

3103 Facilities Usage Policy

1. Utah Code 53A-3-413, Use of school buildings and grounds as civic centers
 - a. All public school buildings and grounds are civic centers and may be used by district residents for supervised recreational activities and non-commercial meetings.
 - b. Some outside use of school facilities for commercial purposes may be permitted if the use is limited as defined by IRS regulations for non-profit entities and at the discretion of school administration.
 - c. Use of school property by outside groups may not interfere with any school function or purpose
2. Types of Use
 - a. School-sponsored programs outside the regular school day
 - i. Facility use: Free use of school facilities may be granted to school-sponsored programs.
 1. Examples of these programs: Programs may include, but need not be limited to; academic enrichment, music instruction, school administered after-school programs, etc.
 - ii. Provision: School-sponsored programs outside of the regular school day must be supervised by a school employee who is specifically assigned to the program.
 - b. Elected official candidate use
 - i. Definition: "Elected officials" include all publicly-elected local, state, or federal officials that have as their constituents residents of] Lindon City. "Candidates" include all candidates for public office who have declared their candidacy, have filed to run for public office, and have qualified to be on the ballot.
 - ii. Fees for facilities use by elected officials or candidates will be charged at the not-for-profit rate.
 - c. Civic Center/Election use
 - i. The State Board of Education authorizes the use of public facilities for civic/election purposes.
 - ii. The election judge assigned to each site is responsible for setting up the election booth.
 - iii. The school will provide a table and 3 chairs for each voting district.
 - iv. A fee will not be charged for this service.
 - d. Charitable and non-profit use
 - i. A fee shall be charged to charitable and non-profit organizations to recoup expenses, to cover the cost of normal wear and tear of the facilities, and to provide necessary janitorial services.
 - ii. All organizations renting district facilities under this category must provide evidence of their non-profit status through an official classification by the IRS and/or the office of the Secretary of the State.

iii. Maeser's Business Manager shall review any proposed commercial use for compliance with IRS rules and shall approve or deny said use in advance. There is no established right for commercial use of facilities.

3. Restrictions for Rentals

- a. Criteria used to approve appropriate commercial rental requests are as follows:
 - i. Is there another entity or facility that could service the rental?
 - ii. Is the requesting commercial entity part of the local school community?
 - iii. What would the impact be on the school facility and school personnel?
 - iv. Does the requesting commercial entity have a business license?
 - v. If admission or fees will be charged or items sold, the requesting commercial entity must have a Temporary Sales Tax License.
- b. The renter will be charged for all spaces used for such rentals. Only the rented space and designated restrooms and common areas may be used. If storage of equipment is required for the rental, a fee will be charged to store equipment or other items.
- c. The renter is entitled to a walkthrough of the rental space requested prior to the event. The renter is then responsible to notify the building scheduler, in writing, of any objectionable conditions, no later than one week before the date of the event. Renter may not make any modifications to the facilities without approval by the Facilities Maintenance Coordinator.
- d. Rental "no shows" are not eligible for a refund.
- e. Maeser will not rent any equipment, supplies, materials, etc. This rental agreement is for the use of the facility or grounds only.
- f. All State and local laws will be enforced at school facilities (not limited to those listed below).
- g. School facilities will not be rented for public dances.
- h. School kitchen may be used only to serve food. No cooking is allowed. Food brought into the kitchen must be commercially packaged. Food service must meet all applicable government regulations.
- i. Gambling, raffles, bingo, or other games of chance are unlawful and prohibited in the building or on the grounds.
- j. School facilities will not be rented on Sundays, state holidays, or national holidays, unless the rental is in association with use by city or state officials conducting official business.
- k. All users are required to leave the building no later than 10:30 PM on a school night and 11:00 PM on weekends absent express prior written permission.

- I. Promotional or informational materials distributed in advance or as part of facility use shall include the following statement: (Name of Renter or Group) has rented this facility under the Karl G. Maeser Preparatory Academy Guidelines for Civic Use. This use does not imply any endorsement by the school or its board of this person, program, and/or group.
4. Rental Rules and Regulations
 - a. A security deposit is required for all rentals.
 - b. Rental contracts are not transferrable.
 - c. Rental fees, deposits, and personnel charges shall be determined and paid at least 7 days in advance of any rental activity. Cancellation of reservations must be made at least five days in advance of the rental activity or rental fees will be forfeited.
 - d. Application of materials onto doors, windows, floors, walls, or other parts of the building is prohibited without written approval of the Facility Maintenance Coordinator.
 - e. Arrangement for seating or other items shall be made at the time the rental contract is issued.
 - f. No outside equipment shall be brought into the building without prior approval by the Facilities Maintenance Coordinator. When permission is granted, such property or equipment shall be removed immediately following its use, and the school or its agents shall not be responsible for damage incurred to such equipment.
 - g. The applicant agrees to pay for all damages done to facilities, equipment, or grounds which occurs in connection with the rental activity. The security deposit shall be applied towards damages incurred.
 - h. When admission tax is to be collected or when fees are to be paid by a rental agency or group, the organization using the facilities shall assume all responsibility for the collection and payment of all taxes and fees.
5. Schedule of Fees
 - a. Pursuant to Utah Code Ann. § 53g-7-210, fees shall be set at a rate to cover all costs including administration, supervision/technician, custodian(s), supplies, and utilities.
 - b. Rates and charges for use of school facilities shall be according to a published schedule. This schedule is part of the application for use of school facilities and shall be uniformly applicable to all organizations subject to fees.
 - c. Bleachers shall only be moved by an approved Maeser representative.
6. Insurance Requirements
 - a. Renter must sign the Maeser Indemnity Agreement as a condition of use.
 - b. The organization renting the Maeser facility shall provide evidence of current general liability insurance to the Business Manager before use of the facility or property:

- c. The Renter's general liability insurance policy must include contractual liability, personal injury, premises and operations, and broad form property damage. Such insurance shall provide for a minimum one million dollar (\$1,000,000) general aggregate limit. Evidence of requested insurance should clearly show the school as an additional insured.

7. Security Requirements

- a. If Maeser determines that additional security is required in connection with the proposed event, provision of such security is the Renter's responsibility.
- b. Proof of arrangement for security presence must be provided in writing to Maeser administration before the event.
- c. Maeser reserves the right to accept or reject the Renter's proposed security plan.

8. Prohibition of Smoking and Possession or Consumption of Alcoholic Beverages

- a. Utah Code Title 26, Chapter 38 and Rule R392-510 prohibits smoking or using e-cigarettes (vaping) in all enclosed indoor places that allow public access, including public or private elementary and secondary school buildings and educational facilities and the property on which those facilities are located.

9. Prohibition of Possession or consumption of alcoholic beverages at school or school sponsored activities.

- a. Pursuant to Utah Code 53A-3-501, a person may not possess or drink an alcoholic beverage:
 - i. inside or on the grounds of any building owned or operated by a part of the part of the public education system; or
 - ii. in those portions of any building, park, or stadium, which are being used for an activity, sponsored by or through any part of the public education system.

Approved 9 June 2020