

USE OF SCHOOL FACILITIES

Recognizing that school buildings and equipment are primarily intended for the education of School District students, the Board of Education wishes to cooperate with community organizations and agencies in making school facilities available to serve the needs of youth in the district and community needs, wherever that use does not restrict regular academic, co-curricular or maintenance functions, conflict with the educational environment of the school, are not inconsistent with other Board policies or incompatible with the mission of the School District.

The district will not allow facilities use activities that have no direct benefit to youth or educational benefit to the citizens of the school district unless specifically approved by the Superintendent or designee.

Limitations on Use

Notwithstanding any other provision in this policy, use of school facilities shall be restricted as follows:

School facilities are not available for use on holidays: New Year’s Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving, Day After Thanksgiving, Christmas Day, Christmas and New Year’s Eve.

The Board of Education reserves the right to deny use of school facilities for activities which are harmful to District youth.

The district reserves the right to deny any application or request at any time for the use of district facilities. The district also reserves the right to require that district staff be present during community usage. In this instance the district will provide an estimate and later an invoice for labor and other related costs to the applicant.

Private parties for corporations, families or individuals, or for-profit activities for adults without a community educational benefit or youth focus are prohibited from making application under this policy.

In determining whether a request for use of facilities should be approved, the Superintendent or designee shall consider:

1. Whether the proposed activity is directed in whole or in part at a school age audience or involves school age participants. If the proposed activity is directed in whole or in part at a school age audience or involves school age participants, the Superintendent or designee shall further consider:
 - a. Whether the proposed activity is inconsistent with the educational mission of the public schools as identified by reference to Chapter 118 of the Wisconsin Statutes;

- b. Whether the proposed activity involves or encourages behavior that is deemed inappropriate under school policies governing student conduct during school hours;
 - c. Whether the proposed activity poses an unreasonable risk of physical injury to school age attendees or participants.
2. Whether the proposed activity poses a substantial risk to school security.
 3. Whether the proposed activity poses a substantial risk of damage to school property.
 4. Whether the proposed activity poses a substantial risk of illegal activities.
 5. Whether the proposed activity involves subject matter which is obscene, determined by reference to an activity’s intended audience or participants.

In determining whether to deny use of facilities on the basis that a proposed activity is harmful to district youth or incompatible with the mission of District schools, the Superintendent or designee shall, in addition to considering the above-referenced factors, consider whether the imposition of reasonable time, place or manner restrictions would provide a meaningful assurance that a proposed activity is in the best interest of the Mukwonago Area School Community.

Insurance Requirements

As a precondition for use of school facilities, entities or persons requesting use of school facilities may be required to provide a certificate of insurance covering bodily injury liability, property damage liability and products liability (when food, beverages, etc., are dispensed), pursuant to administrative guidelines established by the Superintendent in conjunction with the Director of Business Services. Such administrative guidelines shall include, but are not limited to, a schedule of required liability limits and procedures to be followed in carrying out this policy. All certificates of insurance must identify the Mukwonago Area School District as an additional insured.

Legal reference: Sections 120.12(9) and (10); 120.125; 120.13(17), (19) and (21); and 120.44 of Wisconsin State Statutes.

Facilities shall be made available to the following groups, in order, as space and priority allow. The Superintendent or his / her designee will determine the proportion of Level I, II, III, IV, and V groups that will use the facilities.

Group I – School Sponsored Activities / Classroom Events

Includes events that are planned and led by the School District and its staff for the purpose of extending classroom learning. No fees are charged for these activities.

Examples: Music concerts, learning fairs/ presentations, student programs etc.

Group II – School District Affiliated Non-Profit Groups / Clubs

Organization / Event Leader works in conjunction with school district staff. Generally no facilities use fees are charged with the exception of fees related to equipment and labor.

Examples: Organizations affiliated by the district. These include: P.T.O., P.T.A., P.T.G. Boy Scouts, Girl Scouts, 4-H, Lego League, Robotics, After School Student Clubs)

Group III – School District Related Non-Profit Organizations

Although the organization is not directly supervised by the School District, the participants are generally Mukwonago Area School District students or part of a local government entity activity (local recreation department youth programs). Fees may be charged for equipment, labor, and facility use application processing.

Examples: Individual citizens or groups within the school district who organize and supervise co-curricular activities for the betterment of students who reside in or attend the school district, such as youth athletic organizations, community youth music and fine art groups, etc.

Group IV – Non-Profit Organizations

Organizations who are not engaged in a for-profit enterprise or non-profit organizations that may have paid employees or that may charge admission and/or material fees. Equipment, labor and/or facilities use fees required as set by the district.

Examples: Recognized local civic clubs, recognized local churches, private and parochial schools and their youth groups, adult programs of municipal park and recreation departments within the district, and other recognized organizations whose purpose for facility use is devoted to community betterment or community youth welfare.

Group V – For Profit & All Other Groups Eligible to use School Facilities.

Facilities use fees and fees for equipment and labor fees will be set by the Superintendent in conjunction with the Director of Business Services. Fair market value will be taken into consideration when setting these fees. To assist in fair market value determination, the Superintendent or designee will either act in accordance with annual rates set by the Buildings & Grounds Committee and/or require Group V applicants to secure quotes from comparable facilities. The district may set application and approval timelines for Group V.

Examples: Local business sponsoring a youth or community activity or for-profit educational or athletic training event designed for district youth or district residents.

Excluded from the above are groups, organizations and/or individuals which/who promote candidates or persons for political office, promote a particular political agenda, political rallies, any illegal activity, or may present undue facility or security demands as determined by the Superintendent or designee.

The Superintendent and/or Director of Business Services shall have the authority to make determinations within this policy.

Exceptions to the non-tax exempt group are those agencies that have applied for use of school facilities under state statute 120.125. The principal, in conjunction with the appropriate central office administrator, may determine what is a reasonably available space and those spaces that have limitations. Any agency or person applying for use of school facilities for before or after school day care shall follow procedure set forth in state statute 120.125.

The applicant shall assume responsibility for, and compensate for, any damage done to the building or equipment during the period of usage; to indemnify and to forever save harmless the board of education and its officers, agents and employees from any and all claims of whatsoever kind, nature or description arising out of the use of any of the school facilities. The applicant shall be responsible for all supervision of youth participants and shall have adult staff on site whenever youth are present.

Any applicant that wishes to use the District's facilities must sign a contract stipulating the purposes and conditions under which the facility is to be used. Such contract shall identify the reasonable charges, as determined by the board, which shall be paid by the applicant to offset the costs attached to the additional use of the facility.

Whenever a cafeteria kitchen is requested, district personnel may be assigned by the Director of Business Services. The group using the room will be charged for the employee's time, in addition to the regular fee.

School authorities reserve the right to cancel facility use at any time, with or without due notice. All contracts for facility usage are granted with this understanding.

Fees charged for facilities will be reviewed by the Buildings & Grounds Committee and presented to the board annually.

A current fee schedule is attached for reference.

Reference: Wisconsin State Statute 120.125
Wisconsin State Statute 120.13 (sub 14)

Adopted:

DATE APPROVED: March 26, 1973
DATE REVISED: March 12, 1984
DATE REVISED: October 28, 1991
DATE REVIEWED: January 2, 1996
DATE REVISED: March 24, 1997
DATE REVISED: July 16, 2001
DATE REVISED: March 25, 2002
DATE REVISED: January 25, 2010
DATE REVISED: March 24, 2014

BOARD OF EDUCATION
Mukwonago Area School District
Mukwonago, Wisconsin