

EFFECTIVE JULY 1, 2016**REGULATIONS GOVERNING COMMUNITY
USE OF BUNCOMBE COUNTY SCHOOL FACILITIES****General Guidelines:**

1. Principals have administrative control of their respective school buildings and grounds. Principals shall have the authority to recommend approval or denial of requests for the usage of school facilities. Requests for usage shall not be unreasonably denied. However, usage may be denied when the activity interferes with the normal operations, activities or programs of the school or no school employee is available to monitor the event as provided for in this Policy per paragraph 6 herein. Additionally, in the event that any Principal determines that any usage of school facilities is or becomes unduly burdensome to normal operations, activities or programs, the Principal may recommend alteration or denial of such usage. Any such recommendation by the Principal shall be made directly to the Superintendent with final determination as set forth in Paragraph 11 set forth herein.
2. Games of chance, lotteries, or other activities classified as gambling cannot be conducted on school premises.
3. Alcoholic beverages, tobacco, or other products considered hazardous to health cannot be sold on school premises.
4. Activities in conflict with city or county ordinances or state laws are not permitted.
5. Smoking, or use of any tobacco product, shall be prohibited in any Buncombe County School facility at all times. If a school is declared a "tobacco-free zone," tobacco products are not permitted on campus. (Reference Board of Education Policy 5026/7250)
6. A school system employee will be on site to monitor the activity of the group or organization using school facilities. Custodians are responsible for opening and closing the building, policing it, and cleaning the premises after use, and they are to be paid for the extra work through standard Board of Education payroll procedures, which must include overtime and fringe benefits. The sponsoring head of the group or organization must also be on duty to supervise, and to control his group and ensure compliance with Board of Education rules and regulations. Buildings may be opened and closed only by assigned employees of the school system or individuals recommended by the principal.
7. If a school custodian is on night duty at the school and the activity being conducted by the user group does not require more services than opening and closing the building, there will be no additional custodial charge. If, however, the custodian is not on night duty, the user group will be charged a rate of \$30 per hour with a three hour minimum.
8. Kitchen facilities will not be available for use except by specific permission of the principal and director of child nutrition. A regular employee of the school cafeteria, who is familiar with its equipment, must be on duty. This person will supervise the use of kitchen equipment to see

that it is properly cleaned and stored for school use the next day and to see that all electrical appliances, ranges, gas ovens, and other similar equipment are properly turned off, disconnected, or otherwise made safe for storage during nonuse. The school will be billed by the Finance Department at Central Office the following month for the time involved in this service for a child nutrition manager or regular employee of the school cafeteria. The employee shall receive time and one half for all hours worked and be paid a minimum of three hours.

9. The activity must be sponsored by or provide for substantial participation by residents of Buncombe County living in or near the community in which the school is located. Schools shall not be available for private entertainment or parties.
10. Adequate adult supervision must be provided for each activity.
11. The Board of Education reserves the right to deny the use of a facility to any person or organization at any time and it is the final authority on the interpretation and modification of the policy on public use of school facilities. In particular, the Board of Education reserves the right to deny the privilege of continued use of facilities to any user who does not comply with all Board of Education regulations or who fails to take adequate steps to protect school property.
12. All use of schools by non-school groups shall automatically be cancelled when schools must be closed due to inclement weather or other emergency conditions, and school facility use may be excluded during school holidays (option of the principal).

Application for Community Use of School Facility

1. In accordance with G.S. 115c-524(b), non-school groups may use school property for other than school purposes as long as such use is consistent with the proper preservation and care of the property. Users must guarantee school officials that the activity is lawful, that behavior will be orderly, and that the users will pay for any damages due to their use of the premises or equipment.
2. An application must be filed by each user group with the school principal or facility director. No school facility shall be used by any group or individual not in compliance with the requirements of all applicable federal or state statutes.
3. Applicants shall clearly and accurately specify the sponsoring organization; the purpose of the activity; the number and ages of the expected attendees and/or participants; and the name, address and phone number of the individual/group's designated representative on the application form. The form must be completed in its entirety. The principal will distribute copies as specified on the application form. Applicants should understand that approval will be subject to review, if necessary, by the central office.
4. A Certificate of Liability Insurance is required for all user groups. A Certificate of Liability Insurance to cover dates requested must accompany application. The Certificate of Liability Insurance must list Buncombe County Board of Education as the Certificate Holder, and as additional insured. Applicants who request facilities will be required to obtain minimum general liability insurance coverage of one million dollars (\$1,000,000), with a five thousand dollar (\$5,000) medical payment endorsement, or provide proof of self-insurance. Any group or organization using school property shall indemnify and defend the County, the Board of Education, the individual members thereof, and any school officials or employees from any loss, damage liability, or occupancy of school property. In the event property loss is incurred as a result of the use of the facility by a non-school group, the amount of damage shall be {CS: 00025930.DOCX}

decided by the principal, in consultation with the maintenance supervisor. The user group will then be billed for said damage. Said group will not be allowed further use of school property until damages are paid.

5. All anticipated fees must be paid in full when the application is submitted to the school. The user group will submit two checks, the first check should be made payable to the school and include the \$25 processing fee, the facility use fee and the custodial fee if applicable. The second check should be made to Buncombe County Schools for the maintenance fee and any additional fees such as heating or cooling. The principal is authorized to extend payment of use fees when the building will be subject to be used over a period of time.
6. Special fees may be charged for necessary technical and supervisory service. Principals may waive charges for supervisory service if satisfactory volunteer help is available.
7. Facilities should be scheduled to allow time for school programs and maintenance including "rest" time for fields.

Guidelines for Facility Users

1. School system employees shall be treated with respect at all times.
2. Individuals/agencies may not rent, sublet, transfer, assign their interest in, or umbrella the use of school facilities.
3. The sponsoring organization is responsible for seeing that vehicles use prescribed parking areas only.
4. Access to facilities shall be provided by school system employees whenever possible, and keys to facilities will not be provided to users. Any user who has previously obtained a key to any school facility will be required to return it to the building principal upon conclusion of that user's next use of the facility.
5. Firearms and facsimiles thereof are prohibited on school property per state and federal statute.
6. Open fire or flames are not permitted inside any facility unless permitted by fire regulations.
7. School system facilities will not be structurally or cosmetically altered for the user without the express permission of the principal or director of facility services.
8. Facilities must be properly maintained during use and returned to the school in similar condition, reasonable wear and tear excepted.
9. The user will be held liable and will be billed for repair and/or replacement for one hundred percent (100%) of any damages to board property and/or equipment that occurs in connection with the applicant's use of the facility. This includes damages to buildings, turf, track, athletic or other equipment, regardless of fault (Buncombe County Schools reserves, however, the right to pursue legal remedies, whether civil or criminal, against identified parties who cause damage to school property). Users may perform repairs only upon prior approval of Buncombe County Schools' administration.

Guidelines Governing Advertising, Publicity and Signage

1. Users must have obtained approval for facility use prior to advertising.
2. All publicity must carry the name of the individual or group sponsoring the event.
3. Buncombe County Schools cannot be listed as a sponsoring agency on any materials.
4. Signage may be placed on school property during the organization's approved time of use.
5. Signage displayed must be temporary in nature and must be in compliance with all local regulations.
6. All signage must be removed from school property by the user group upon completion of an event.

Scheduling

1. The principal will maintain a complete schedule of use for the building and grounds for which he is responsible, endeavoring to prevent conflicts and to guarantee **first priority** to the school and its related organizations (PTA/PTO, Band Boosters, Intramural, etc.); second priority to the Buncombe County Parks and Recreation Services, the Asheville City Parks and Recreation, and the Black Mountain Recreation and Parks Department, with programs which give priorities to activities serving children who reside within the school district and a lower priority to others. A schedule of all activities for the following week shall be furnished to the director of maintenance on each Friday.
2. The Buncombe County Parks and Recreation Services, the Asheville City Parks and Recreation, the Black Mountain Recreation and Parks Department, the Asheville-Buncombe Youth Soccer Association, and YMCA Afterschool Care as holders of second priority status, will have access to school facilities pursuant to a Memorandum of Understanding (MOU) between those organizations and Buncombe County Schools.
3. Requests by other organizations will be received and filed in order of receipt by the principal, but not acted upon until requests are in hand. After these requests are received, all requests will be considered on a first-come, first-served basis.

Fee Structure

- A. School Teams, Clubs, Classes, Advisory Councils, School Improvement Teams, that are part of the school's program. PTAs, PTOs, Academic Boosters, Sports Boosters, Band Boosters, Foundations, class reunions, retired teacher organization and groups whose sole purpose is to support the schools. All organizations listed in Group A, and who are sponsoring Camps and Clinics in which a fee is charged to participate. An associated charge will be incurred if the kitchen facilities are requested.
- B. Not for profit youth recreation practices and regular games when serving children from Buncombe County Schools: Youth football, basketball, soccer, baseball, softball, wrestling, etc. This does not include teams identified as competition teams. A maintenance fee will be assessed per organization. The maintenance fee charged will be based on the number of sites used by that organization. Heating or air conditioning will not be provided.
- C. Not for profit education groups which use the facility before 6:00 p.m. on school days. A maintenance fee will be assessed per organization. The maintenance fee charged will be based on the number of sites used by that organization.

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- D. Not for profit civic, religious, or charitable organization meetings, youth camps, competition teams and practices, clinics and Baccalaureates, athletic officials, National Guard, law enforcement, colleges and similar groups but does not include games, tournaments or productions. Organizations identified as government (or) adult recreation programs. A maintenance fee will be assessed per organization. The maintenance fee charged will be based on the number of sites used by that organization.
- E. Not for profit organizations (Group D) who use the facilities for fund-raisers, games, tournaments, and productions. This category includes: amateur theater groups, political rallies, competition teams (youth or adult), etc. A maintenance fee will be assessed per organization. The maintenance fee charged will be based on the number of sites used by that organization.
- F. Events hosted for profit. For purposes of this regulation, “for profit” means that the proceeds derived from the event are to be received by an individual, group of individuals, or entity organized for profit. For profit events are subject to all of the requirements of this regulation, but do not have any priority of use and may only be held at school facilities pursuant to a separate agreement entered into on a case-by-case basis.

Fees and Deposits

The superintendent shall adopt fees and deposits for use of Buncombe County Schools’ facilities in accordance with Board Policy 5030.

Any fee schedule changes are posted on the school website. All fees must be paid in full when the application is submitted to the school.

The fees will be collected as follows:

For Groups B through E only, a \$25 processing fee will be charged for each application submitted. If more than one site is used by a single organization, the \$25 processing fee will be charged per site. In addition, a maintenance fee will be assessed per organization. The maintenance fee charged will be based on the number of sites used by that organization. The maintenance fee schedule covers July 1 through June 30 for non-athletic use. The maintenance fee applies to each sports’ season for athletic use and is as follows:

Number of Sites Used	Amount Charged
1 – 5	\$100
6 – 10	\$400
11 – 15	\$500
16 – 20	\$600
21 – 25	\$700
26 – 40	\$800

A single usage between July 1 and June 30 will only be assessed a \$25 processing fee. A maintenance fee will not apply.

1. The \$25.00 non-refundable processing fee must be paid to the school when the completed application is submitted along with any facility use fees due. The user group will submit two

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checks, the first check should be made payable to the school and include the \$25 processing fee, the facility use fee and the custodial fee if applicable. The second check should be made to Buncombe County Schools for the maintenance fee and any additional fees such as heating or cooling.

2. The school will send a copy of the facility use application form along with a check for maintenance fees and any additional associated fees such as heating or cooling attached to the Assistant Superintendent's office at 175 Bingham Road, Asheville, NC 28806. This check will need to be made payable to Buncombe County Schools.

The original application should remain on file at the school. If any checks are returned, the event shall be cancelled unless the user pays the fee in cash or money order plus any returned check fees prior to the date of the event. Reservations made with less than ten (10) days advance notice must be paid in cash or money order.

Fees are charged depending on the day and time of the facility use requested and the type of group reservation.

Usage fees may be waived for small groups who utilize conference or classroom facilities to hold occasional meetings during the facilities' normal operating hours (see Board Policy 560).

Cancellations

1. Buncombe County Schools reserves the right to cancel any reservation. Buncombe County Schools will try to limit cancellations to extraordinary and emergency situations. Prior to cancelling an event, Buncombe County Schools reserves the right to move the event to another substantial similar County facility. If a substantially similar location is unavailable, all maintenance and usage fees will be returned in full. Any cancellation notice will be issued as far in advance as possible.
2. Buncombe County Schools will endeavor to provide no less than 48 hours' notice for any reservation that must be cancelled. However, any event scheduled to be held on a day that Buncombe County Schools are closed or released early due to inclement weather or any other emergency shall be automatically cancelled. In the case where the event is to be held on a non-school day following a day on which Buncombe County Schools are closed or dismissed early (e.g., on a Saturday following a Friday closure due to snow) the event may be held only if the building principal determines, in consultation with staff, that school personnel may safely travel to the school facility and open it for use.
3. Cancellations due to inclement weather will be refunded 100% with the exception of the \$25 processing fee. Every effort will be made to reschedule in a timely manner without an additional \$25 processing fee. Written cancellations for reservations received by Buncombe County Schools two weeks prior to the event will be refunded entirely except for a \$25 processing fee. Written cancellations within seven days prior to the event will be refunded 50% with the exception of the \$25 processing fee. Written cancellations received less than 48 hours prior to the event will be refunded 25% with the exception of the \$25 processing fee.

