

REQUEST FOR USE OF SCHOOL PREMISES, AND AGREED UPON TERMS FOR USE,
IF REQUEST APPROVED

REQUESTING ORGANIZATION _____ DATE _____

STREET ADDRESS _____ PHONE _____

PERSON IN CHARGE _____ EMAIL _____

HOME PHONE _____ WORK PHONE _____ CELL _____

BUILDING/FACILITY REQUESTED _____

ROOM(S)/AREA(S) NEEDED _____

SET-UP/EQUIPMENT REQUIREMENTS _____

EXPECTED ATTENDANCE _____

DATE(S) OF USE _____ TIME(S) _____

PURPOSE OF USE _____

REGULATIONS

The facilities of the Batavia Local School District (the "District") are to be made available to the school community for use unless the facilities are scheduled for student use, provided that the user meets the requirements prescribed by the District's Board of Education (the "Board"). Student use of facilities will be given priority.

A. Groups eligible to use the premises include:

Group A Users: School sponsored or school related groups or organizations. This group includes school sponsored clubs and activities, the PTO, the Athletic Boosters and the Band Boosters.

Group B Users: Non-profit civic, religious, educational, cultural, social, or recreational organizations located within the District, or whose membership is composed of a majority of District residents; and group or organizations invited by the District to host educational or fundraising programs or events.

Group C Users: All other eligible groups or organizations that provide services or activities for the District's children or the community.

- B. Groups ineligible to use the premises are those located outside the District, groups who majority of participants are not residents of the District, or groups conducting for-profit, income-producing, or commercial enterprises not related to the District, unless previously approved by the Board of Education. The participant residence requirements will not make an otherwise eligible user ineligible, if participant of District residents is limited by OHSAA requirements and the maximum number of allowed District residents is participating. Any such user will be a Group C user.
- C. School premises may be used on Sundays and legal holidays only with the approval of the Board. School premises are not available for use during or before regular school hours, when students are in attendance. Whenever possible, requests will be accommodated by providing facilities at the Elementary School or Middle School. Use of the Batavia High School premises may be granted on a case-by-case basis depending on the nature of the requested use.

It is understood that School District activities have preference over outside activities in using the school premises and this request is subject to cancellation if the requested school premises are needed for a school activity.

If this permission is granted, we agree to be responsible for any accidents or injuries sustained by any person attending or participating in the program or activity for which we may use the above-mentioned school premises, and to be responsible for replacement of any furniture, equipment or other District property used during the program or activity in case of any damage or loss incurred. Further, in accordance with State requirements and Board policy, we agree that there shall be no use of tobacco or controlled substances in the school building.

We also agree to the following provisions (if permission is granted):

- A. Any user of school premises is responsible for the proper supervision, control, and accommodation of persons attending the activity, and to ensure that attendees/participants will only access/use the sections of the building specified above, and the entrances to such buildings,
- B. Alcoholic beverages are not permitted in any District facility or on District grounds. The use of any tobacco product is prohibited in any district facility. Food and drink may be served and consumed only in those areas specifically approved for that use.
- C. No rides or attractions, including but not limited to, trampolines, enclosed or air supported structures of any type (e.g., bouncy houses), climbing walls or ropes, shooting activities, including bows or arrows, or similar equipment or related devices will be brought onto school premises or used in any way except as permitted with prior approval from the building principal.

- D. Any Group B or Group C user will procure and maintain throughout the term of this agreement a public risk insurance policy with a reputable insurer, with an A.M. Best rating of A- or better, which: (A) indemnifies the Board in an amount not less than \$2 million for any claims whatsoever arising out of the use of school premises by us; and (B) names the Board as an additional insured under the policy. It is understood that the policy or certificate of insurance must be presented to the District prior to the use of school premises, that such policy is considered primary, and that any insurance held by the Board that may provide protection or benefits to the Board is considered excess. The Superintendent may reduce or waive this insurance requirement on a case-by-case basis, but in no event will this requirement be waived if the purpose of the Use-of-Facility request involves athletic activity.
- E. To indemnify and hold harmless the Board, its members, employers, volunteers and representatives, and all persons and bodies corporate acting for or on their behalf, against any claims, suits, demands, costs, expenses, and liability for damages to any person or property in or about the school premises from any cause whatsoever arising out of the use of school premises by us and our attendees/participants, and for any other sums in excess of those contained in any insurance policy procured by us relating to the use of school premises or for such amounts as may not be payable under any such insurance policy.
- F. Written notice of any accident resulting in bodily injury or damage to District property caused by a person attending or participating in the program or activity will be provided to the District within twenty-four (24) hours of the accident. Such written notice must include the name and address of the person involved in the accident, name and address of any witnesses, and details regarding the time, place, circumstances and nature of the injury or property damage.
- G. If the Board, the Superintendent, or his or her designee determines that the authorized area(s) or premises are needed for school purposes, the District may cancel the use. The District also reserves the right to cancel any use for good cause, including, but not limited to, power outage, field overuse, or water service interruption.
- H. All use is automatically cancelled for days when school is closed for emergencies, or inclement weather.
- I. When school buildings are used for purposes other than for school use, additional expenses are incurred. The District shall charge the user an amount designed to recover the additional costs. Facility Fees will be charged pursuant to the Board adopted fee schedule, as specified in Attachment 1.
- J. User shall reimburse the District for the District's costs in connection with the use of outdoor field light and any other out of the ordinary expenses.
- K. The use of any materials on floors or other parts of the building is strictly prohibited without specific approval in writing from the building administrator.

