



NEBO SCHOOL DISTRICT BOARD OF EDUCATION POLICIES AND PROCEDURES

SECTION: K – School / Community Relations
POLICY TITLE: School Facility Use
FILE NO.: KA
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Note: When reviewing this policy, the following interrelated policies may need to be referenced:

KAA – Community Education
KAB – PTAs, PTOs, Booster Clubs,
and Parent Support Groups
KAC – School Fundraising Activities
KAD – Summer/Out of Season
Activities

1. PURPOSE AND PHILOSOPHY

- 1.1. The primary use of Nebo School District facilities is for the School District's educational, athletic, and extra-curricular programs. All other uses are secondary. This policy is adopted to preserve and maintain District facilities and resources for use by District programs.
- 1.2. Pursuant to UTAH CODE ANN. § 53G-7-209, public school buildings and grounds are civic centers and may be used by Nebo School District residents for appropriate, supervised recreational activities and meetings, subject to the requirements and restrictions set forth herein. Only use of a District facility under Classes II through VII constitutes civic center use. Such use is granted pursuant to UTAH CODE ANN. §§ 53G-7-209 and 210. Except as otherwise provided in Section 6 below, approval under this policy constitutes a permit under UTAH CODE ANN. § 63G-7-301(5)(c), and grants the District full legal immunity under the Governmental Immunity Act of Utah.
- 1.3. Anyone using school facilities and grounds is subject to the provisions of this policy as well as those contained in the Facility Use Agreement. Various facility use fees will be charged as indicated in the Nebo School District Facility Use Fee Schedule.

2. CLASS DEFINITIONS

Each use of District facilities is classified according to this section. The District retains sole and absolute discretion for classification of use. Class determination is normally made by the school administrators. Determinations must take into account both the characteristics of the group or individual seeking use of the facilities as well as the nature of the activity for which use is sought. The Fee Schedule lists the fee to be charged for each class according to the type of facility used. Facilities not listed on the Fee Schedule may not be rented.

2.1. Class I: Nebo School District Use

- 2.1.1.** The use of Nebo School District facilities under this classification shall be subject to applicable District policies, procedures, rules, and regulations, and may be subject to fees as determined by the school administrator.
- 2.1.2.** Class I includes, but is not limited to, the following:
 - 2.1.2.1.** District or school sponsored staff and student groups.
 - 2.1.2.2.** School or student clubs.
 - 2.1.2.3.** District or school sponsored school athletic teams.
 - 2.1.2.4.** District or school sponsored camps/clinics.
 - 2.1.2.5.** School student councils.
 - 2.1.2.6.** District departments conducting staff development, in-service training, or other job-related training classes for District personnel and at the request of a District administrator.
 - 2.1.2.7.** Activities, events, and programs sponsored by Nebo School District or its schools.
 - 2.1.2.8.** Activities and programs sponsored and administered by Nebo School District Community Education.
 - 2.1.2.9.** Activities and programs sponsored by the Nebo Education Foundation.
 - 2.1.2.10.** Official school class reunions.
 - 2.1.2.11.** District-sponsored summer and out-of-season activities as described in Nebo School District Policy KAD, *Summer/Out-of-Season Activities*.
 - 2.1.2.12.** Utah State Board of Education events hosted by the District.
- 2.1.3.** All District or school sponsored activities must have the express approval of the school principal or District administrator. Money transacting activities are overseen by the District or school and all money must go through the District or school finance departments in accordance with applicable District accounting procedures.

2.2. Class II: Interlocal Agreement Use

- 2.2.1.** This classification applies to city, county, state, or other governmental entities desiring to use School District facilities. Terms, conditions, stipulations, and fees are set forth in a written Interlocal Cooperation Agreement between the School District and the governmental entity.
- 2.2.2.** Fees and usage under Class II shall be per Interlocal Cooperation Agreement or as otherwise designated in the Fee Schedule.
- 2.2.3.** Governmental entities operating under an Interlocal Cooperation Agreement may not supersede the intent of this policy by contracting with private individuals or entities to run recreation programs, such as youth athletic leagues, community theaters, arts councils, etc., that would normally fall under Class VIII. A private individual or entity that has contracted with a governmental entity to run a recreation program for the governmental entity may use District facilities under the governmental entity's

Interlocal Cooperation Agreement only if the following requirements are satisfied prior to use of the facility:

2.2.3.1. The individual or entity's use of the facility would otherwise fall under Class VII of this policy as determined in the sole discretion of the District, AND

2.2.3.2. The governmental entity provides to the Coordinator of School Services a copy of a written agreement, and any other related documentation, between the governmental entity and the individual or entity running the program indicating that the governmental entity fully sponsors the program, assumes all liabilities, and agrees on behalf of the contracted entity to all terms and conditions of the applicable Interlocal Cooperation Agreement. The documentation must verify that neither the governmental entity nor the individual or entity using the facilities, nor any of their respective employees, will make a profit, either directly or indirectly, from use of the facilities.

2.2.4. Governmental entities may not sublet use of District facilities to private individuals or entities.

2.3. Class III: School Support Organizations

2.3.1. This classification applies to qualified and formally recognized Student Support Organizations (SSO). An SSO may consist of individuals, groups, entities, or organizations that exist for the primary purpose of benefitting and supporting the District, its schools, and its officially sanctioned school teams, groups, clubs, classes, or student programs. Groups that may qualify as an SSO are Parent Teacher Associations (PTA), external Parent Teacher Organizations (PTO), external booster clubs, and other external support groups. To be recognized as an SSO and fall within this classification for school facility use, the individuals, groups, entities, or organizations must: (a) meet the definition of an SSO; AND (b) provide annually to the District an executed SSO Assurance Document, as described in Nebo School District Policy KAB, *PTAs, PTOs, Booster Clubs, and Parent Support Groups*.

2.3.2. Fees under Class III shall be charged as indicated on the Fee Schedule.

2.4. Class IV: Non-Sponsored Ninth Grade Sport Use

2.4.1. This classification applies to certain ninth (9th) grade sports teams: (a) which sports **are** recognized and sanctioned by the Utah High School Activities Association (UHSA); (b) which sports **are not** sponsored by Nebo School District in the Junior High Schools; and (c) whose teams are comprised of students enrolled in Nebo School District. Groups associated in this classification are independent of Nebo School District. Sports teams meeting the qualifications in this Class IV are required to meet all terms and conditions of this School Facility Use policy.

2.4.2. Fees under Class IV shall be charged as indicated on the Fee Schedule.

2.5. Class V: Instructional/Governmental Use

2.5.1. This classification shall apply to those groups that are organized for instructional or governmental purposes. Such groups could include educational institutions, government entities, political groups, and others whose purpose is to provide information and instruction to the general public.

2.5.2. All activities qualifying under this classification shall be:

2.5.2.1. non-exclusive in participation;

- 2.5.2.2.** open to the public;
 - 2.5.2.3.** free of charge; and
 - 2.5.2.4.** approved by the school principal or District administrator.
- 2.5.3.** Except as indicated in this section, fees under Class V shall be charged as indicated on the Fee Schedule.
- 2.5.3.1.** The purpose and objective of charging fees under Class V is to cover the school's personnel costs.
 - 2.5.3.1.1.** Use of a school facility requires the school to pay one or more employees to provide services before, during, and/or after the facility's use. Personnel costs include the time required to prepare a facility for the scheduled use and the time required to restore it to its original condition (e.g., cleaning, rearranging furniture, grooming and striping fields, etc.).
 - 2.5.3.1.2.** The fees listed in the Fee Schedule under Class V satisfy the purpose and objective as calculated and averaged over the course of the year. The amount to be charged per hour per supervisor for personnel costs, including for time spent before, during and after the scheduled use, is thirty dollars (\$30.00). Except as provided in Section 2.5.3.2, the amount charged may not be less than the amount on the Fee Schedule regardless of the supervising employee's actual wage, salary, or willingness to work for reduced or no pay at a particular activity. School administrators will determine the number of hours required for personnel costs before and/or after the scheduled use and include it in the total fee charged.
 - 2.5.3.1.3.** Where the Fee Schedule lists a fee of \$60 per hour under Class V, that particular facility requires a minimum of two (2) employees per hour for supervision.
 - 2.5.3.2.** School administrators may determine that multiple rooms (including adjacent gyms) under Class V may be adequately supervised by fewer employees than the number of rooms being used. The formula for calculating fees for use of multiple rooms may be found by consulting Exhibit 2, Formulas for Multiple Room Charges.
 - 2.5.3.3.** Pursuant to UTAH CODE ANN. § 20A-8-404, the fee charged to registered political parties may not exceed the actual cost of custodial services and any other service requested by the political party provided by the District.
 - 2.5.3.3.1.** No fee will be charged for use of District buildings as polling places on election days, whether primary or general.
 - 2.5.3.3.2.** No fee will be charged to a registered political party, as defined by and certified under the Utah Election Code, UTAH CODE ANN. § 20A-8-101, et seq., for use of District buildings for the political party's officially announced caucus meetings. However, all other use by political parties, including delegate meetings, conventions, and any other use that is not the party's official caucus meeting held during an election year, is subject to the fees indicated in Section 2.5.3.3.

2.6. Class VI: Patriotic Societies

2.6.1. This classification applies to the Boy Scouts of America and any other youth groups listed in Title 36 of the United States Code as a patriotic society (see Exhibit 3), consistent with the Boy Scouts of America Equal Access Act, 20 U.S.C. § 7905.

2.6.2. Fees under Class VI shall be charged as indicated on the Fee Schedule.

2.7. Class VII: Charitable, Civic, Religious, and Private Use

2.7.1. This classification shall apply to private functions and events, such as family reunions, weddings, dinners, holiday celebrations, and other such activities. This classification may also apply to organizations that solicit fees, dues, or contributions from the participants or the public as long as the net proceeds are expended for the welfare of students of the District, for charitable purposes, or for the betterment of the community. These organizations operate primarily on unpaid volunteer help (i.e., charitable, civic, or religious organizations).

2.7.2. Fees under Class VII shall be charged as indicated on the Fee Schedule.

2.7.2.1. The purpose and objective of charging fees under Class VII is to cover the school's actual costs. Actual costs under Class VII include the following:

2.7.2.1.1. Personnel costs as defined in Section 2.5.3; AND

2.7.2.1.2. Utilities; AND

2.7.2.1.3. Replacement of supplies and other costs incurred by the school due to the facility's use.

2.7.2.2. The fees listed in the Fee Schedule satisfy the purpose and objective as calculated and averaged over the course of the year. The amount to be charged per hour per supervisor for personnel costs, including time spent before and/or after the scheduled use as described in Section 2.5.3, is thirty dollars (\$30). Supplies and other costs may be included at the discretion of the school administrator and must be so indicated on the Application. Except as provided in 2.6.2.3, the amount charged may not be less than the amount on the Fee Schedule regardless of the supervising employee's actual wage, salary, or willingness to work for reduced or no pay at a particular activity, and regardless of the actual utility cost of a particular activity.

2.7.2.3. School administrators may determine that multiple rooms (including adjacent gyms) under Class VII may be adequately supervised by fewer employees than the number of rooms being used. The formula for calculating fees for use of multiple rooms may be found by consulting Exhibit 2, Formulas for Multiple Room Charges.

2.8. Class VIII: Market Use

2.8.1. This classification shall apply to any individual, group, or activity that either: (a) does not fall within any other classification under the "Class Definitions," or (b) satisfies the description in Section 2.7.2.

2.8.2. Activities meant to earn a profit fall under Class VIII. School administrators should, in consultation with the Coordinator of School Services, consider the following factors in determining whether a particular use falls under Class VIII:

- 2.8.2.1.** Whether the motive, objective, and/or operational structure of the user is to make a profit;
 - 2.8.2.2.** Whether the user operates primarily on paid personnel; and/or
 - 2.8.2.3.** Whether the user charges admission and/or participation fees for membership or for the activity, the proceeds of which will be spent for other than charitable, community, or welfare purposes.
- 2.8.3.** Fees under Class VIII shall be charged as indicated on the Fee Schedule.
- 2.8.3.1.** The purpose and objective of charging fees under Class VIII is to collect an approximate fair market rental value for the use of the school facilities. Fair market rental includes the following:
 - 2.8.3.1.1.** Actual costs as described in Section 2.6.2.1, AND
 - 2.8.3.1.2.** An additional amount to make the fee consistent with similar rental fees in the market.
 - 2.8.3.2.** The fees listed in the Fee Schedule satisfy the purpose and objective as calculated and averaged over the course of the year. For purposes of calculating the fee for multiple room use as described in Section 2.7.3.3, the amount to be charged per hour per supervisor for personnel costs, including time spent before and/or after the scheduled use as described in Section 2.5.3, is thirty dollars (\$30). Supplies and other costs may be included at the discretion of the school administrator and must be so indicated on the Application. Except as provided in Section 2.7.3.3, the amount charged may not be less than the amount on the Fee Schedule regardless of the supervising employee’s actual wage, salary, or willingness to work for reduced or no pay at a particular activity, and regardless of the actual cost of a particular activity.
 - 2.8.3.3.** School administrators may determine that multiple rooms (including adjacent gyms) under Class VIII may be adequately supervised by fewer employees than the number of rooms being used. The formula for calculating fees for use of multiple rooms may be found by consulting Exhibit 2, Formulas for Multiple Room Charges.

3. FACILITIES WITH INDIVIDUALIZED RULES

3.1. Football Fields

- 3.1.1.** Except as expressly permitted in this section, high school football fields may not be rented.
 - 3.1.1.1.** Football fields may be rented under Classes II, III, V, VI, VII, and VIII for infrequent, large-scale events that cannot reasonably be held in another District facility.
 - 3.1.1.2.** Football fields may be rented under Classes II, IV, VI, VII, and VIII for 7th, 8th, and 9th grade football games.
 - 3.1.1.3.** The fee for rental of a football field with lights from November 1 through July 31 must include an additional \$900 per use due to the demand charge for using the lights outside the regular high school football season. Schools must remit this \$900 to the Operations Department.

3.2. Auditoriums

- 3.2.1.** Rental of high school auditoriums requires a minimum of two supervising employees.
- 3.2.2.** The fee for renting auditoriums must include an additional amount to pay the wages of technicians required to adequately run lights, sound, and other media.
- 3.2.3.** No food or drink is allowed in the high school auditoriums.

3.3. Indoor Practice Facilities

Each high school with an indoor practice facility shall develop a fee schedule for rental of such facility. The high school fee schedule must be approved by the Director of Secondary Education or his/her designee. Rental of indoor practice facilities shall be according to the high school fee schedule.

4. SCHOOL ADMINISTRATOR RESPONSIBILITIES

- 4.1.** School administrators are responsible for the implementation and administration of this School Facility Use policy. School administrators are responsible for the scheduling and oversight of all activities that utilize the school buildings, facilities, and grounds.
- 4.2.** While discharging this responsibility, school administrators shall do the following:
 - 4.2.1.** Assign a custodian to provide supervision, security, and protection of all school property. In exceptional circumstances a school administrator may assign an employee other than a custodian.
 - 4.2.2.** Assign any necessary technicians to provide assistance with the lights, sound, equipment, and other systems associated with the school facilities being utilized.
 - 4.2.3.** Assign the activity to the proper classification under the Class Definitions.
 - 4.2.4.** Complete and retain an executed Application for Use of School Facilities, Facility Use Agreement, and, if applicable, Certificate of Insurance as required by Section 6.
 - 4.2.5.** Collect the appropriate rental and use fees pursuant to the Fee Schedule and this policy.
 - 4.2.6.** Assure compliance with this policy and the Facility Use Agreement, including the accompanying rules and regulations.
 - 4.2.7.** Assure compatibility of the proposed activity and the school facility being requested.
 - 4.2.8.** Submit, on a voucher or time card, hours for personnel and include a check to the District Office to cover personnel costs.
 - 4.2.9.** Consider using surplus rental funds for the improvement and maintenance of school facilities.
 - 4.2.10.** Assess the condition of facilities to determine whether a rental of particular facility should be prohibited according to the provisions of Section 9 below.

5. FACILITY USE AGREEMENT

A Facility Use Agreement, prepared by and containing such terms and conditions as deemed reasonable and appropriate by the School District, shall be signed between the sponsoring group or individual and the school administrator.

- 5.1. A Facility Use Agreement is required for all uses under Classes III, IV, V, VI, VII, and VIII in accordance with the following:
 - 5.1.1. Only facilities specifically identified on the Fee Schedule may be rented.
 - 5.1.2. Fees will be charged in accordance with the Fee Schedule and this policy.
 - 5.1.3. Additional fees will be charged for use of special equipment, additional services, and additional personnel not included in the descriptions of fees in Section 2 above. These fees will be determined by the school administrator and incorporated into the Facility Use Agreement.
 - 5.1.4. Applications for use must be submitted at least two (2) weeks in advance of the activity. The Facility Use Agreement, Certificate of Insurance (where required, including applicable endorsements naming Nebo School District as an additional insured), and full payment of rental and use fees must be received before the event is placed on the calendar.
- 5.2. Depending upon the type of activity, the facility to be used, the number of people involved, and other relevant factors, the school administrator has the discretion and right to require a security/cleaning deposit to cover any unexpected costs in the event of property damage, property loss, and/or clean-up. The amount of the security/cleaning deposit shall be determined by the school administrator and received by a check made payable to the school. The check will not be deposited but shall be held in safekeeping by the school administrator until after the activity is completed. The school administrator shall then assess if there is any property damage, property loss, and clean-up associated with the activity. If there is no property damage, property loss, or clean up, the check shall be returned to the sponsoring group or individual. If there is any property damage, property loss, and/or clean-up, the school administrator shall ascertain the costs of such and may deposit the check to cover such costs. A written itemized accounting of the property damage, property loss, and/or clean-up costs shall be provided by the school administrator to the sponsoring group or individual along with a check for the excess amount or a bill for payment for the deficient amount. The foregoing matters concerning a security/cleaning deposit shall be accomplished by the school administrator in a timely manner.

6. INSURANCE

- 6.1. Only District or school sponsored groups and activities (Class I) are covered by the District's insurance.
- 6.2. Use of District facilities as a civic center under Classes II through VII is granted pursuant to UTAH CODE ANN. §§ 53G-7-209 and 210. Approval under these classes is a permit under Utah Code and grants the District full legal immunity under the Governmental Immunity Act of Utah pursuant to Section 63G-7-301.
 - 6.2.1. While the District is granted immunity, the individuals and entities utilizing the facilities under Classes II through VII are not and are therefore strongly encouraged to secure insurance to protect themselves. Insurance coverage protects users against liability not only for personal injury but also for property damage to school facilities. Users who fail to secure insurance coverage may be personally liable for such damages.

- 6.2.2.** If a school administrator or other district administrator determines that use of a particular facility by a particular user poses significant risk of property damage to school facilities, the administrator, in consultation with the Coordinator of School Services, may require the user to provide proof of insurance against property damage.
- 6.3.** Any group or individual using a facility under Class VIII is not granted a permit and must comply with the insurance requirements in Section 6.3.1 through 6.3.3 below.

 - 6.3.1.** The District requires a Certificate of Insurance providing \$1,000,000.00 per occurrence and \$2,400,000.00 in the aggregate for general liability/property damage insurance coverage, which includes personal injury, property damage, and property loss, with “Nebo School District” named as additional insured (including applicable endorsements).
 - 6.3.2.** The sponsoring group or individual will procure and maintain full insurance coverage during the entire activity.
 - 6.3.3.** Responsibility for paying for and obtaining such insurance coverage rests solely with the sponsoring group or individual.

7. SPONSORING GROUP RESPONSIBILITIES

- 7.1.** Facility usage may not interfere with any school activity, event, function, or purpose, and a request may be denied if it is determined that the requested use might cause such interference.
- 7.2.** All activities must be compatible with the school facility being used. Activities that are not compatible with the type of use typically associated with the school facility are not permitted.
- 7.3.** If the kitchen is to be used for food service or preparation, a District food service worker, possessing a current and valid health department food handler’s license or permit, must be present and the cost paid by the sponsoring group or individual at the employee’s hourly wage.
- 7.4.** It shall be the responsibility of the sponsoring group or individual to assure that only authorized portions of the school facilities are used and the premises are vacated as scheduled. All functions shall promptly close by 10:30 p.m., unless special permission is secured in advance from the school administrator.
- 7.5.** The District assumes no liability for personal injury or property loss or damage. Sponsoring groups or individuals are solely responsible for any and all claims, damages, liabilities, costs, and expenses (including attorney’s fees) arising out of or in any way associated with the activity. In addition, the sponsoring group or individual shall defend, hold harmless, and fully indemnify the School District of any and all such claims, damages, liabilities, costs, and expenses.
- 7.6.** Sponsoring groups or individuals shall provide sufficient, competent adult supervision (at least 21 years of age).
- 7.7.** Sponsoring groups or individuals shall not discriminate against individuals because of race, color, gender, age, religion, national origin, disability, or any other legally protected classification.
- 7.8.** The facility shall be left clean and in the same condition as the sponsoring group or individual found it.
- 7.9.** The sponsoring group or individual shall pay all damages to the building, equipment, or grounds which occurred during the activity.

- 7.10. The sponsoring group or individual will insure that the school facilities remain a drug-free, smoke-free, and alcohol-free place.
- 7.11. Profane language, quarreling, fighting, and gambling are prohibited activities on school property.
- 7.12. It is the responsibility of the sponsoring group or individual to insure that the sale of food and/or drink has been approved.
- 7.13. No food and/or drink will be allowed in the auditorium and in other designated portions of the school. Permission for the consumption of any food and/or drink in the school must be specifically authorized by the school principal.
- 7.14. All activities shall comply with any and all applicable federal, state, and local laws, rules, and regulations.
- 7.15. The sponsoring group or individual is responsible to comply with any and all requirements of the ADA Amendments Act of 2008 (ADAAA) and Section 504 of the Rehabilitation Act (Section 504), as amended, including, but not limited to, providing requested accommodations for programs or activities (i.e., interpreters, facility access, materials in alternative formats, ADAAA notifications in publicity materials, service animals, etc.).

8. NO ALTERATION OF PREMISES

Sponsoring groups or individuals using school facilities, including a stage or stage equipment, shall not be permitted to remove or displace furniture, equipment, or apparatus, including lights, curtains, and ceiling valance; or change the counter weights system or the switch board, except when under the direct supervision of a designated school employee. Where the stage is to be used, full details of equipment and personnel requested must be furnished in advance with the application.

9. GENERAL RESTRICTIONS

- 9.1. Emergency or unforeseen circumstances that require the use of school facilities will take precedence over any prior scheduling by the sponsoring group or individual.
- 9.2. School facilities shall not be available for dances except those sponsored by the school or Nebo School District Community Education and approved by the school administrator.
- 9.3. School marquees are not available for rent, nor will the school participate in advertising any commercial programs held within the school, except as may be permitted under Nebo School District Policy KACA – *School Advertising Restrictions*.
- 9.4. School facilities will not be available on Sundays, except: (a) as provided only in an Interlocal Agreement with the city, county, state, or other governmental entity; or (b) as provided only in the event of a community emergency as approved by the Superintendent.
- 9.5. Drapes, hangings, curtains, drops, and all decorative materials used within or upon school buildings shall be made of non-flammable material, and all materials used must be approved by the State Fire Marshall. No open fires, flames, or lighted candles shall be permitted.
- 9.6. Classrooms shall not be disturbed or rearranged to accommodate the activity (i.e., chairs, desks, furniture, equipment, wall hangings, etc.).
- 9.7. All drawers, cupboards, closets, and other such areas in the school are off-limits and shall not be opened.
- 9.8. Some school facilities, including, but not limited to, offices, photography labs, computer labs, home economic rooms, special ed classrooms, science labs, weight rooms, and shops are not

available for rent. In addition, school administrators may determine that a particular facility is not available for rent in order to prevent disclosure of private or confidential student information, to protect valuable or fragile equipment and supplies, or for the reasons described in Section 9.9.

- 9.9.** Either a school administrator or the Operations Department may prohibit the use of any school or District facility in the event the facility is in need of maintenance, repair, or restoration; the physical condition of the facility is unsafe for the intended activity(ies); or for any other reason relating to the condition of the facility deemed to be in the best interest of the School District as determined in its sole and absolute discretion. The prohibition on use of a facility under this paragraph may occur regardless of whether a Facility Use Agreement has been signed or an event or activity has been scheduled or is underway.
- 9.10.** District facilities may not be used for conduct that is illegal, false, inaccurate, threatening, harmful, hateful, abusive, harassing, stalking, tortious, defamatory, libelous, vulgar, obscene, indecent, lewd, profane, or invasive of a person’s privacy. Facilities may not be used for activities that violate any state or federal laws, rules, regulations, or District policies or procedures. Facilities may not be used to promote illegal discrimination on the basis of gender, race, color, religion, age, national origin, disability, or any other legally protected classification.

10. VIOLATIONS

Any violation of this policy shall be sufficient for denying further use of school property and facilities to any individual or organization.

EXHIBITS

- Exhibit 1: Nebo School District Facility Use Fee Schedule
- Exhibit 2: Formulas for Multiple Room Charges
- Exhibit 3: Patriotic Societies

REFERENCES

- ADA Amendments Act of 2008 (ADAAA), 42 U.S.C. §12101, et seq.; 28 C.F.R. Parts 35 & 36, et seq.; & 29 C.F.R. Part 1600, et seq.
- Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. §794, et seq. & 34 C.F.R. Part 104, et seq.
- UTAH CODE ANN. §§ 53A-3-413 & 414
- UTAH CODE ANN. § 63G-7-301(5)(c)
- UTAH ADMIN. CODE R277-113
- Nebo School District Policy KAB, *PTAs, PTOs, Booster Clubs, and Parent Support Groups*
- Nebo School District Policy KACA, *School Advertising Restrictions*
- Nebo School District Policy KAD, *Summer/Out-of-Season Activities*

FORMS

- Application for Use of School Facilities
- Nebo School District Facility Use Agreement
- Nebo School District Board of Education, *School Facility Use Policy (File KA)*, Rules and Regulations
- SSO Assurance Document

HISTORY

- Revised: 9 January 2019** – added classification for patriotic organizations; updated Utah Code citations and formatting; made technical changes.
- Revised 13: September 2017** – changed prices on fee schedule to “no charge” for Class 3.
- Revised: 9 February 2016** – added exemptions from fees when buildings used as polling places or by registered political party caucus meetings.
- Revised: 13 January 2016** – added possibility of fees and use by USOE under Class 1; removed specifics of services provided by personnel under Class V; specified football fields are for games, not programs; added Summit Center to fee schedule.
- Revised: 11 February 2015** – substantial reorganization, including additions, deletions, and moving formulas and examples for multiple room charges to an exhibit.
- Revised: 11 September 2013**

Policy KA Exhibit 1, NEBO SCHOOL DISTRICT FACILITY USE FEE SCHEDULE								
Use of school facilities that incur costs above and beyond normal operating costs, including personnel, utilities, supervision, security, etc., will result in additional charges, regardless of fee schedule amount								
School Facility	Class I*	Class II	Class III	Class IV	Class V	Class VI	Class VII	Class VIII
	Nebo School District Use:	Interlocal Agreement Use:	School Support Organizations Use:	Non-Sponsored Ninth Grade Sport Use:	Instructional/ Governmental Use:	Patriotic Society Use:	Charitable, Civic, Religious, and Private Use:	Market Use:
High School Auditorium**	Per District Regulations	Per Interlocal Agreement	No Charge	Not Available	\$60.00/hr**	\$120.00/hr (3 hr min.)**	\$120.00/hr (3 hr min.)**	\$200.00/hr (3 hr min.)**
High School Auditorium [with adjoining room(s)]**	Per District Regulations	Per Interlocal Agreement	No Charge	Not Available	\$60.00/hr**	\$120.00/hr +\$10.00/hr for each addnl room (3 hr. min.)**	\$120.00/hr +\$10.00/hr for each addnl room (3 hr. min.)**	\$200.00/hr +\$50/hr for each addnl room (3 hr min.)**
Summit Center Auditorium**	Per District Regulations	Per Interlocal Agreement	No Charge	Not Available	\$30.00/hr**	\$50.00/hr**	\$50.00/hr**	\$100.00/hr**
High School Main Gym	Per District Regulations	Per Interlocal Agreement	No Charge	Not Available	\$30.00/hr	\$75.00/hr	\$75.00/hr	\$125.00/hr
High School Auxiliary Gym, Jr. High School Gym, & Summit Center Gym	Per District Regulations	Per Interlocal Agreement	No Charge	\$30.00/hr	\$30.00/hr	\$60.00/hr	\$60.00/hr	\$100.00/hr
Indoor Practice Facility	Per District Regulations	Per School Fee Schedule	Per School Fee Schedule	Per School Fee Schedule	Per School Fee Schedule	Per School Fee Schedule	Per School Fee Schedule	Per School Fee Schedule
Elementary Gym	Per District Regulations	Per Interlocal Agreement	No Charge	Not Available	\$30.00/hr	\$60.00/hr	\$60.00/hr	\$100.00/hr
Little Theater	Per District Regulations	Per Interlocal Agreement	No Charge	Not Available	\$30.00/hr	\$60.00/hr	\$60.00/hr	\$100.00/hr
Cafeteria	Per District Regulations	Per Interlocal Agreement	No Charge	Not Available	\$30.00/hr	\$60.00/hr	\$60.00/hr	\$100.00/hr
Cafeteria (with Kitchen)	Per District Regulations	Per Interlocal Agreement	No Charge	Not Available	\$30.00/hr	\$100.00/hr	\$100.00/hr	\$150.00/hr
Cafetorium	Per District Regulations	Per Interlocal Agreement	No Charge	Not Available	\$30.00/hr	\$60.00/hr	\$60.00/hr	\$100.00/hr
Multi-Purpose Room & Summit Center Rooms with capacity over 30	Per District Regulations	Per Interlocal Agreement	No Charge	Not Available	\$30.00/hr	\$60.00/hr	\$60.00/hr	\$100.00/hr
Court Yard	Per District Regulations	Per Interlocal Agreement	No Charge	Not Available	\$30.00/hr	\$40.00/hr	\$40.00/hr	\$80.00/hr
Classroom(s) & Summit Center Rooms with capacity of 30 or less (General Use)	Per District Regulations	Per Interlocal Agreement	No Charge	Not Available	\$30.00/hr	\$30.00/hr	\$35.00/hr	\$75.00/hr
Dance Room	Per District Regulations	Per Interlocal Agreement	No Charge	Not Available	\$30.00/hr	\$40.00/hr	\$40.00/hr	\$80.00/hr
Wrestling Room	Per District Regulations	Per Interlocal Agreement	No Charge	Not Available	\$30.00/hr	\$40.00/hr	\$40.00/hr	\$80.00/hr
Football Field and track (without lights)	Per District Regulations	Per Interlocal Agreement	No Charge	\$10.00/hr	\$30.00/hr	\$100.00/hr	\$100.00/hr	\$150.00/hr
Football Field and track (with lights) (Add \$900 between Nov 1-Aug 1)	Per District Regulations	Per Interlocal Agreement	No Charge	\$50.00/hr Mon-Fri \$175.00/hr Sat	\$30.00/hr	\$120.00/hr	\$120.00/hr	\$150.00/hr

