

FACILITY RENTAL AGREEMENT

I. POLICY

Clawson Public Schools recognizes that school facilities belong to the school community; therefore, it is Clawson Public Schools' policy to encourage the use of these facilities by groups and organizations whose purposes and objectives contribute to the development of the school program or the community. Clawson Public Schools also recognizes that the primary purpose of the school facilities is to implement the regular instructional program, and that other usage should not interfere with this program. The use of school facilities by community-based organizations should be on essentially the same basis that K-12 educational services are provided; e.g., non-profit, educational and, on occasion, recreational services available to the public at large. Clawson Public Schools further recognizes that there are costs involved in non-school use of facilities, and that charges should be made so that tax money will not be used in support of non-school activities.

It is the policy of Clawson Public Schools that no person shall, on the basis of sex, race, color, creed, age, marital status, national origin, weight, height, or handicap, be excluded from participation in, be denied the benefits of, or be subject to discrimination in employment or any of its programs or activities.

II. GENERAL PERMIT ELIGIBILITY

In accordance with the Michigan School Code, our school buildings and outside facilities are available to responsible organizations and groups located within the Clawson Public School District including private and parochial schools. To be considered a group, the participants upon request must provide an eligibility list of at least three members of the group who will be responsible for the activity.

III. CLASSIFICATION OF USERS - INSIDE FACILITIES

A. Group I Permits

School Groups and School-Related Groups

- Wherein the membership and the sponsor are members of our student body and staff.
- School clubs or school groups, and governmental units.

B. Group II Permits

Community Education & Related Groups

- Organizations that have a direct affiliation with the school district.
- Certain non-profit community groups whose primary purpose is serving the school district educational programs.
- Civic organizations, YMCA, YWCA, service clubs, and homeowners' associations.
- PTAs, community groups, community education, Boy Scouts, Girl Scouts, and Cub Scouts who use a facility away from their home facility.

C. Group III Permits

- All organizations that charge admittance fees
- All churches, all private and parochial schools
- Other groups that do not fall under Class I or II

IV. RENTAL PROCEDURE & METHOD OF PAYMENT

A. Obtaining Building Use Permits

- Group I users shall submit an application directly to the building principal.
- Group II and Group III users shall submit an application to the Facilities Coordinator.
- Application for use of all school fields shall be made to the office of the Facilities Coordinator [248.655.4208].

B. Rental Procedure for Group I Permits

Group I applicants may obtain rental and usage information directly from the school's main office where the rental will occur.

C. Rental Procedure for Group II and III Permits

Step 1: Applicant contacts Facilities Coordinator to discuss rental process and applicable fees.

Step 2: Facilities Coordinator will send an application with a request for non-refundable processing fee (which shall be credited towards rental fee), along with the Facility Rental Agreement.

Step 3: Upon receipt of application, processing fee and eligibility form, Facilities Coordinator will review, verify eligibility and obtain building principal approval for date, space, and equipment requested.

Step 4: Facilities Coordinator will calculate rental cost and send applicant invoice and, if applicable, request insurance certificate. [See § V. ¶ D.]

Step 5: Applicant will remit all applicable fees by money order or cashier's check and provide appropriate proof of insurance at least 15 business days prior to date of usage. [See § V. ¶ D.]

Step 6: Operations will confirm rental location and date, issue permit to applicant and distribute copies.

- Permit holders will not assign, transfer, or sublet the use of district property.

D. Method of Payment

Full payment with insurance certificate, if required [See § V. ¶ D.], must be received 15 business days prior to the rental date. Check or money order only. No cash.

V. GENERAL DISTRICT REGULATIONS

- The school program (regular, extracurricular or school-related) takes precedence over the use of school facilities by any non-school group. Clawson Public Schools reserves the right to cancel any rental permit when necessary due to circumstances beyond their control. Furthermore, rental permits may be canceled in the event of an emergency or in the opinion of the school district the activity may endanger the health, safety, or welfare of the participants.
- Eligible groups or organizations whose intent is to operate for a profit are limited in the use of the facilities to performances, meetings or other "one-time" events.
- Indemnification: Group II and Group III must agree to indemnify and hold harmless the school district and its agents and employees from and against all claims, damages, losses and expenses, including attorney's fees arising out of or resulting from such organization's use of the school facility including bodily injury, sickness, disease or death or injury to or destruction of tangible property including the loss of use resulting therefrom and including loss or theft or damage to any of the school district's fixtures, equipment and personal property which are a part of or located on the premises and including such property owned by students or employees of the school district.
- Insurance Requirements: Organizations or groups using the school district's facilities under Group II and Group III users shall purchase and maintain such insurance as will protect it from all claims for damages because of bodily injury including death from claims for damages to property which may arise out of or result from the organization's use of the premises including contractual liability insurance as applicable to the organization's obligation to indemnify and hold harmless the school district as stated in paragraph C of this section. The minimum liability limits of such public liability insurance and property damage shall be in the amounts of five hundred thousand (\$500,000) dollars per claim, and one million (\$1,000,000) dollars per occurrence, and Clawson Public Schools shall be the named insured under all policies. Group II and Group III users shall deliver a certificate of insurance to the school district offices prior to use.