NO CHARGE FOR FACILITY USE TO THIS GROUP:

A. School Teams, Clubs, Classes, Advisory Councils, School Improvement Teams, that are part of the school's program. PTAs, PTOs, Academic Boosters, Sports Boosters, Band Boosters, Foundations, class reunions and groups whose sole purpose is to support the schools. All organizations listed in Group A and who are sponsoring Camps and Clinics in which a fee is charged to participate.

An associated charge will be incurred if the kitchen facilities are requested.

FEE SCHEDULE FOR THE FOLLOWING GROUPS:

B. Not for profit youth recreation practices and regular games when serving children from Buncombe County Schools: Youth football, basketball, soccer, baseball, softball, wrestling, etc. This does not include teams identified as competition teams. A maintenance fee will be assessed per organization. The maintenance fee charged will be based on the number of sites used by that organization.

FEE SCHEDULE FOR GROUP B – Please Check Appropriate Box			
<input type="checkbox"/> Auditorium-No Charge	<input type="checkbox"/> Cafeteria-No Charge (no kitchen unless cafeteria manager present, additional charges will apply)	<input type="checkbox"/> Classroom, Locker Room, or Computer Lab-No Charge	<input type="checkbox"/> Media Center-No Charge
<input type="checkbox"/> HS Theater–No charge			
<input type="checkbox"/> Band Room-No Charge	<input type="checkbox"/> HS, MS, ES Gym (no locker room)-No Charge	<input type="checkbox"/> Multi-Purpose Room/meetings-No Charge	<input type="checkbox"/> Multi-Purpose Room/Sports-No Charge
<input type="checkbox"/> Baseball or Softball Field – No Charge	<input type="checkbox"/> HS Stadium Field (w/restrooms, concessions, press box*) \$200/day** <input type="checkbox"/> MS Stadium Field (w/restrooms, concessions, press box*) \$250/day**	<input type="checkbox"/> Playgrounds or Open Play Areas (Elementary)-No Charge	<input type="checkbox"/> Multi-Purpose Field-No Charge
<input type="checkbox"/> Parking Lot Only- No Charge	<input type="checkbox"/> HS & MS Field Lights (if available) \$30/hr <input type="checkbox"/> ES Field Lights (if available) \$30/hr	<input type="checkbox"/> Tennis Courts-No Charge	<input type="checkbox"/> Soccer-No Charge
<input type="checkbox"/> Track-No Charge	<input type="checkbox"/> Minitorium (Discovery Academy) \$400/day minimum	<input type="checkbox"/> Central Office Meeting Rooms-No Charge	
Heating or cooling is available for \$25/hr Minimum two hour charge per inside space per day; must be continuous time *Press box does not include equipment **Half day rates are available (four hours or less)			

C. Not for profit education groups which use the facility before 6:00 p.m. on school days. A maintenance fee will be assessed per organization. The maintenance fee charged will be based on the number of sites used by that organization.

