

<u>Section E:</u>  <b>Business Management</b>	<b>Knox County Board of Education Policy</b>		
	<b>Community Use of School Facilities</b>	Descriptor Code:	Issued:
		<b>E-130</b>	<b>7/95</b>
		Reviewed:	Revised:
		<b>1/23</b>	<b>8/22</b>

## GENERAL REGULATIONS

School buildings and grounds or portions thereof may be used for auxiliary, educational, recreational, cultural, and such other purposes as promote the welfare of the community and the educational goals of the Board when the principal verifies that the premises are not required for school purposes.<sup>1</sup>

School facilities may not be used for private profit, except for the purpose of providing an academic educational service.

Entities that have a compelling operational need to reserve or schedule facilities for an extended period may submit a formal request detailing the need to the Director of Schools or the Director's designee. If the request is determined to be valid, appropriate and supportable, the Director may enter into a long-term partnership agreement or memorandum of understanding with the entity outside the provisions of this policy. (Use of school facilities by the Parks and Recreation Departments of Knox County and the City of Knoxville will generally be governed by this type of arrangement.)

Approval for use of school buildings and property will not be withheld based upon the content of the message or viewpoint of the applicant; also, events shall not be cancelled or relocated based upon the content of the message or viewpoint of the applicant. Knox County Schools reserves the right to reject applications or cancel events if it is, or becomes, reasonably foreseeable, based on specific articulable facts that the event will include or promote unlawful activity, including but not limited to violence or threats of violence, property damage, or obscenity, that the event will interfere with other school-related activities, such as by excessive noise or overcrowding, or if the event will involve political campaigning. If excessive noise or overcrowding is a potential, Knox County Schools may offer to relocate the event to another facility, however, Knox County Schools will not be responsible for any applicant costs due to such cancellation or change of venue.

The Board of Education permits the use of school premises for purposes, including educational and civic meetings and other purposes that promote the welfare of the community, and are not based upon the content of the message or viewpoint of the applicant; as long as the meetings are open to the general public and take place during non-school hours, outside of any scheduled school-sponsored activities. Political campaign meetings are not allowed thirty (30) days prior to early voting through the general election due to the potential for bias and misperceptions. Such meetings outside the stated time period will be subject to Board Policies C-180, C-181 and all other school rules and regulations. Instead of one candidate holding a meeting, political forums and panels open to all candidates are encouraged and can be arranged by District and individual school officials.

## **SCHOOL-RELATED ACTIVITIES**

School property may be used for school-related activities without application and without charge (unless there is some prohibitive cost involved) if permission is granted by the principal of the school. This use must be scheduled by the school to avoid conflicting facilities reservations. School-related activities include, but are not limited to:

- Parent-teacher activities;
- Activities of school-related civic clubs, groups or School Support Organizations;
- School club meetings, property supervised by a teacher in the school;
- Classroom groups properly supervised; and
- Educational meetings called by the principal or authorized member of the school administrative staff.

## **INSURANCE REQUIREMENTS**

Proper liability insurance shall be required of all groups given permission to use school facilities, except for routine meetings.

All users must agree to indemnify and hold the Board of Education and its employees and agents harmless for any claim, loss, or damage by reason of any act on the part of the applicant or other members of the organization arising out of the applicant's use of the Board of Education property or facilities.<sup>2</sup> The Board of Education shall require a copy of insurance certification and may be an additional named insured on all liability insurance policies held by organizations or individuals using Board of Education property or facilities.<sup>3</sup>

The Board of Education shall approve a fee schedule for the use of school facilities.

## **REQUIREMENTS FOR FILING APPLICATION TO USE FACILITIES:**

All non-school groups or individuals requesting to use school facilities must make application through the principal and have approval of the Director of Schools prior to the date of use.

The principal or the principal's designee shall be on duty when the building is in use for any activity outside of the normal school day.

The holder of an approved application to use school facilities may cancel the agreement by giving the principal or the Director of Schools notice at least seventy-two hours in advance of the date scheduled to be used. Otherwise, the group will be held responsible for all charges.

## **PAYMENT FOR USE OF SCHOOL FACILITIES**

- 1) Groups using school facilities for a school-related activity will not pay a base fee for the use of the facilities unless there is some prohibitive cost involved. Additionally, community, civic or non-profit groups engaged in providing a direct service to students shall not be assessed a fee if the activities take place in their entirety within three hours of dismissal on a school day and do not require additional staff or custodial support.

- 2) When use of the school building involves use of food service facilities, the manager, or member of the food service staff designated by the manager, shall be present and there shall be a charge for this service.
- 3) The full cost of food service, custodial personnel, and/or other school personnel necessary to support an event shall be borne by the using organization.
- 4) Organizations using a facility shall remit any personnel costs to the Knox County Schools and school employees will be compensated through the Knox County Schools payroll. Organizations shall not make payments directly to school employees.
- 5) All payments shall be made payable to the Knox County Board of Education and should be received no later than two weeks after the date of use. Users scheduling recurring events shall pay monthly with the payment due two weeks after the last event date of the month. Late payments will be assessed a late fee and future use of Knox County Schools facilities may be restricted or eliminated for groups with consistently late payments.

#### **CONDITIONS FOR THE USE OF FACILITIES**

At the conclusion of the activity, the user of the facility will notify the principal or other designated school employee.

The holder of an approved application to use grounds, equipment, or space in a school building shall agree to the following:

- 1) Exercise the utmost care in the use of school premises.
- 2) Use only areas approved by the building principal.
- 3) Accept financial responsibility for any damage arising from the use of the school premises.
- 4) Engage only in activities approved by the building principal.
- 5) Maintain competent adult supervision of all activities.
- 6) Use the premises only when the principal or principal's designee is present.
- 7) The use of alcoholic beverages, drugs, profane language, or gambling in any form is not permitted on school property. Use of tobacco on school grounds is not permitted.
- 8) While in use, ensure that the area of school buildings being used shall not have its means of egress blocked and Fire Prevention Regulations shall be strictly enforced.
- 9) Adhere to all KCS policies and procedures, including all terms and conditions of the school use application
- 10) Have a copy of the approved facility use request in their possession at all times during their use of the facility.

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Legal References:

1. T.C.A. § 49-2-203(b)(4).
2. T.C.A. § 49-2-203(b)(4)(A).
3. T.C.A. § 29-20-112.

Approved as to Legal Form  
By Knox County Law Director 6/28/2022  
/Gary T. Dupler/Deputy Law Director