- L. Alcoholic beverages and controlled substances will not be permitted on District property at any time.
- M. Decorations must be fireproof and shall be erected and taken down in a manner not destructive to District property. Decorations are subject to the approval of the building administrator. The use of open flames, such as candles, is permitted only with written permission.
- N. When school support personnel are needed, the District will assess a charge to cover wages and benefits pursuant to the Board adopted Support Fees, as detailed on Attachment 1. After hours use of school kitchens is only available with the employment of qualified personnel.
- O. Payment of any and all Premises Fees shall be due no later than 10 days prior to the date the activity is scheduled. Checks should be made payable to and delivered to:

Batavia Local School District
2400 Clermont Center Dr., Suite 240
Batavia, OH 45103
Attn: Treasurer

Use of Premises Request received on _____ by _____

Supporting Material received on _____ by _____

Follow-up required? Yes () No () by _____ Date _____

Request for use: Approved () Denied () Date: _____

By: _____

Fees Waived () No () If yes, provide reason _____

ATTACHMENT I

FEE SCHEDULE

GROUP A USERS: School sponsored or school related groups or organizations.

Facility Fees: None

Support Fees: May be required, see below

Other Fees: None

Other requirements:

- A. Must complete and submit a Use of Facility Request.
- B. Provided the user is a named insured under the District's policy, no additional insurance is required.

GROUP B USERS: Non-profit civic, religious, educational, cultural, social, or recreational organizations located within the District or whose membership is composed of a majority of District residents; and groups or organizations invited by the District to host educational or fundraising programs or events.

Facility Fees: None

Support Fees: Maybe required, see below.

Other Fees: Out of the ordinary expenses will be charged back to user.

Other requirements:

- A. Must complete and submit a Use of Facility Request.
- B. To procure and maintain throughout the term of this agreement a public risk insurance policy with a reputable insurer, with an A.M. Best rating of A- or better, which: (A) indemnifies the Board in an amount not less than \$2 million for any claims whatsoever arising out of the use of school premises by us; and (B) names the Board as an additional insured under the policy. It is understood that the policy or certificate of insurance must be presented to the District prior to the use of school premises, that such policy is considered primary, and that any insurance held by the Board that may provide protection or benefits to the Board is considered excess.

- C. Must provide evidence of not-for-profit or tax exempt status. Acceptable evidence includes copies of the user's current:
 - 1. IRS tax-exempt status determination letter;
 - 2. IRS Form 990
 - 3. Ohio Form CFR-1 and Ohio Annual Financial Statement, or
 - 4. A copy of the applicant's filing request for tax exempt status.
- D. May be required to provide a list of all officers, directors and those individuals responsible for the activities for which the request is being made. Addresses and phone numbers shall be provided if requested.
- E. May be required to provide a copy of the user's current Articles and By-laws, with all amendments.

GROUP C USERS: All other eligible groups or organizations that provide services or activities for the District's children or the community.

Facility Fees: See Below

Support Fees: See Below

Other Fees: Out of the ordinary expenses will be charged back to user.

Other Requirements:

- A. Must complete and submit a Use of Facility Request.
- B. Must provide a Certificate of Liability Insurance evidencing that the user has liability coverage in the amount of \$2,000,000. The District shall be named as an additional insured on the policy and shall be given 10 days prior written notice by the insurer of any expiration or cancellation of the policy or reduction of the limit specified above.
- C. May be required to provide a list of all officers, directors and those individuals responsible for the activities for which the request is being made. Addresses and phone numbers shall be provided.
- D. May be required to provide a copy of the user's current Articles and By-laws, with all amendments.

PREMISES FEES

<u>Building/Facility</u>	<u>Daily Fees</u>	<u>Season/Annual Fees</u>
Athletic Fields:		
HS Practice Field	\$50 per day/night	\$500
MS Practice Field	\$50 per day/night	\$500
Baseball/Softball	\$100 per day/night	
Stadium	\$1,000 per day/night	
OHSAA Tournament	\$1,800 per/day/night	
Gymnasiums	\$100 per day/night	\$1000
Classroom	\$50 per day/night	\$225
Cafeteria	\$50 per day/night	\$300
Kitchen	\$50 per day/night	
Library	\$50 per day/night	
Computer Lab	\$150 per day/night	

SUPPORT FEES

Custodial	\$30.00/hr. on weekdays
	\$40.00/hr. on Saturday, Sunday & Holidays
Cook	\$25.00/hr. on weekdays
	\$35.00/hr. on Saturday, Sunday & Holidays

Support Fees for custodial or cook services will at no time be waived for users who pay Facility Fees. Support Fees may be waived in whole, or in part for eligible Group A, or Group B users. Support fees shall include a minimum charge of one (1) hour before and one (1) hour after the event.

No Use-of-Premises are allowed without necessary arrangements for returning the building to the same condition prior to the event.

1/12/16