

## **Public Use of School District Facilities**

Yakima School District buildings and facilities have been provided primarily and specifically for use in the educational and extracurricular programs for school-age children. Any other use of district facilities must be subordinated to these uses.

The use of school facilities by members of the community is encouraged. After educational and extracurricular program needs have been met, priority use of facilities will be given to Yakima School District and groups herein listed under 7.0 Priority Access to School Facilities. Regulations governing this use shall be developed by the superintendent. Use of such facilities by the community shall not interfere with regular school educational or extracurricular activities. Approval of the use of facilities by a group or organization does not constitute endorsement of this group or its objectives by the district.

School facilities may be rented for scientific, artistic, sporting, cultural, or other community events open to the public which are sponsored by individuals or by recognized non-profit organizations or groups.

School facilities may also be used, subject to paying reasonable rental value or actual district cost, by individuals or groups whose intended use is solely commercial, private for profit, religious instruction or worship, or partisan political; provided, however, that school facilities shall not be rented for such purposes on a regular or continuing basis. The lessee agrees to protect all responsibilities listed for lessee; see section 3, Responsibilities of Lessee. A schedule of rental fees and charges shall be developed by the superintendent or designee.

In determining the intended use of the facility, the district at its discretion shall determine and decide the primary use being made of the facility as evidenced by the application for use. The district reserves the right to grant or deny use of school facilities at its sole discretion. Appeals may be made to the assistant superintendent of human resources.

Facilities will not be rented during normal school day hours. An exception to this will be allowed for such activities as school picture photographers, as long as such use does not interfere with the educational program.

The district understands that casual use of playgrounds, baseball, football or soccer fields by the community may occur from time to time, providing the use does not interfere with school or scheduled activities.

### **1. General Provisions**

- 1.1 The school district reserves the right to deny use of school facilities to any applicant when the intended use or the principles, philosophy, or background of the applicant organization would be detrimental to the best interest of the school district and its educational program. Appeals may be made to the assistant superintendent of human resources.
- 1.2 School facilities are not available for public dances.

- 1.3 Tobacco products/alcoholic beverages/drugs or other controlled substances are not permitted at any time on school district premises, including all grounds and play fields.
- 1.4 A school district employee must always be assigned and on-site at all times of rental and be responsible for unlocking and securing the building for after-school use. The lessee shall be responsible for said employee's wage costs, inclusive of any overtime and employment taxes.
- 1.5 If kitchen facilities are to be used a regular cafeteria employee must be in attendance, lessee shall be responsible for said employee's wage costs, inclusive of any overtime and employment taxes.
- 1.6 Officials representing the school district reserve the right to enter the school buildings at any time.
- 1.7 No keys will be loaned. Whenever these facilities are rented, the facilities scheduling coordinator or their appointed representatives will open and close the building. The facilities scheduling coordinator or their appointed representative of the school district on duty shall be in complete authority.
- 1.8 Gym shoes are required for all gym floors and elsewhere for activity-type games and events, including but not limited to basketball, volleyball or badminton. Heeled and/or hard-soled shoes should not be worn on gym floors.
- 1.9 During the summer, use of the school facilities may be restricted if such use interferes with the summer maintenance program.
- 1.10 All groups or organizations using facilities are responsible for total clean up of all facilities used or for the wage cost of district custodians to perform these duties, inclusive of any overtime and employment taxes.
- 1.11 Failure to comply with facilities use rules or policies may result in the revocation of the facilities use agreement and/or the denial of the future use of school facilities.

## **2. Applications**

- 2.1 No permit will be granted for the use of buildings or grounds except upon application, which shall be made to the facilities scheduling coordinator at the central services building, 104 North Fourth Avenue.
- 2.2 All applications shall be presented in time to allow adequate consideration by the designated school representative. Ten (10) days shall be the minimum. Rental fees will be calculated and estimates submitted in accordance with the current fee schedule. The district reserves the right to determine the most appropriate facility for the event.
- 2.3 A single application may be made for a series of meetings or meetings of like character. However, if any of the meetings is found to conflict with school programs, such meeting will be canceled or rescheduled for another time or place.
- 2.4 Upon approval of an application, a permit will be issued by the facilities scheduling coordinator to be forwarded to the principal. Orientation with the principal may be required prior to use.
- 2.5 The district reserves the right to revoke any permit and refund any rental up to ten (10) calendar days prior to the time of the event.

- 2.6 Payment of rental fees shall be required in advance of the event.
- 2.7 After all charges are determined, a copy listing these charges will be sent to the rental group. In all cases, payment for the use of school facilities and any related costs shall be made at the school district business office, 104 North Fourth Avenue.
- 2.8 Any and all use of district facilities shall be totally free from obscure and controversial purposes and purposes of a disruptive nature. Objections to a specific use of district facilities by any group must be made in writing to the superintendent and signed by the individual and/or group of individuals lodging the complaint. When a valid complaint is lodged, the following shall apply:
  - 2.8.1 Use of facilities by the applicant may be suspended temporarily to afford the superintendent or designee and all concerned parties sufficient time to meet for the purpose of a hearing. The applicant shall be duly notified in time to contact the members of the group regarding the temporary suspension of facility use, pending the hearing.
  - 2.8.2 Within ten (10) days of temporary suspension, the superintendent or designee, the complainant, and the applicant shall convene at a specified time and location to determine the validity or non-validity of the complaint. The superintendent shall be the deciding authority, and their decision shall be final. A written copy of the decision may be obtained by any and all members of either the complainant group or the application group by request.

### **3. Responsibilities of Lessee**

- 3.1 The lessee agrees to protect, indemnify, and save harmless the district, its officers, directors and employees, from any and all claims, liabilities and damages, or rights of action directly or indirectly growing out of the use of the premises covered by the application for use agreement. Lessee further agrees to provide evidence of insurance in the form of a certificate for limits of not less than one million dollars (\$1,000,000) combined single limit. Certificate shall name the Yakima School District #7, its officers, directors and employees as additional insured, and provide not less than ten (10) days notice of cancellation or material change. This insurance shall be primary. The certificate shall be amended, deleting the wording “endeavor to” and “this certificate is issued as a matter of information only, and confers no rights upon the certificate holder.” This wording shall be crossed off the certificate form and initialed by an authorized representative of the insurance company.
- 3.2 The lessee and all members of the group occupying school facilities are responsible for reasonable and proper care of the facility used and any material or equipment found therein. Any loss or damage resulting from activities of the group or activities of any person present because of the activity booked will be billed to the leasing organization. Failure to comply with this regulation and to pay any damage charges which may be assessed will result in denial of further privilege of use of school facilities and may result in legal action.
- 3.3 The leasing organization is responsible for the conduct of all persons in attendance. Adequate adult supervision of a youth group or program must be

provided by the leasing sponsor to assure proper conduct of occupants. Such adult supervision must be present with youth groups and in effective control at all times.

Secondary student initiated groups wishing to meet and to use school facilities must be supervised at all times by a district employee.

- 3.4 The district requires any organization that operates a youth program where there is any reasonable risk that participants in the youth program might suffer a head injury or concussion to assure that the following requirements are met before any use of the district facilities (RCW 28A.600 and RCW 4.2.4.660); see OP 3436.

The youth organization must sign a facilities use agreement with the district that shall include, in addition to other necessary terms the following requirements:

- a. The youth organization must provide written evidence of having obtained a bodily injury and accident liability policy; see section 3.1 above for insurance requirements.
- b. The youth organization must provide the district with a statement of compliance acknowledging that the youth organization and its coaches and volunteers have taken all training that is reasonably available to the organization and provided by WIAA on head injuries and concussions and that the youth organization will fully comply with all of the requirements, policies and guidelines promulgated by the WIAA related to head injuries and concussion.

The facilities program will compile a list of activities that must comply with the provisions of this operational procedure, as well as maintain procedures to verify that all qualified organizations have fully complied with legal requirements.

- 3.5 The lessee shall remove at their own expense materials, equipment, furnishings and rubbish in excess of two (2) thirty (30) gallon garbage containers.
- 3.6 The lessee using the facilities for a series of dates shall notify the office of the facilities scheduling coordinator if the days or times of use change in number, dates, or any other matter. If such notification is not made, and if paid employees show up to work the event, the lessee shall be responsible for their actual wage cost, inclusive of overtime and employment taxes.
- 3.7 When large crowds are anticipated, it will be the responsibility of the leasing organization to notify police and fire for aid in providing security and fire protection. The lessee is responsible for notifying the district in writing as to what fire and security arrangements have been made. Any additional cost for same shall be borne by the leasing organization.
- 3.8 The lessee is responsible for the wage cost of district custodians to perform clean up of the facilities, inclusive of overtime and employment taxes.

#### 4. Traffic Control, Parking, Fire, and Security Requirements

- 4.1 Traffic - The lessee may be required to provide an off-duty law enforcement officer if the facilities scheduling coordinator anticipates traffic congestion as a result of an event. The cost shall be the responsibility of the lessee.
- 4.2 Parking - The lessee may be required to provide an off-duty law enforcement officer, to hire district security person(s) and/or to organize and provide adult parking supervisors if the facilities scheduling coordinator anticipates parking problems as a result of an event. The cost shall be the responsibility of the lessee. **No driving or parking on track fields, turf, and Sidewalks. Failure to do so may result in loss of facility use.**
- 4.3 Fire - The lessee is required to follow all precautions for fire safety, to comply with all applicable fire safety rules and regulations, and to obey the fire marshal's edicts.
- 4.4 Security - The lessee may be required to hire district security personnel and/or to provide an off-duty law enforcement officer if the facilities scheduling coordinator anticipates security problems as a result of an event. The cost shall be the responsibility of the lessee.

#### 5. Damages, Defacement and Loss

- 5.1 Any damage to school district premises and/or equipment owned by the school district will be charged to the lessee or the organization, which will be responsible for the cost of any necessary repairs or replacement necessary to restore the premises to their original condition as determined by the facilities scheduling coordinator.
- 5.2 The school district assumes no responsibility for any personal property brought on district premises by the lessee, and the school district is not liable for any loss, damage or destruction to such personal property that may be sustained by the lessee in connection with any service to be carried out under the terms of this agreement.

#### 6. Priority Access to School Facilities

The mission, vision, beliefs, objectives and legal requirements of the Yakima School District are aimed at youth. The superintendent and district staff subscribe to the belief that public schools are owned and operated by and for its patrons. The public is encouraged to use school facilities but shall be expected to reimburse the district for such use to ensure that funds intended for education are not used for other purposes. Our commitment to district youth, followed by patron use of district facilities, governs the following prioritization of the use of Yakima School District buildings and grounds.

Use of non-commons and non-gymnasium indoor school facilities by the above or similar groups is limited to the following times when the school facility is operated and staffed:

- elementary school- 3:45 – 5:00 p.m.;
- middle school- 3:00 – 5:00 p.m.; and
- high school- 3:05 – 5:00 p.m.

This allows the building's teachers to complete their contracted work day at their work stations. Use of gymnasiums may continue into the evening until 9:30 p.m.

When scheduling school district facilities for use outside the regular school day, priority in scheduling shall be given in the following sequence, which has sample groups listed. The facilities scheduling coordinator, with approval of the building principal, shall assign school district rooms and, in consultation with the district athletic director as needed, gymnasiums and play/athletic fields.

Application requests for use of school facilities may be submitted beginning May 1, for the following school year and will be assigned using the following timeframes:

- Priority I: May 1-31
- Priority II: June 1-30
- Priority III: July 1-30
- Priority IV: August 1-31
- Priority V: September 1-30

Applications received outside of the designated ranges listed above will be reviewed on a first-come first-serve basis by priority and date received.

#### **6.1 Priority I: Yakima School District Educational and Extra-curricular Programs**

No charge unless labor or damage costs are incurred.

- 6.1.1 School curricular and extra-curricular groups, such as drama, debate, the performing arts, intramurals, athletics, Associated Student Body (ASB) clubs;
- 6.1.2 Faculty, curriculum and staff development meetings;
- 6.1.3 School support groups, such as PTSA and parent booster clubs;
- 6.1.4 School photos, college recruitment or district-sponsored college courses; the district will provide official recruiting representatives of the 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.
- 6.1.5 Washington Interscholastic Athletic Association (WIAA) district, regional or state playoffs.
- 6.1.6 Others, as approved by the superintendent.

#### **6.2 Priority II: Non-profit Activities of Youth Organizations**

Rental fee may be waived. Labor, damage, and utility costs will be charged.

Available facilities may be scheduled on a first-come basis by community-sponsored youth groups and teams, but not limited to, Boy Scouts, Cub Scouts, YMCA, YWCA, Girl Scouts, Brownies, Camp Fire, 4-H, AAU, Grid Kids, and Little League; see section 3.4 regarding requirements for youth groups/organizations.

**6.3 Priority III: Local Government Agencies and Contractual Groups**

Rental fee may be waived. Labor, damage, and utility costs will be charged.

Available facilities may be scheduled on a first-come basis by Yakima City, County, or Washington State department or agency meetings; and other public municipal government/agency meetings.

**6.4 Priority IV: Non-profit Activities of Adult Organizations**

Rental fee may be waived. Labor, damage, and utility costs will be charged.

Available facilities may be scheduled on a first-come basis by recognized non-profit civic, social, recreational, and charitable organizations including, but not limited to, college courses, Kiwanis, Red Cross, League of Women Voters, hospital auxiliaries, United Way, YWCA, YMCA, Cancer Society, Toastmasters, Rotary, and Greenway Foundation. Excluded are any groups or organizations whose aim is commercial or for the monetary benefit of any individual or group of individuals.

**6.5 Priority V: Commercial or For-profit Motivated Events**

Established rental cost plus labor, utility fees, and any damage costs will be charged.

Available facilities may be scheduled and rented on a first-come basis by groups, associations, or activities whose motive is commercial gain or monetary benefit, either directly or indirectly. This includes organizations whose purposes are advertising or promoting sales or use of products or services when the motive of such sales results in monetary gain to an individual or group of individuals. Also included are entertainment programs, which yield any financial return to the entertainers or promoters, whether such financial return is based on a fee, percentage of admissions, or any other arrangement, included in this classification. State or national conferences or assemblages on a one-time basis are included in this priority classification.

**7. Rental Rate Structure by Priority Access Categories**

Rental rates are based upon utility costs, maintenance costs, equipment replacement costs and reasonable or additional cleaning costs. Rental rates apply to use of the physical area requested and the halls and restrooms only. When equipment such as public address systems, special lights or scenery is used, extra charges apply.

