

KANAWHA COUNTY BOARD OF EDUCATION POLICY
Series C41A: Use of Properties and Facilities

41.01 Community Activities. When not in use for school purposes, school buildings, grounds, or portions thereof may be used for community activities in accordance with the terms and conditions contained in this administrative regulation. The private use of facilities for personal gain is not permitted. Affiliation with a religious organization will not serve as a basis to prevent the use of school facilities. The use of school buildings or grounds for religious services or worship activities is permitted, for temporary time periods, on the same basis as use by other community groups.

41.02 Political Activities. School buildings, facilities or equipment, i.e., copy machines, fax machines, computers, telephones, etc., shall not be used for any partisan or non-partisan political purposes nor for the support for or opposition to any ballot initiative. This prohibition is not intended to prevent the use of school facilities for a community-based event such as a “meet the candidate” event or a debate in which all candidates are invited to participate.

41.03 Application of Regulations. These regulations shall apply to the use of all facilities and property owned by the Kanawha County Board of Education. Other policies or regulations that pertain to the use of specific facilities or property shall prevail in the event of any conflict with these regulations. These regulations have no application to the use of Laidley Field. Nothing in these regulations shall be construed to limit the terms and conditions of any lease of facilities or property owned by the Kanawha County Board of Education.

41.04 Permit Required. All persons not directly affiliated with the school system desiring to use facilities or property must first obtain a written permit. Permits must be signed by the responsible person or officer of the organization requesting the use of facilities or property.

41.05 Permit Application Procedure. Applications for permits to use facilities or property shall be made to the principal or other administrator charged with the management of such facilities or property. Permit applications must be made at least two weeks in advance of the scheduled use. If modifications to the facilities or property in question are required, such applications must be made so as to provide sufficient time to perform such modification.

41.06 Competing Permit Applications. Regular school activities and activities sponsored by organizations affiliated with a school shall be given priority over other applications for permits to use a school facility. Organizations or groups located within a particular school attendance area shall be given priority over applications from organizations or groups outside an attendance area.

41.07 Fees. All permit fee, or an estimated amount, must be paid in advance. However, if a permit is issued for a semester or year, charges may be remitted in advance on a monthly basis. All fees, along with a copy of the permit, shall be remitted to the Office of Accounting, 200 Elizabeth Street, Charleston, West Virginia 25311. Failure to pay any required fees on a timely basis may result in the revocation of a permit. No new permits shall be issued to an applicant until any past delinquencies are satisfied.

Rental Fees:

- Classroom = \$15.00/hr.
- Gymnasium, Auditorium Multipurpose Room = \$25.00/hr.

- Personnel Assignment Fees (per employee): Hourly rate, including overtime, if applicable, to be paid to assigned school personnel in accordance with Kanawha County Schools salary schedules, plus 25% for fringe benefits.
- Law Enforcement Personnel (prevailing rate)

41.08 Personnel Assignments. The principal or other administrator charged with the management of the facility or property to be used shall determine the personnel requirements attending the intended use. Additional personnel assignments shall only be made when regular assignments will not accommodate the intended use.

41.09 Supervision. The principal or other administrator charged with the management of the facility or property to be used shall be responsible for adequate supervision measures in connection with any use of facilities or property. A principal or other administrator may allow volunteer supervision. However, the principal or administrator shall be ultimately responsible for any supervision arrangements. Any use of kitchen facilities must be supervised by at least one food service staff member.

41.10 Denial of Permit. A permit to use facilities or property may be denied if the intended use would be in violation of any federal, state or local laws or ordinances, or would be in violation of Board Policy or rules promulgated in connection with the use of specific facilities or property.

41.11 Prohibited Activities. The following activities are prohibited:

1. High Risk activities such as:
 - Carnivals (this prohibition is not intended to apply to non-professional carnivals put on by school-affiliated groups such as PTAs and PTOs, which provide insurance as set forth in Section 23 herein;
 - Circuses;
 - Animal shows or similar traveling shows;
 - Hot air balloons;
 - Skydiving;
 - Helicopter or other aircraft involvement;
 - Animal or motor driven carts and trailers;
 - Super slide or other inflatable apparatus;
 - Jumpolines;
 - Dunk Tanks;
 - Any apparatus that does not meet district standards; and
 - Any other activity that may, as determined by the site administrator or the Safety Department, jeopardize the health and safety of the participants

The above list is not all-inclusive. For activities not specifically mentioned in this regulation, the site administrator should consult with the Safety Department prior to approving such activity.

2. Fireworks or other pyrotechnic displays, and other activities in violation of applicable fire codes.
3. Activities involving the use or discharging of weapons.
4. Activities likely to result in damage to District property.
5. Smoking or use of other tobacco products within any facility is prohibited.

6. The possession or consumption of alcoholic beverages in facilities or on property owned by the Board of Education is prohibited.

41.14 Removal of Equipment or Property. All equipment or other property of persons using facilities or property must be removed immediately following such use.

41.15 Curfew. The use of facilities and property shall end not later than 11:00 p.m. An employee of the Board shall close any facility in use promptly thereafter.

41.16 Fire Safety Requirements. All applicable fire safety requirements, including seating capacities, shall be observed in the use of facilities or property.

41.17 Access of Board Representatives. Any designated representative of the Board of Education shall have full access to facilities or property during any use or activity conducted pursuant to a use permit.

41.18 Board Owned Equipment. Prior written permission must be obtained from a principal or other administrator with respect to the use of Board owned equipment or property.

41.19 Revocation of Permits. All permits are revocable and shall not be deemed a lease of facilities or property.

41.20 Notice of Cancellation. Notice of the cancellation of any scheduled use of facilities or property must be provided to the principal or other administrator, who issued the use permit, at least 24 hours in advance of the scheduled use. Failure to provide such notice may result in the responsibility to pay applicable permit fees as provided in Section 41.07 herein, and the denial of permits in the future.

41.21 Closure of Facility. If a facility is closed due to inclement weather or mechanical failure. Any use may be rescheduled through the principal or administrator charged with the management of the facility. Kanawha County Schools shall not be responsible for any losses or damages in the event an activity is cancelled as a result of the closure of a facility.

41.22 Conformance with Board Policy and Regulation. All uses of facilities or property must conform to applicable board policies and administrative regulations.

41.23 Legal Responsibility. Persons or organizations issued a permit to use facilities or property shall be responsible for any damage to property resulting from such use. Such persons or organizations shall indemnify the Board against all liability for injuries to persons or property resulting from negligence, misconduct, or misuse of facilities or property. All organizations which use Kanawha County Schools' properties must provide evidence of liability insurance, in an amount of not less than \$1,000,000 per occurrence, naming the Kanawha County Board of Education as an additional insured. A copy of such insurance policy or certificate must be submitted to the Director of Purchasing not less than 48 hours prior to the proposed use of the facilities.

Reference: W. Va. Code §16-9A-4; 18-5-19

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