School Facility	Class I*	Class II	Class III	Class IV	Class V	Class VI	Class VII	Class VIII
	Nebo School District Use:	Interlocal Agreement Use:	School Support Organizations Use:	Non-Sponsored Ninth Grade Sport Use:	Instructional/Governmental Use:	Patriotic Society Use:	Charitable, Civic, Religious, and Private Use:	Market Use:
Soccer Field	Per District Regulations	Per Interlocal Agreement	No Charge	\$10.00/hr	Not Available	Not Available	Not Available	Not Available
Baseball/Softball Field	Per District Regulations	Per Interlocal Agreement	No Charge	\$10.00/hr	\$30.00/hr	\$40.00/hr	\$40.00/hr	\$60.00/hr
Tennis Courts	Per District Regulations	Per Interlocal Agreement	No Charge	Not Available	\$30.00	\$30.00/hr	\$30.00/hr	\$60.00/hr
Playing Field	Per District Regulations	Per Interlocal Agreement	No Charge	\$10.00/hr	\$30.00/hr	\$40.00/hr	\$40.00/hr	\$60.00/hr
Asphalt Area/Parking Lots***	Per District Regulations	Per Interlocal Agreement	No Charge	Not Available	\$30.00/hr	\$40.00/hr***	\$40.00/hr***	\$60.00/hr***
	*Use under Class I may be subject to fees as determined by the school administrator.							
	**Use of the auditoriums requires authorized light, sound, and other technicians to be assigned and additional hourly wages will be charged.							
	***Rental fees for asphalt area/parking lots only apply for an activity held on the area/lot not for general parking for an activity.							



Policy KA Exhibit 2 Formulas for Multiple Room Charges

The formulas and examples in this exhibit apply only to use of the following: (a) classrooms and (b) adjacent gyms.

CLASS V FORMULA:

The formula for calculating the rental fee for a Class V activity is as follows:

$$\text{No. of Supervisors} \times \$30 \text{ (Hourly Supervisor Cost)} \times \text{Hours of Room Use}$$

Class V Examples:

If a group under Class V desired to rent one (1) classroom for two (2) hours, the charge pursuant to the Fee Schedule would be \$30.00/hr. for a total of \$60.00.

$$1 \times \$30.00 \times 2 = \underline{\$60.00}$$

If a group under Class V desired to rent three (3) classrooms for two (2) hours, the school administrator (depending upon the circumstances) could determine that a single individual could provide the appropriate supervision and security for all three (3) classrooms to meet the purposes and objectives of the Class V usage (which is to cover personnel costs) and charge the group \$30.00/hr. for a total of \$60.00.

$$1 \times \$30.00 \times 2 = \underline{\$60.00}$$

In the event that the group under Class V desired to rent eight (8) classrooms for two (2) hours, the school administrator (depending upon the circumstances) could determine that two (2) individuals could provide the appropriate supervision and security for all eight (8) classrooms to meet the purposes and objectives of the Class V usage (which is to cover personnel costs) and charge the group \$60.00/hr. for a total of \$120.00.

$$2 \times \$30.00 \times 2 = \underline{\$120.00}$$

CLASS VII FORMULA:

The formula for calculating the rental fee for a Class VII activity is as follows:

$$\text{No. of Supervisors} \times \$30 \text{ (Hourly Supervisor Cost)} \times \text{Hours of Room Use}$$

+

$$\text{No. of Rooms} \times \$5 \text{ (Hourly Utility Cost per Room)} \times \text{Hours of Room Use}$$

If a group under Class VII desired to rent one (1) classroom for two (2) hours, the charge pursuant to the Fee Schedule would be \$35.00/hr. for a total of \$70.00.

$$1 \times \$35.00 \times 2 = \underline{\$70.00}$$

-OR-

$$[1 \times \$30.00 \times 2] + [1 \times \$5.00 \times 2] = \underline{\$70.00}$$

If a group under Class VII desired to rent three (3) classrooms for two (2) hours, the school administrator (depending upon the circumstances) could determine that a single individual could provide the appropriate supervision and security for all three (3) classrooms and charge the group \$30.00/hr. for a total of \$60.00 for

personnel costs (see Class V on the Fee Schedule), and in addition charge \$5.00/hr. per classroom for utility costs (the difference between the personnel costs in Class V and the actual costs in Class VII) for a total of \$30.00. Accordingly, the group would be charged a total of \$90.00 for the three (3) classrooms for two (2) hours and satisfy the purposes and objectives of the Class V usage (which is to cover actual costs).

$$[1 \times \$30.00 \times 2] + [3 \times \$5.00 \times 2] = \underline{\$90.00}$$

In the event that the group under Class VII desired to rent eight (8) classrooms for two (2) hours, the school administrator (depending upon the circumstances) could determine that two (2) individuals could provide the appropriate supervision and security for all eight (8) classrooms and charge the group \$60.00/hr. for a total of \$120.00 for personnel costs (see Class V on the Fee Schedule), and in addition charge \$5.00/hr. per classroom for utility costs (the difference between the personnel costs in Class V and the actual costs in Class VII) for a total of \$80.00. Accordingly, the group would be charged a total of \$200.00 for the eight (8) classrooms for two (2) hours and satisfy the purposes and objectives of the Class VII usage (which is to cover actual costs).

$$[2 \times \$30.00 \times 2] + [8 \times \$5.00 \times 2] = \underline{\$200.00}$$

CLASS VIII FORMULA:

The formula for calculating the rental fee for a Class VIII activity is as follows:

No. of Supervisors x \$30 (Hourly Supervisor Cost) x Hours of Room Use

+

No. of Rooms x \$5 (Hourly Utility Cost per Room x Hours of Room Use

If a group under Class VIII desired to rent one (1) classroom for two (2) hours, the charge pursuant to the Fee Schedule would be \$75.00/hr. for a total of \$150.00.

$$1 \times \$75.00 \times 2 = \underline{\$150.00}$$

-OR-

$$[1 \times \$30.00 \times 2] + [1 \times \$45.00 \times 2] = \underline{\$150.00}$$

However, if a group under Class VIII desired to rent three (3) classrooms for two (2) hours, the school administrator (depending upon the circumstances) could determine that a single individual could provide the appropriate supervision and security for all three (3) classrooms and charge the group \$30.00/hr. for a total of \$60.00 for personnel costs (see Class V on the Fee Schedule), and in addition charge \$45.00/hr. per classroom (the difference between the personnel costs in Class V and the fair market rental in Class VIII) for a total of \$270.00 for utility costs and fair market rent. Accordingly, the group would be charged a total of \$330.00 for the three (3) classrooms for two (2) hours and satisfy the purposes and objectives of the Class VIII usage (which is to charge fair market rent).

$$[1 \times \$30.00 \times 2] + [3 \times \$45.00 \times 2] = \underline{\$330.00}$$

In the event that the group under Class VIII desired to rent eight (8) classrooms for two (2) hours, the school administrator (depending upon the circumstances) could determine that two (2) individuals could provide the appropriate supervision and security for all eight (8) classrooms and charge the group \$60.00/hr. for a total of \$120.00 for personnel costs (see Class V on the Fee Schedule), and in addition charge \$45.00/hr. per classroom (the difference between the personnel costs in Class V and the fair market rental in Class VIII) for a total of \$720.00 for utility costs and fair market rent. Accordingly, the group would be charged a total of \$840.00 for the eight (8) classrooms for two (2) hours and satisfy the purposes and objectives of the Class VIII usage (which is to charge fair market rent).

$$[2 \times \$30.00 \times 2] + [8 \times \$45.00 \times 2] = \underline{\$840.00}$$



Policy KA Exhibit 3 Patriotic Societies

The following organizations are identified as patriotic societies under Title 36 of the United States Code and are charged fees in accordance with Class VI on the Fee Schedule.

1. Agricultural Hall of Fame
2. Air Force Sergeants Association
3. American Academy of Arts and Letters
4. American Chemical Society
5. American Council of Learned Societies
6. American Ex-Prisoners of War
7. American GI Forum of the United States
8. American Gold Star Mothers, Incorporated
9. American Historical Association
10. American Hospital of Paris
11. The American Legion
12. The American National Theater and Academy
13. The American Society of International Law
14. American Symphony Orchestra League
15. American War Mothers
16. AMVETS (American Veterans)
17. Army and Navy Union of the United States of America
18. Aviation Hall of Fame
19. Big Brothers-Big Sisters of America
20. Blinded Veterans Association
21. Blue Star Mothers of America, Inc.
22. Board For Fundamental Education
23. Boy Scouts of America
24. Boys & Girls Clubs of America
25. Catholic War Veterans of the United States of America, Incorporated
26. Civil Air Patrol
27. Congressional Medal of Honor Society of the United States of America
28. Corporation for the Promotion of Rifle Practice and Firearms Safety
29. Daughters of Union Veterans of the Civil War 1861–1865
30. Disabled American Veterans
31. 82nd Airborne Division Association, Incorporated
32. Fleet Reserve Association
33. Former Members of Congress
34. The Foundation of the Federal Bar Association
35. Frederick Douglass Memorial and Historical Association
36. Future Farmers of America
37. General Federation of Women's Clubs
38. Girl Scouts of the United States of America
39. Gold Star Wives of America
40. Help America Vote Foundation
41. Italian American War Veterans of the United States
42. Jewish War Veterans of the United States of America, Incorporated
43. Jewish War Veterans, U.S.A., National Memorial, Incorporated
44. Korean War Veterans Association
45. Ladies of the Grand Army of the Republic

46. Legion of Valor of the United States of America, Incorporated
47. Little League Baseball, Incorporated
48. Marine Corps League
49. The Military Chaplains Association of the United States of America
50. Military Officers Association of America
51. Military Order of the Purple Heart of the United States of America, Incorporated
52. Military Order of the World Wars
53. National Academy of Public Administration
54. National Academy of Sciences
55. National Conference of State Societies, Washington, District of Columbia
56. National Conference on Citizenship
57. National Council on Radiation Protection and Measurements
58. National Education Association of the United States
59. National Fallen Firefighters Foundation
60. National Federation of Music Clubs
61. National Film Preservation Foundation
62. National Fund for Medical Education
63. National Mining Hall of Fame and Museum
64. National Music Council
65. National Recording Preservation Foundation
66. National Safety Council
67. National Ski Patrol System, Incorporated
68. National Society, Daughters of the American Colonists
69. The National Society of the Daughters of the American Revolution
70. National Society of the Sons of the American Revolution
71. National Tropical Botanical Garden
72. National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic
73. The National Yoemen F
74. Naval Sea Cadet Corps
75. Navy Club of the United States of America
76. Navy Wives Clubs of America
77. Non Commissioned Officers Association of the United States of America, Incorporated
78. Paralyzed Veterans of America
79. Pearl Harbor Survivors Association
80. Polish Legion of American Veterans, U.S.A.
81. Reserve Officers Association of the United States
82. Retired Enlisted Association, Incorporated
83. Society of American Florists and Ornamental Horticulturists
84. Sons of Union Veterans of the Civil War
85. Theodore Roosevelt Association
86. 369th Veterans' Association
87. United Service Organizations, Incorporated
88. United States Capitol Historical Society
89. United States Olympic Committee
90. United States Submarine Veterans of World War II
91. Veterans of Foreign Wars of the United States
92. Veterans of World War I of the United States of America, Incorporated
93. Vietnam Veterans of America, Inc.
94. Women's Army Corps Veterans' Association