7.1 Priority I: No charge unless labor or damage costs are incurred.

7.2 Priority II-IV: Rental fee may be waived. Labor, damage, and utility costs will be charged.

7.3 Priority V: Established rental cost plus labor, utility fees, and any damage costs will be charged.

**8. Rental Rates (see following charts)**

Location	District Staff	Labor/Rent	Hourly cost
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All sites	Custodial	Labor school day	\$40 per hour
All sites	Custodial	Labor non-school day	\$60 per hour
All sites	Maintenance	Labor school day	\$50 per hour
All sites	Maintenance	Labor non-school day	\$75 per hour
All sites	Scoreboard Operator	Labor	Employee Cost
Elementary school	Gymnasium	Rent	\$20 per hour
Elementary school	Fields	Rent	\$30 per hour
Middle school	Commons	Rent	\$30 per hour
Middle school	Gymnasium	Rent	\$30 per hour
Middle school	Baseball/Softball field	Rent	\$30 per hour
Middle school	Football/Soccer field	Rent	\$30 per hour
Middle school	Track	Rent	\$30 per hour
High school	Auditorium	Rent	\$70 per hour
High school	Commons	Rent	\$40 per hour
High school	Gymnasium	Rent	\$40 per hour
High school	Baseball field	Rent	\$30 per hour
High school	Football practice field	Rent	\$30 per hour
High school	Tennis Courts	Rent	\$30 per hour
High school, Davis	KIVA	Rent	\$40 per hour
High school, Davis	Soccer field	Rent	\$30 per hour
High school, Davis	Track	Rent	\$30 per hour
High school, Ike	Softball field	Rent	\$30 per hour
All sites	Kitchen	Rent	\$50 per hour (4-hour minimum)
Stadium	Zaepfel	Rent	\$200 per hour (4-hour minimum)
Sites not listed above	Rooms not listed above	Rent	\$20 per hour
Sites not listed above	Fields not listed above	Rent	\$30 per hour
All sites	Personnel not listed above	Labor	Average cost



**9. Equipment Use - On Site**

Groups leasing school facilities may obtain the use of equipment for a particular activity for the appropriate rental rate, providing the equipment is used in conjunction with the rental of the facility and that a qualified district employee is available to operate the equipment. Without prior arrangement, the school district will provide only the furniture and equipment normally found in the area leased.

Reasonable shifting of furniture within the room to meet the needs of the occupant will be permitted, provided that it is returned to the original location and arrangement by the lessee. No furniture or equipment may be removed from any room without prior approval.

- 9.1 Podiums, nets, and standards will be made available, but only upon written request at the time of application.
- 9.2 Use of the following equipment, since it involves extra labor cost for moving, setting up, or returning the equipment, will necessitate additional charges at the current rental rate: band risers, bleachers, choir risers, choir shell, loudspeakers, piano, spotlights, platform or stage. Direct cost for district labor will be added if required.
  - 9.1.1 A minimum two (2) hour labor charge is required by union contract for any use of district employees on special call-out.
  - 9.1.2 The charge for bleacher time includes pulling out and returning, putting up and removing rails, and sweeping off the bleacher seats and floor underneath.
- 9.3 Computer lab rentals include charges for all of the equipment in the lab, regardless of the amount of equipment actually used. The labs are rented for half-day (up to 4 hours) and full-day increments (5 to 12 hours). A computer lab is defined as a room with 15 or more computers.

**10 Equipment Rental Fee Schedule**

Stadium Lights	\$35.00 per hour
Video Projector	\$35.00 per hour

Computer labs, 15 or more computers (all hardware within lab)	\$500/half-day (1 to 4 hours) \$1,000/full-day (5 to 12 hours) Plus current hourly pay rate for trained operator
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**11. Central Services**

- 11.1 Central Services conference rooms are heavily used for district meetings and staff trainings.
- 11.2 Conference rooms are not set up for coffee service, custodial assistance or connection to the internet for outside users.
- 11.3 Requests from outside groups are directed to other facilities in Yakima.

