

Sample Policy on the Use of Athletics Facilities by Non-Athletics Groups

The following policy and procedure is a sample. Please don't use it verbatim. Follow instructions to insert information applicable to your institution and then submit to your legal counsel for review to be sure all elements conform to institutional policy and applicable local, state and federal laws.

(Name of Institution)

Policies and Procedures Regarding the Use of Institutional Facilities

The [superintendent, principal, president, or title of other senior staff member with policy and decision-making authority] or designee shall be responsible for the administering the following policies and procedures that shall govern the use of institutional facilities by internal groups conducting special events/programs or external community entities.

Facility use applications are available from [designate title of person-should be the same as in 5.1], (hereafter referred to as "Facility Coordinator") who shall also be responsible for assisting prospective users in the determination of suitable space and any questions regarding the application of this policy. All rentals of school facilities shall be approved by [indicate institutional committee or title of person] consistent with the following policies and procedures.

1.0 Non-Discrimination. (Institution) shall not discriminate on the basis of age, color, gender, national origin, physical impairment, political affiliation, race, religion, or sexual orientation in the consideration of any facility use application. (Institution) shall deny application for facility use to any group or individual that denies the membership or participation in its activities based on such discriminatory factors.

2.0 Scheduling

2.1 Master Calendar. The Facilities Coordinator shall be responsible for maintaining the Master Facilities Use Calendar for the institution on an ongoing basis.

2.2 Black-Out Days. Institutional facilities are not available for scheduling on official institutional holidays when all buildings are closed or when facilities are closed for maintenance or renovation. The Facilities Coordinator shall be responsible for including such "black out" days in the Master Facilities Use Calendar.

2.3 Outdoor Fields. Use is subject to cancellation or adjustment without notice due to weather or field conditions. The institutional supervisor on-site at the event is responsible for event cancellation, suspension and resumption of activity decisions due to weather or field or facility safety concerns.

2.4 Use While Classes Are in Session. Institutional facilities are not available for use during the day at times in which regular classes are in session with the following exceptions:

- a. Weekends and evenings
- b. Conference or other athletics governing association athletics events hosted by (institution) which may involve use of facilities during class times

2.5 Scheduling Priorities. Institutional entities have until September 15 to submit written requests for the school year in order to receive priority consideration. Following that time, facility use applications will be considered on a first come/first serve basis. In cases in which there are multiple requests for the same date/time slots, the following priorities shall be used to

determine approval of applications:

- a. Institution academic department
- b. Institution athletics department
- c. Institution intramural department
- d. Institution club activities department
- e. Institution registered student organization
- f. Institutionally affiliated organizations (i.e., alumni association, PTA, etc.)
- g. Other community educational institution (non-profit)
- h. City, county and other government agency
- i. Non-profit community organization
- j. Non-profit county organization
- k. Commercial/business entity

2.6 Right to Cancel. The institution reserves the right to cancel facility use permits should the space be needed for school or school-related activities for reasons that were unforeseen. Such use revocation will only be due to unavoidable circumstances and the institution will make every effort to offer alternative space. In the event of such cancellation, all moneys received will be refunded.

3.0 Prohibited Activities

The following activities are expressly prohibited in the use of any institutional facility or property:

- a. Any activity that violates institutional policy or local, state or federal law.
- b. Use or possession of alcoholic beverages and controlled substances.
- c. Smoking, chewing or any other use of tobacco products within or outside the building
- d. Fighting, gambling or other disruptive or illegal activities
- e. Use of flammable substances or materials.
- f. Open flames (candles, cooking tools, etc.), fireworks or pyrotechnics.
- g. Attendance at events exceeding approved occupancy limits.
- h. Use of trampolines, climbing walls, enclosed or air supported structures of any type, climbing ropes, firearms or shooting activity, bow and arrow shooting activity or related equipment or devices.

Any group granted the use of institutional facilities and subsequently found in violation of this policy shall be prohibited from future use for a period of not less than two years.

4.0 Use Fees and Facilities Available for Use

- 4.1 **Rental Fees.** Official institutional entities are not charged rental fees. See Chart 4.1.1 for facility rental rates. A minimum of two hours rental is charged. For programs requiring continuing use, rate adjustments may be possible.

CHART 4.1.1: Facility Rental Chart: Per Hour Rates (min. 2 hrs.)
(not including custodial or special services requirements)

Facility	Non-Profit Org.	Commercial Entity	Basic Required Personnel Charges
Classroom	\$25	\$50	Supervisor - \$20
Multi-Purpose Room	\$35	\$70	Supervisor - \$20
Small Auditorium	\$60	\$100	Supervisor - \$20
Large Auditorium	\$75	\$150	Supervisor - \$20
Small Gymnasium	\$50	\$100	Supervisor - \$20
Large Gymnasium	\$75	\$150	Supervisor - \$20
Commons/Cafeteria	\$40	\$80	Supervisor - \$20
Outdoor Field	\$35	\$70	Supervisor - \$20
Swimming Pool	\$75	\$150	Supervisor - \$20; Lifeguard - \$25
Stadium	\$500 plus*	\$1,000 plus *	Based on nature of event

*10% of all ticket revenues

4.2 Supervisor Fees. No facility may be utilized without the presence of a university employee who shall supervise the use of the facility during the rental period. Such supervisor shall be trained in first aid, CPR and AED assistance, shall be fully informed of the location of emergency medical equipment and shall have a communication device available for access to emergency medical assistance. The number of supervisors required for events with over 100 participants shall be determined by the institution based on the nature of the event. Depending on the nature of the event, the institution may require the presence of a certified EMT or athletics trainer.

4.3 Security Officials. The institution reserves the right to require facility renters to obtain uniformed security personnel, dependent on the nature of the event.

4.4 Custodial Fees. Groups are required to leave the facility as they find it. A custodial fee of \$75 will be charged for groups in excess of 100 people or for any event in which food or beverages are provided or sold.

4.5 Special Services. Separate charges are applicable for the use of special services or equipment. See Chart 2 for special services rates.

CHART 4.5.1: Special Services Chart: Per Hour Rates (min. 2 hrs.)

Special Service/ Equipment	Non-Profit Org.	Commercial Entity	Required Personnel Charges
Overhead Projector	\$10	\$20	
Computer Projector	\$10	\$20	IT Tech - \$25
Computer	\$50	\$100	IT Tech - \$25
Podium	\$5	\$10	
Microphone	\$10	\$20	IT Tech - \$25
Screen	\$5	\$10	
Net/Goal	\$10	\$20	
Phone/Utility Installation	Actual Cost	Actual Cost	Actual Cost

4.6 Event Cancellation. All fees paid shall be fully refunded if the event is cancelled at least 48 hours prior to its scheduled date and time. For events cancelled less than 48 hours prior to scheduled start, a minimum \$30 service fee shall be charged and all other funds refunded. For outdoor events cancelled due to weather, all facility use fees shall be refunded except for the actual cost of supervisors who worked to open and prepare the facility.

4.7 Damage to Facilities. All damage to facilities will be promptly repaired at the user's expense. At the discretion of the Facilities Coordinator, a damage deposit may be required based on the nature of the activity for which the facility is to be used or the past history of the user organization's facility use. Such deposits are fully refundable if no damage occurs.

5.0 Application for Use of Facilities

5.1 Written Application Required. A facility use application is required for one-time or continuing use of institutional facilities by any internal or external group, including registered student organizations (see attached Form 5.1.1). A copy of this policy shall be attached to every facility use application form. Written applications are not required for regularly scheduled classes or athletics team practices and regular season competition. Written applications are required for special events or post-season athletics events that are not part of the regular season schedule. Incomplete applications will not be considered. Applications should be hand-delivered, mailed, e-mailed or faxed to:

Jane Doe, Facilities Coordinator
[Name of Institution]
[Name of Department]
[Address]
[City], [State], [Zip]
Email: GDoe@Institution.edu
FAX: 333-333-3333

5.2 Application Deadline. Applications shall be rejected if submitted less than two weeks prior to the event.

5.3 Written Confirmation of Scheduling Approval. If approved, a confirmation of use application approval shall be emailed to the applicant with a copy of the Use Agreement (which shall contain a detailed explanation of all fees and charges) and all policies applicable to the conduct of the activity.

5.4 Use Agreement. A signed use agreement and prepayment of rental and personnel fees must be received by the facilities coordinator no later than one week prior to the scheduled event. In lieu of submitting such fees, the institution's academic and other departments and student organizations may submit institutional account numbers to be charged. The format and contents of such use agreement shall be approved by the institution's legal counsel.

5.5 Denial of Use. The institution reserves the right to deny facilities use for any reason. Use may be denied if in the judgment of Facility Coordinator or his/her designee if such use conflicts with institutional activities, violates any institutional policy or local, state or federal law, has the potential to damage fields or facilities because of excessive use, presents an unacceptable levels of legal liability or is judged to be incompatible with the institutional environment.

5.6 Notification of Cancellation by Renter. Once approved, the applicant is obligated to notify the Facility Coordinator if the intended use is cancelled or modified. Failure to notify the institution of the cancellation of an event results in the loss of the event deposit.

5.7 Notification of Cancellation by Institution. Once approved, the institution may notify the renter of cancellation of an event for reasons described in 2.6 or due to hazardous weather conditions. In the event of such cancellation, all deposit fees will be fully refunded and the institution will make every effort to reschedule the event.

6.0 General Use Policies

6.1 Permits are Non-Transferable. Facility use permits are non-transferable.

6.2 Observation of Fire and Safety Regulations. All applicable fire and safety laws and regulations governing use of school facilities must be observed at all times, including the instructions of the institutional supervisor assigned to the event.

6.3 Damages and Losses. The approved renter shall be held responsible for all damages and losses to the building, equipment and/or property and must indemnify and hold harmless the institution, its board and its employees from any claim resulting from or arising out of the use of the institutional facilities for which the application was approved.

6.4 Insurance. Non-school groups are required to provide certificates of insurance of the following type and in the following amounts and must agree to name the District as an unrestricted additional insured on the user's policy:

- a. be an insurance policy from an A.M. Best rated "secured" [name of state] insurer, permitted to do business in [name of state] State;
- b. contain a 30 day notice of cancellation;
- c. state that the organization's coverage shall be primary coverage for the District, its Board, employees and volunteers;
- d. additional insured status shall be provided with ISO endorsement CG 20 26 11 85 or its equivalent.
- e. the user agrees to indemnify the District for any applicable deductibles.
- f. required: Commercial General Liability Insurance - \$1,000,000 per occurrence/ \$2,000,000 aggregate.

6.5 Restricted to Location. Each facility permit is for a specific location. It is the responsibility of the renter to ensure that all participants restrict activities to that area except for the use of hallways or walking paths to and from entrances, exits and rest rooms.

6.6 Start Time and Exit Time. Facility use times shall be specified in the facility use application and shall include set-up and take-down times. Users are expected to enter and vacate the premises by the times specified. Additional rental fees may be charged for early arrival or late exit.

6.7 Event Signage. Specific permission must be received for the posting of event signs on school property or within the facility. All signs must be removed immediately following the event.

6.8 Sale/Serving of Food. The renter must demonstrate that all concessionaires are licensed and insured, all persons handling food meet county and state health requirements and all personnel abide by specific policies governing the use of kitchens or other concession areas, copies of which shall be given to the user as part of the use agreement.

6.9 Posted Rules. Participants and spectators must adhere to all rules posted in the facility.

6.10 Conduct. Profanity, objectionable language, disorderly acts or illegal activities of any kind are absolutely prohibited, and those violating this prohibition will be ejected from the premises.

6.11 Parking/Vehicles. No unauthorized vehicles are allowed on school property. Parking passes

must be obtained for loading and unloading. Only designated parking areas may be used during events.

6.12 Facility Alterations. No field or building alterations (lining of fields or gymnasiums, erecting permanent goal posts or structures, etc.) are permitted without prior approval.

6.13 Emergency Procedures Announcement Required. Prior to the start of the event, an announcement must be made to all participants by the group's designated supervisor regarding emergency evacuation procedures, pointing out posted procedures, directions for exiting, how to respond to a fire alarms, and in the case of emergencies.

6.14 Accidents or Injuries. Accidents or injuries must be immediately reported to the institutional Supervisor assigned to the event. If an accident occurs exiting the facility following the conclusion of the event and the supervisor cannot be found for such a report, the Facilities Coordinator must be called the next morning.

7.0 Financial Policies.

7.1 Collection and Deposit. The Facilities Coordinator shall be responsible for the collection and deposit of all rental and personnel fees prior to the conduct of an event. All payments shall be made by check or money order made out to [*name of institution*] and deposited in [*name of account*].

7.2 Billing for Additional Fees and Services. Within five business days following the event, the Facilities Coordinator shall be responsible for billing the organization for any additional fees or services related to the event or the return of all or part of a damage deposit, if applicable. The Facilities Coordinator is responsible for maintaining a final financial accounting for the event.

7.3 Penalty for Lack of Payment. The failure of any user to pay its outstanding balance within 30 days following the completion of the event may result in denial to use institutional facilities for a period of two years.

7.4 Personnel Payment. The Facilities Coordinator shall be responsible for issuing and collecting time sheets and initiating the payment of all institutional personnel assigned to the event.