

BUSINESS

Use of School Facilities

Request for Use

Application for use of facilities shall be made online in the Lincoln Public Schools Archibus system prepared for that purpose. The online request shall be reviewed by the building principal or the principal's designee who shall signify only that the building is generally available at a given time, together with such other information as may be from time to time requested by the Superintendent or designee. The action of the building principal or the building principal's designee shall not constitute approval of the requested use. The requested use shall only be approved upon action of the Superintendent or designee.

All approvals granted shall terminate the next following August 31, which is the end of the School District's fiscal year.

Payment of the full amount of the anticipated costs shall be made to the School District prior to commencement of the use.

In addition, the user shall furnish, prior to commencement of use, a certificate of liability insurance in the following amounts:

- a. \$1,000,000 commercial general liability, including \$100,000 for assault and battery and sexual abuse coverage for family service groups
- b. Workers compensation
- c. If food is sold, the commercial general liability insurance shall include products liability.
- d. Food vendor trucks are required to have the following coverage:
 - **Commercial General Liability** for bodily injury, personal and advertising injury, products liability and property damage, including contractual liability, with limits not less than \$1,000,000 per occurrence with waiver of subrogation in favor of the sponsor/administrator;
 - **Business Automobile Liability** for physical damage, bodily injury and property damage on all owned, non-owned or hired automobiles with a combined single limit of not less than \$1,000,000 per accident with waiver of subrogation in favor of the sponsor/administrator;
 - **Crime** coverage for employee dishonesty and theft, with limits not less than the amount contemplated by the contract; and
 - **Workers Compensation** in accordance with the statutory requirements of Nebraska with Employer's liability coverage in an amount not less than \$1,000,000 per accident or disease. The policy shall be endorsed with a waiver of subrogation in favor of the District.

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Request for Use (Continued)

Buildings will generally not be available for use after 11 p.m. or before 6 a.m. (NOTE: These insurance and other descriptions, the listed amounts and all facility use policies should be reviewed and approved by the Office of Risk Management and/or UNICO.)

Priorities for Use

Meetings of students or building staff prior to 6 p.m. on school days shall be arranged by the principal without following the permit process.

Lincoln Public Schools activities and programs shall take precedence over all other requests for use of School District facilities.

In the event of conflict of request for use, the following priorities will be followed:

1. Youth activities which are supported by other governmental bodies.
2. Other activities sponsored by other governmental bodies.
3. Youth activities sponsored by nonprofit community agencies and organizations.
4. Nonprofit community agencies and organizations.
5. Patrons who live within the district.
6. Any other applicants.

Permitted Uses

Facilities will not be available for uses which the staff determines may have an adverse effect upon the facilities being available as needed for school activities and programs, such as uses which may result in damage to the facilities or unacceptable difficulty in cleaning and maintaining the facility. The facilities will not be available for outside commercial activities, except for camps and other activities for high school students subject to and consistent with Bylaws of the Nebraska School Activities Association, or non-community type uses such as wedding receptions, slumber parties, funeral, memorials, personal use and similar activities.

All uses must comply with established Lincoln Board of Education policies concerning nondiscrimination and use of the facilities. No alcohol, drugs or tobacco will be used upon the facility. All meetings shall be open to the public. Meetings may not be secret, closed or exclusive. If a fee is charged, anyone who pays the fee must be admitted unless such person presents a risk of causing harm or disruption to others, to property or to the meeting or activity.

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Permitted Uses (Continued)

The user shall not assign or sublet the facility or any part of the facility to any other user. User shall be responsible for using the facility for the purpose described in the facility user form.

In the event that tickets are issued for any activity, they shall not be sold or disposed of in excess of the seating capacity of the facility being used.

All uses of the premises shall be in full compliance with any and all city, state or federal ordinances, codes, statutes or regulations.

The concession facilities and equipment shall not normally be available for use and shall only be provided at the discretion of the building principal or the principal's designee. Kitchen equipment will not normally be available. If the principal or the principal's designee does grant the use of some kitchen facilities, the use shall require that a Lincoln Public Schools food service employee will be in attendance during the use of any such equipment and all costs and expenses incurred by the District in providing for such an employee shall be borne by the user.

An approved lifeguard with cardiopulmonary resuscitation training shall be in continuous attendance during any use of swimming pools. The name of such lifeguard shall be given on the facility use application. All costs and expenses incurred in providing for the lifeguard shall be borne by user.

Use of special lighting in the high schools is handled through the drama or music department. Users should make separate arrangements with the principal or the principal's designee for any such stage lighting which shall be provided only at the discretion of the principal or principal's designee. Likewise, separate arrangements may be necessary with regard to use of any other personal property of the District.

Mechanical equipment, motors or machinery, candles, oils, burning fluids, campfires, fireworks, kerosene, naphtha or gasoline for either mechanical or other purposes or any agent other than electricity for illuminating may not be used on the premises without a specific separate request and permit by the Superintendent or designee. In no event will any use or activity be allowed which conflicts with the insurance policy upon the facility or increases the rate of insurance upon the facility.

Under no circumstances shall any nails, hooks, tacks or screws be driven into any part of the building or in any other manner any portion of the building be defaced or damaged. The individual or party named on the permit shall be responsible and liable for any damage to the facility or any property or equipment of the School District located thereon. Failure to promptly reimburse the District for any such damages shall result in cancellation of the use permit and

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Permitted Uses (Continued)

shall be grounds for denial of future applications. If any user or organization's use of the premises results in severe damage to the premises or to property or equipment located upon the premises, the same shall constitute a basis for future denial of use by the organization.

Neither the School District nor any of its employees shall have any responsibility for any property placed in the facilities by the user.

Lincoln Public Schools shall be indemnified for any claims, demands, losses, injuries or damages to persons or property which may be sustained by reason of the use of the approved facilities together with reimbursement for any legal fees or costs incurred as a result of any such claim or demand.

Use Consistent with NSAA Bylaws

Use of school facilities for activities that are subject to the Bylaws of the Nebraska School Activities Association (NSAA) shall be permitted subject to and in accordance with the NSAA Bylaws. Such use shall be consistent with this policy for non-school groups. Examples of acceptable use of school facilities for activities are:

1. Summer Leagues. There must be evidence that the organization or individual conducting the league has rented or leased the facility (for example, via an Application for Use) to prove the school is not involved in its sponsorship or funding.
2. Commercial Sport Camps/Clinics. School facilities for use by individuals, including the District's own coaches or other organizations for commercial camps/clinics or schools. Camps conducted by high school coaches shall be publicized as open to all area individuals wishing to attend and not limited to students from the coach's high school.
3. All-Star competition that involves graduated seniors.
4. Competitive meets and contests sponsored by non-school groups.
5. Facilities approved under the above stipulations include: gymnasiums, tracks, swimming pools, tennis courts, athletic playing fields and baseball and softball diamonds.

Last Revision: 2018-09-13

Reviewed and Remains in Effect as Written: 2016-02-23

Related Policies and Regulations:

Legal Reference: