

<p>PRESTON COUNTY BOARD OF EDUCATION</p> <p>FILE: 4 – FACILITIES AND EQUIPMENT</p> <p>File: 4-9 Authorized Use of School Facilities, Materials and Equipment</p>	<p>Last Reviewed: 6-28-10</p> <p>Next Review: 7-01-12</p>
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Rural counties such as Preston are in a unique situation because the school facilities are often looked upon as an extension of the greater communities they serve. In fact, WVC §18-5-19 states the following:

“County board shall have authority to provide for free, comfortable and convenient use of any school property to promote and facilitate frequent meetings and associations of the people for discussion, study, recreation and other community activities.”

Therefore, the Preston County Board of Education encourages community use of school facilities within the legal framework which regulates the use of school facilities by outside groups.

Generally

All school materials, equipment, and facilities are to be used for purposes as authorized by state law or as ordered by the Board of Education. School district materials, equipment, and facilities shall not be used by employees for monetary gain. This includes buildings, their contents and all types of vehicles.

Public Use of School Facilities Policy

The Preston County Board of Education recognizes that the people of the communities have a capital investment in the school buildings and facilities within the county and that such buildings and facilities should be used by the communities for legitimate and recognized purposes. Thus, buildings and facilities which are the property of the Preston County Schools may be made available for community use consistent with the current Board and administrative regulations.

Any person or group requesting permission to use the school facility shall make application on the appropriate form directly to the principal of the school. In the event that the principal is unavailable, the application should be made directly to the Superintendent of Schools.

Any use of the school facilities by outside organizations shall not conflict with the regular school program. School related organizations shall have priority over non-school related organizations in the use of school facilities. Likewise, approved youth groups shall be given consideration over adult groups. No fees will be charged to school affiliated groups.

The Superintendent shall have the authority to enforce all regulations pertaining to the buildings and grounds used by outside agencies; however, he may delegate this authority. Any organizations denied use of a building by the principal may appeal to the Superintendent and ultimately to the Board of Education.

Public Use of Foods, Supplies, and Equipment as Pertaining to Child Nutrition Regulations

Left-over foods, USDA donated foods or purchased foods shall not be sold, traded or given away, except as used in Child Nutrition Programs. No Foods, including left-overs, shall be removed from the school service area by food service personnel either for their own use or for the use of others, except for school personnel activities.

All food service equipment and supplies shall be properly inventoried and shall not be removed from the school food service area without appropriate authorization. Records must be maintained verifying the date a piece of equipment was loaned from the food service department, the date returned, the principal's signature and the name of the borrower.

Individuals will not make purchases from vendors in the schools. Personal purchases may not be stored in the food service equipment. It is recommended that no personal items be stored in the food service equipment or storage areas.

Food for outside functions (not school sponsored) shall not be prepared in the kitchen during the regular work day. School food service facilities may be used by school or community groups for food service when authorized by the school administrator. Entrepreneurs shall not use food service facilities for individual benefit. At least one school service employee shall be in charge to ensure control over foods and for proper use and care of equipment and facilities of the Child Nutrition Program. Wages for school food service personnel shall be paid by the organization using the facilities in accordance with current wage and hour regulations and SFA policy. Payment must be paid through the Preston County Board of Education. Military use of kitchen, when in kind contributions are being made to the Preston County Schools, is excluded from supervisory clause.
(WVC §18-5-1a, §18-5-19, §18-5-19d, §29-12-5, §29-12-5a)

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R 4-9-1 Public Use of School Facilities Regulations

- ❖ All applications for use of school facilities should be made at least two (2) weeks prior to the date for which use is desired.
- ❖ Each group will identify one person who will be in charge and who will be responsible for completing the necessary forms;
- ❖ The group (especially the person in charge) acknowledges that the facilities and equipment must be left in the same condition as it found them;
- ❖ The person or organization using the facility shall be responsible for any loss or damage to the property as a result of such use.
- ❖ If a custodian has not been employed for the activity requested, the group using a school facility must remove all litter associated with the activity. Failure to do so could result in said group not receiving permission to use the facility in the future.
- ❖ All groups agree to schedule their activities in a manner that does not interfere with the routine cleaning and maintenance of the facility;
- ❖ The group shall provide security appropriate for the size of the crowd.

- ❖ Non-school related individuals or organizations using the facility shall save the Board of Education harmless for any liability resulting from injury sustained on the property during the time the person or organization is using the facility. Adequate liability insurance to protect themselves and the Board of Education shall be required.
- ❖ Unless otherwise required within the request approval, the person or organization using the facility must make necessary arrangement to secure the building before and after use.
- ❖ Reimburse the Board for personnel costs for opening and closing of building beyond regularly scheduled hours;
- ❖ Fees will be charged for use of certain school facilities; in addition, the persons or organizations using the facility shall pay for any additional janitorial services which may be necessary.
- ❖ Non-school related individuals or organizations who wish to use the facility on a regular basis should contact the Superintendent who shall present the matter to the Board of Education.
- ❖ The Preston County Board of Education prohibits the possession and/or use of illegal drugs, alcohol, includes non-intoxicating beer and tobacco products, and gambling activities by individuals and groups using the Board of Education facilities and grounds.
- ❖ Any and all use of school kitchens will be supervised by school personnel and paid staff shall be required to be on site.
- ❖ Only Preston County School affiliated groups or other groups or organizations approved by the principal or Superintendent of Schools may use outdoor athletic facilities.
- ❖ "School affiliated groups" are defined as:
 - Any student group or organization sponsored by the Board of Education; and
 - Other groups or organizations approved by the principal or Superintendent and whose activities do not result in personal gain, including youth leagues.
- ❖ School facilities shall be made available on an as-needed basis in time of emergency when requested by authorized emergency personnel and approved by the Superintendent or administrative designee.

