one school; (5) the need to separate and control different elements of the crowd; (6) the likelihood that the activity will attract persons not interested in the activity; (7) the presence of the other groups using the facility at the time; (8) the likelihood of vandalism or theft occurring in the parking area; (9) traffic control; and (10) any other relevant factor unique to the activity.
- (5) Agrees to comply with safety regulations and policies of the Suffolk Fire and Police Departments.
- (6) Agrees not to place signs, banners or other advertising devices on Suffolk Public School property without the written approval of the Director of Facilities and Planning for Suffolk Public Schools.

B. Any organization requesting use of school facilities shall be assessed a rental fee for such use, along with any custodial and/or cafeteria fees which may be applicable, as set forth in the schedule of fees adopted by Suffolk Public Schools.

C. The superintendent shall determine minimum custodial and/or cafeteria fees required by the event. All rental fees and the minimum custodial/cafeteria fees shall be paid by the group or organization prior to the date of the event and shall be considered the deposit. The deposit will be applied to the final bill subsequent to the event. (Issued January 12, 1995; Revised October 12, 1999)

Legal Authority - School Board Policy §§10-11.1 & 10-11.2

Section 4-4.4. Waiver of rental fee and insurance requirement; writing required.—A. The School Board may permit waiver of the rental fee and/or the insurance requirement for any organization if:

- 1) On recommendation of the superintendent, it would be in the best interest of Suffolk Public Schools that waiver should be granted; or
- 2) The group or organization meets the definition of a Group I organization as set forth herein; and
 - i) within three months prior to applying for waiver, the Group I organization has sponsored at least one program and/or activity which benefited school age children in Suffolk Public Schools; and

- ii) has an office in Suffolk; and
- iii) the activity and/or program sponsored by the Group I organization, for which waiver is being requested, will be free and open to the public.

B. Any organization seeking a waiver fee must submit its request in writing to the superintendent explaining, in sufficient detail, the reason(s) that the organization is requesting waiver. Within ten work days after receiving the request for waiver, the school superintendent will issue a written notice to the applicant indicating the superintendent's intention to recommend to the School Board that the request be either granted or denied. If the superintendent intends to recommend to the School Board that the request for waiver be denied, the reason(s) therefore shall be set forth in the notice of intent. (Issued January 12, 1995; Revised October 12, 1999)

Legal Authority - School Board §§10-11.1 & 10-11.2

Section 4-4.5. Appeal.—Any organization that does not agree with the notice of intent received from the superintendent, can appeal directly to the School Board. Any appeal to the School Board must be submitted in writing to the School Board within seven calendar days from the date of the superintendent's notice of intent. Any appeal to the School Board may be in writing or the party requesting the appeal may appear in person before the School Board. The decision of the School Board shall be considered final. (Issued January 12, 1995; Revised October 10, 1999)

Legal Authority - School Board Policy §10-11.1.