

Adopted: March 2016

Revised: _____

FLEX ACADEMY POLICY No. 8.9

FACILITIES POLICY

I. PURPOSE

The purpose of this policy is to establish guidelines regulating the use of school facilities by internal and external groups.

II. POLICY STATEMENT

The board of Flex Academy of Minnesota recognizes the desirability of having the school's facilities used as much as possible by community groups to promote educational, recreational, cultural and civic activities of the community.

Public school facilities exist primarily for the purpose of serving the educational needs of the youth in the community. No group or organization will be scheduled if the requested use interferes with the regular school programs or school sponsored activities. The Board, or its designee, will determine the most appropriate and available use of the Flex Academy facility space.

III. CLASSIFICATION OF ORGANIZATIONS USING SCHOOL FACILITIES

Organizations using Flex Academy's facilities are classified into either non-Flex Academy sponsored groups or Flex Academy sponsored groups.

A. Class A: Flex Academy Sponsored Activities

B. Class B: Non-profit youth organizations and athletic associations.

- C. Class C: Non-profit service organizations, college/universities, other schools, adult groups, and non-Flex Academy, non-profit based groups.
- D. Class D: Individuals, Private Agencies, Companies and Vendors using Flex Academy Facilities for Commercial Purposes or Profit.

IV. RENTAL FEES

Rental Fees for facility usage vary according to the nature and purpose of each group, agency or organization. All other requirements, such as application procedures, standards of conduct during use, supervision, etc. are constant for all user groups regardless of organizational differences.

V. PRIORITIES FOR FACILITY USAGE

A. **Uses on Monday through Friday.** The board of Flex Academy supports the use of school facilities by community members of all ages, matching appropriate facilities with the specific needs of user groups while achieving a reasonable balance in use between youth and adult programs. Each facility should be available for a variety of groups and none should be dominated by any one group or organization.

1. Activities provided for Flex Academy students have priority over adults during the early evening hours with the intent not to schedule youth beyond 9:00 p.m. on school nights.
2. Youth will be provided reasonable amounts of time for their programs while every effort will be made to maintain reasonable levels of publicly funded programs for adults.

B. **Weekend Uses.** To achieve maximum extended day and weekend usage of school facilities with minimum conflict, the following priorities are established:

1. First Priority: All Flex Academy events and activities such as fine arts events, PTA/PTO meetings, and athletic events and staff meetings.

2. Second Priority: Community based youth groups
3. Third Priority: For non-profit organizations and/or private groups which provide educational, civic, recreational or charitable activities and do not charge admissions, This area also includes, colleges, universities, and similar educationally-based groups that benefit mostly District residents.
4. Fourth Priority: Individuals, private agencies, companies and vendors using school facilities for commercial purposes or profit.

C. **Resolving conflicts in scheduling.** In the event there are conflicting requests for the same location at the same time, the Board's designee shall utilize a "meet and confer" process to attempt to resolve conflicts and accommodate the needs of concerned groups.

VI. SCHEDULING PROCESS

The application process and all aspects of scheduling the use of school facilities are administered by the Business and Operations Manager (BOM). The BOM shall develop a Facilities Use Handbook to govern the details concerning facilities use.

VII. USE OF SCHOOL EQUIPMENT

Equipment owned by Flex Academy is not included in arrangement for facility use unless specific arrangements are made in advance. Qualified operations (qualifications determined by BOM) must be provided for media equipment.

VIII. SITE SUPERVISION

The user organization is fully responsible for the safety and supervision of the specific space it uses and will assume full liability for any damages keeping in mind the following additional regulations:

- A. All activities must be under competent and responsible adult supervision (as defined as high school graduate, 18 years old or older) with an overall site supervisor identified prior to the start of the event use.
- B. Admittance to the designated area is not permitted until the adult supervisor is present. Flex Academy personnel on duty will supervise the operation of facilities, but are not required to supervise the group or its activities.
- C. When adult supervision is not adequate, it is the responsibility of Flex Academy personnel to report this information to the BOM and take immediate action as appropriate.
- D. Flex Academy reserves the right to cancel or withhold privileges if rules and regulations are violated.
- E. Responsibility for loss, breakage, or repair of any Flex Academy property rests solely with the organization using the facility or leader in charge of the group.
- F. The organization's site supervisor should be the first to arrive and the last to leave the premises at the conclusion of each event.

IX. LIABILITY AND INSURANCE

- A. Users of school facilities shall agree to indemnify Flex Academy for any and all damage to the school or other property by any person or persons attending an activity.
- B. All users are required to assume full responsibility for personal injury to any participants or spectators.
- C. Groups issued a permit are required to submit a certificate of insurance or endorsement for a general liability policy with \$100,000 limits per person, \$300,000 aggregate, name Flex Academy as the insured or additional insured. Exceptions may be

granted but must be approved by the Board's designee. Certificates or endorsements must be mailed directly to the BOM a minimum of 21 days prior to the first date of the event or the district has the right to cancel the event.

X. NONDISCRIMINATION

- A. Any decision made regarding access to the school's facilities must be made on a non-discriminatory basis, using objective criteria, consistent with the Minnesota Human Rights Act (Minnesota Statutes section 363A et. Seq.) in a consistent, equal and non-discriminatory manner. Any decisions regarding use of our access to the school's facilities may not be made on the basis of the religious, political or philosophical views of the groups seeking access, and must be made regardless of the sexual orientation or gender identity of group members.
- B. Upon request, any Boy Scout group or any Title 36 groups ("Title 36 groups" refers to a youth group or organization listed in Title 36 of the United States Code as a patriotic society that it intended to serve young people under the age of 21 and to groups officially affiliated with such groups) shall be given equal access to conduct a meeting within the school's designated open forum or limited public forum and shall not be denied access, opportunity, benefits or services, or be discriminated against for reasons including the membership or leadership criteria or oath of allegiance to God and country of the Boy Scouts or of the Title 36 youth group.
- C. Fees may be charged in connection with the access to the school premises, but any fees or terms that are not less favorable than the most favorable terms provided to one or more outside youth or community groups.