**12. Special Additional Provisions for High School Auditoriums, High School Gymnasiums, and Davis KIVA**

- 12.1 Yakima School District's building facilities have been provided primarily and specifically for the use of educational programs for school-age children. Any other use of district facilities must be subordinated to this educational program. These facilities may be used for programs that are educational, civic or entertaining in nature and that are beneficial to the welfare of the community.
- 12.2 All applications for use of these facilities are subject to the approval of the high school principals and/or their respective managers for dates and times available.
- 12.3 Organizations, which desire commitments involving long-term use of these facilities, may make special arrangements with the assistant superintendent of human resources.
- 12.4 A calendar of programs and events will be developed by the principals at these locations each year during the month of September for the following twelve (12) month period beginning September 1. If more than one (1) date is desired during any twelve (12) month period, it is essential that those requests be made as early as possible to avoid conflict with school use of facilities.
- 12.5 No keys will be loaned. Whenever these facilities are rented, the facilities scheduling coordinator or their appointed representatives will open and close the building. The facilities scheduling coordinator or their appointed representative of the school district on duty shall be in complete authority.
- 12.6 At no time shall food or refreshments be carried into these areas, nor will food be served or consumed within the perimeters of these areas except as required by script.
- 12.7 Tobacco products and/or alcoholic beverages/controlled substances are not permitted on school premises at any time.
- 12.8 The superintendent or their designee shall develop a schedule of fees and charges which will ensure that district funds shall not be used to support activities other than those

consistent with the mission of the district and authorized by the board. School administrative officers reserve the right to enter these areas at any time.

12.9 If stage facilities are used in any of these facilities, district stage crew members and systems operators shall be employed at the current rate paid by the district. This shall include rehearsals, as well as actual performances.

12.10 Promotional material to be used in the lobbies and/or other areas must be approved by the facilities scheduling coordinator. Displays in these areas shall be restricted to materials directly related to program in these areas. Displays in any area may not be attached to the walls; they must be free-standing, and they must comply with local fire code.

12.11 There shall be no sales of materials or transactions involving contracts for sale of materials in these areas except for theatrical programs or items approved in advance by the director of support services. Nothing shall be sold in the seating area of these facilities.

12.12 Tape or sound recorders and photography equipment shall not be set up or used in these facilities without prior permission. Permission to tape or photograph a program must be obtained from person(s) in charge, the artist(s), and director of support services prior to performance.

12.13 The sponsor shall not grant live or delayed radio or television broadcast privileges to any person, organization or activity in connection with the sponsor's use of the leased facilities without prior approval of the assistant superintendent of human resources.

12.14 The lessee shall not transfer their contractual responsibilities to any other person or group using these facilities.

12.15 During the school day, the use of these facilities normally is limited to school classes and school related activities.

12.16 The use of these facilities is limited to the hours the building normally is open, unless special arrangements are made with the high school principals and/or the director of support services.

12.17 Eligibility for operations of any and all equipment will be determined by the school principal, the facilities scheduling coordinator, and the facilities manager. School officials shall be the sole judge of such eligibility.

12.18 The box office and the lobbies may be used for advanced sales, as well as performance sales during the hours the building is open.

12.19 The facilities scheduling coordinator shall approve the copy for all tickets of admission for all events held in these facilities.

12.20 These facilities have maximum seating capacities as determined by the fire marshal. Any additional seating must be cleared by the assistant superintendent of human resources and must meet local fire codes. No seating in aisles or stairways is permitted.

#### Cross References:

(cf.: 3436 – Concussion and  
Head Injury in Youth Sports)

(cf.: 3511 – Secondary Student  
Group Meetings)

(cf.: 4313 – Eliminating Tobacco and Alcohol on school Premises)

(cf.: 4320 – Distribution of Materials and Contacts with Students Promoted by Outside  
Agencies)

Legal References:

RCW 28A.320.510 – Night Schools, Summer Schools, Meetings, Use of Facilities

RCW 28A.335.150 – Permitting Use and Rental of Playgrounds,

Athletic Fields or Athletic Facilities RCW 28A.335.155 – Use of  
buildings for youth programs – Limited immunity

RCW 28A.230.180 - Educational and career opportunities in the military, student access to  
information on, when

AGO 1973 No. 26, Initiative No. 276 – School districts – Use of school facilities for  
presentation of programs –Legislature –Elections 20 USC SEC.4071 – Equal Access Act

Adoption Date:

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