- E. An organization using the school district's facilities agrees to comply with all applicable state and federal laws and local ordinances, and school rules and regulations. In addition, school facilities may not be used for the following purposes:
 - Gambling and games of chance, except as permitted by law.
 - Activities that may be hazardous or be considered a public nuisance.
 - Private parties, except as sponsored by Clawson Public Schools.
 - F. No alcoholic beverages are permitted in or around any school building or on any school district property.
 - G. Smoking is prohibited in the buildings and on school property in accordance with Senate Bill No. 459 effective September 1, 1993. The ban applies to any "tobacco product" which is defined as a preparation of tobacco to be inhaled, chewed, or placed in a person's mouth.
 1. The use of open flame such as lighted matches, candles, etc. is forbidden. Electrical extensions and opening of electrical panel boxes must be approved by Operations prior to rental date, and decorations must be flameproof.
 2. The user must follow all state and local fire regulations and rules.
 3. Decorations such as posters and banners must be flameproof and special permission for use is required from the Facilities Coordinator. Flimsy decorations such as straw, leaves, excelsior or streamers are not permitted. No paper lanterns or draped lamps are to be used. No paper grass, leaves or shrubs are to be placed on or in contact with footlights. The placement of posters, banners, etc., on drapes, curtains, walls or stage equipment, or materials placed on floors, requires special approval by the Facilities Coordinator.
 4. Exits and corridors must be free of obstructions at all times. Exits are to be lit when rooms are used. Persons may stand in the auditorium only behind the last row of seats, never in the aisles or exits.
 - H. The School District reserves the right to require all participants in the approved activity/use to execute an individual waiver. The School District will notify the user/group of such requirement and provide the appropriate waiver for execution.
 - I. The issuing of a permit to use the school facilities does not include the use of school property or equipment such as piano, AV equipment, physical education equipment, gymnasium, stage, etc., unless special arrangements have been made, fees are paid, and it is reflected on the permit.
 - J. No permits will be issued to persons under 21 years of age. Student groups or organizations using school facilities will require adult supervision on the premises at all times.
 - K. Use of buildings will be granted only when an approved representative of the school district staffs the building.
 - L. A cafeteria employee must be present at all times when kitchen equipment is used. Additional charges may apply.
 - M. An auditorium manager and auditorium technician must be present at all times when auditoriums are used.
 - N. No outside activities such as soccer, baseball, archery, football, lacrosse, or softball shall be played in the gymnasium or multipurpose rooms unless approved by the Facilities Coordinator and special protective equipment is provided and utilized. Practice activities related to sports that allow the balls or other equipment to come in contact with windows, walls, ceilings or light fixtures shall not be allowed in the gymnasium or multipurpose rooms.
 - O. The premises are made available with the understanding that direct payment to district employees or schools is not permitted. Employees shall not accept direct payments in lieu of fees or labor charges. All payments must be made to the Clawson Public Schools and remitted to the office of the Facilities Coordinator.
 - P. Noncompliance with regulations may cause loss of facility use privileges.
 - Q. No guns, weapons or guard dogs are allowed in any school building or on any school district property without prior written permission. (Government law enforcement officers are exempt; private security guards are not exempt).
 - R. Use of private security guards is prohibited unless specific prior written permission is obtained from the office of the Facilities Coordinator.
 - S. Cancellations/Refund Policy: Clawson Public Schools requires a minimum 72-hour notice to cancel an activity from the permit holder without charge (less \$25 non-refundable processing fee). Cancellation notifications are to be made directly to the office of the Facilities Coordinator. Any cancellation without a 72-hour notice will result in total loss of refund. If Clawson Public Schools determines that an activity be canceled due to an emergency which may endanger the health, safety, or welfare of the participants, or circumstances beyond their control, a refund (less \$25 non-refundable processing fee) or rescheduling of the activity will occur.
 - T. Separate applications and permits are required for each facility usage.
 - U. The School District shall not be responsible or liable for any loss of valuables or personal property.
 - V. Flyers, booklets, or other printed or audio-visual materials may not be distributed unless they relate directly to the activity for which the School District facility is being used and are approved by the School District in advance. All outside group printed materials must state that the activity is not sponsored or endorsed by the Clawson School District.
 - W. All accidents during the use, whether personal or property damage, shall be reported immediately to the School District.
 - X. All individuals shall park only in designated areas. Parking on sidewalks, in fire lanes, in front of doors, or on any grass areas is strictly prohibited.
- VI. FEES AND CHARGES – INSIDE FACILITIES
- A. Overtime and Other Labor Charges: All permit holders (Group I, II, and III) will be charged for all overtime and other labor charges as required for the activity.
 - B. Facility Rental Fees and Special Insurance: There will be no rental fees or special insurance required for Group I permit holders. Facility rental fees will be charged to all Group II and III permit holders, except Clawson Public Schools' sponsored activities. Special insurance is required.
 - C. Equipment Rental Fees: Equipment rental fees will be charged to all Group II and III permit holders, except Clawson Public Schools' sponsored activities.
- VII. LONG TERM CONTRACTUAL USES
- A. Special shared use and long-term financial arrangements may be made with outside groups. The purpose of this procedure is to allow the shared use of our facilities when we find that it is to our economic advantage to enter into different fee arrangements than outlined.