Meetings

Public meetings or meetings of community organizations may be held in school buildings or on school grounds if properly scheduled by the principal of the school and such activity is not considered damaging to the building, grounds, or public image of the schools. The cost for these groups is subject to wavier.

Religious use

The Board of Education of Preston County wishes to cooperate with religious organizations where a definite need can be shown in respect to use of school buildings.

- ❖ Preston County school buildings and grounds shall be made available for religious use only when such established religious organizations shall, through disaster, loss of existing facilities, or are in the process of remodeling or repairing its facility rendering it unusable. A charge sufficient to cover the increased cost to the Board shall be made.
- ❖ The use of said facilities may not conflict with the regular operations of the schools and that such use shall be for a reasonable length of time, throughout which efforts to repair or replace the pre-existing facilities must be in evidence.

Polling Places:

The Preston County Board of Education has a long history of providing polling places for the County Commission. The County Commission or its authorized representative shall make application for needed space in the manner described elsewhere in this policy. As described in File: R 4-9-4 Fees for Community Use of Facilities, the County Commission will not be charged a usage fee. However, the cost of school service personnel services required in conjunction with the use of school facilities must be reimbursed to the Board. Service personnel must be paid in accordance with File: R 4-9-5 Wage and Hour Requirements for Service Personnel, of the Preston County Board of Education Policy Manual.

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R 4-9-2 Activities for Which School Facilities may not be Authorized

Commercial or private use

The Board shall not permit the use of any school for private social functions, commercial ventures, or business for profit. In general, groups outside the school community (county) will not be permitted to use school facilities.

Hazardous activities

No school organization or other organization or group may sponsor any activity that may be of more than normal hazard to persons or property, and in case of doubt about the hazard, the Board shall make the final decision.

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R 4-9-3 Liability Insurance for Community Activities

The Board of Risk and Insurance Management and WVC §18-5-19d require the Board of Education to protect itself from unnecessary risk when allowing community use of its facilities. Generally speaking, there are two types of activities that may be scheduled for which requests will be received:

- ❖ Very basic recreational activities and community meetings. Basic recreational activities refer to things such as occasional use of gyms for evening sports activities, walking on the track, youth team sports and other similar activities. Activities of this type present a low risk of accidental injury and would not require liability insurance.

- ❖ On occasion the school principal will receive a request to allow a high-risk activity on the school site (i.e. donkey basketball, alumni football game, etc.). Activities of this type will require liability insurance coverage.

In the event a principal receives what s/he perceives to be a high-risk request it shall be presented to the Superintendent who will make the final decision. It is fundamental to this process that all principals review each request carefully and seek advice from the Superintendent as appropriate.

The person, organization, or association requesting to use a school facility for a high-risk activity shall file a liability insurance policy in the name of the Preston County Board of Education in the amount of one million dollars (\$1,000,000) with the Superintendent. The policy shall cover the Board/District with general comprehensive liability coverage of any claim, demand, action, suit or judgment by reason of alleged negligence or other acts resulting in bodily injury or property damage to any person arising out of the use of school property for a community activity.

- ❖ The required insurance may be purchased privately or it may be purchased pursuant to WVC §18-5-19d through the State Board of Risk and Insurance Management.
- ❖ As used in these procedures, “organization or association” is defined as a non-profit, tax-exempt, benevolent, educational, philanthropic, humane, patriotic, civic, charitable, incorporated or unincorporated association or organization or a rescue unit or other similar volunteer community service organization or association. The definition does not include associations or organizations that are associated with political issues.

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R 4-9-4 Fees for Community use of Facilities

The Following Fee Schedule Shall be Applicable for Non-School Affiliated Individuals or Groups:

	HIGH SCHOOL	REHEARSALS
GYMNASIUM	\$50.00/Hour	\$10.00/Hour
THEATER	\$50.00/Hour	\$10.00/Hour
CAFETERIA	\$50.00/Hour	\$10.00/Hour
CLASSROOMS	\$10.00/Hour	\$10.00/Hour

The usage rate for use of the facility will be the same for all groups; however, the Superintendent may waive the hourly rate for youth groups (i.e. little league baseball, youth football, etc.). The Superintendent may also waive the usage fee for recognized and documented non-profit groups within the Preston County community (i.e. fire departments, emergency response squads, city agencies, health department, County Commission, etc.), Documentation of non-profit status may include official documents from federal, state and local governmental agencies authorized to bestow non-profit status upon a group or organization. However, groups for which the usage fees has been waived will be required to pay any additional personnel costs the Board may incur and the waiving of the usage fee still requires the payment of a surety deposit against possible damage to school facilities.

School related groups such as the PTO and the Local School Improvement council shall be exempt from usage fees.

Recreational use of school gymnasiums, etc. for community groups will be charged \$10.00 an hour. However, school principals may exercise discretion in allowing in-kind services to over-ride the fees.

School affiliated groups and individuals may use facilities providing proper arrangements have been made with the school principal and the services of a cook or custodian are not needed.

Each principal shall maintain a use of facility log and submit a report to the county office monthly.

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R 4-9-5 Wage and Hour Requirements for Service Personnel

The Preston County Board of Education must comply with the overtime provisions of the Fair Labor Standards Act FLSA, regulations of the U.S. Department of Labor, Wage and Hour Division, and all applicable state statutes and regulations related to the compensation of full-time and part-time employees. Therefore, the utilization of service employees in conjunction with community use of schools facilities will require the Board to compute the wages of said employees in accordance with the regulations found in *File: 8-33 Guidelines for Overtime and Compensatory Time*. The cost of employee services shall be in addition to the usage fees defined in a previous section of these regulations

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