FEE SCHEDULE FOR GROUP C – Please Check Appropriate Box			
<input type="checkbox"/> Auditorium \$30/hr <input type="checkbox"/> HS Theater \$50/hr	<input type="checkbox"/> Cafeteria \$30/hr (no kitchen, unless cafeteria manager present, additional charges will apply)	<input type="checkbox"/> Classroom, Locker Room, or Computer Lab** \$30/hr	<input type="checkbox"/> Media Center \$30/hr*
<input type="checkbox"/> Band Room \$30/hr	<input type="checkbox"/> HS Gym (no locker room) \$30/hr or \$150/day <input type="checkbox"/> HS Auxiliary Gym (no locker room) \$25/hr or \$100/day <input type="checkbox"/> MS Gym (no locker room) \$15/hr or \$75/day <input type="checkbox"/> ES Gym (no locker room) \$10/hr or \$50/day	<input type="checkbox"/> Multi-Purpose Room/meetings \$30/hr	<input type="checkbox"/> Multi-Purpose Room/Sports \$30/hr
<input type="checkbox"/> HS & MS Baseball or Softball Field \$100/day <input type="checkbox"/> ES Baseball or Softball Field \$50/day <input type="checkbox"/> Concession, Restrooms, Press box (each) \$20/hr	<input type="checkbox"/> HS Stadium Field (w/restrooms, concessions, press box*) \$600/day <input type="checkbox"/> MS Stadium Field (w/restrooms, concessions, press box*) \$400/day	<input type="checkbox"/> Playgrounds or Open Play Areas (Elementary) \$25/day	<input type="checkbox"/> Multi-Purpose Field \$25/day
<input type="checkbox"/> Parking Lot Only \$150/day	<input type="checkbox"/> HS & MS Field Lights (if available) \$30/hr <input type="checkbox"/> ES Field Lights (if available) \$30/hr	<input type="checkbox"/> Tennis Courts \$50/day	<input type="checkbox"/> Soccer \$25/day
<input type="checkbox"/> Track \$50/day	<input type="checkbox"/> Minitorium (Discovery Academy) \$400/day minimum	<input type="checkbox"/> Central Office Meeting Rooms \$30/hr	
Heating or cooling is available for \$25/hr Minimum two hour charge per inside space per day; must be continuous time *Press box does not include equipment **Computer Labs need Technology Services approval for use Half day rates are available (four hours or less)			

D. Not for profit civic, religious, or charitable organization meetings, youth camps, competition teams and practices, clinics and Baccalaureates, athletic officials, National Guard, law enforcement, colleges and similar groups but does not include games, tournaments or productions. Organizations identified as government (or) adult recreation programs. A maintenance fee will be assessed per organization. The maintenance fee charged will be based on the number of sites used by that organization.

FEE SCHEDULE FOR GROUP D – Please Check Appropriate Box			
<input type="checkbox"/> Auditorium \$45/hr <input type="checkbox"/> HS Theater \$50/hr	<input type="checkbox"/> Cafeteria \$45/hr (no kitchen usage unless cafeteria manager present, additional charges will apply)	<input type="checkbox"/> Classroom, Locker Room, or Computer Lab \$45/hr	<input type="checkbox"/> Media Center \$45/hr
<input type="checkbox"/> Band Room \$25/hr	<input type="checkbox"/> HS Gym (no locker room) \$30/hr or \$150/day <input type="checkbox"/> HS Auxiliary Gym (no locker room) \$25/hr or \$100/day <input type="checkbox"/> MS Gym (no locker room) \$15/hr or \$75/day <input type="checkbox"/> ES Gym (no locker room) \$10/hr or \$50/day	<input type="checkbox"/> Multi-Purpose Room/meetings \$45/hr	<input type="checkbox"/> Multi-Purpose Room/Sports \$45/hr
<input type="checkbox"/> HS Baseball or Softball Field \$50/day** <input type="checkbox"/> MS Baseball or Softball Field \$30/day** <input type="checkbox"/> Field Lights (if available) \$30/hr <input type="checkbox"/> Concession, Restrooms, Press box (each) \$10/hr	<input type="checkbox"/> HS Stadium Field (w/restrooms, concessions, press box*) \$600/day <input type="checkbox"/> MS Stadium Field (w/restrooms, concessions, press box*) \$400/day	<input type="checkbox"/> Playgrounds or Open Play Areas (Elementary) \$25/day	<input type="checkbox"/> Multi-Purpose Field \$25/day
<input type="checkbox"/> Parking Lot Only \$150/day	<input type="checkbox"/> HS & MS Stadium Lights (if available) \$30/hr <input type="checkbox"/> ES Field Lights (if available) \$30/hr	<input type="checkbox"/> Tennis Courts \$50/day	<input type="checkbox"/> Soccer \$30/day (this is not the stadium field)
<input type="checkbox"/> Track \$50/day	<input type="checkbox"/> Minitorium (Discovery Academy) \$400/day minimum	<input type="checkbox"/> Central Office Meeting Rooms \$30/hr	
Heating or cooling is available for \$25/hr Minimum two hour charge per inside space per day; must be continuous time (only on non-school days) *Press box does not include equipment. **Half day rates are available (four hours or less)			

E: Not for profit organizations (Group D) who use the facilities for fund-raisers, games, tournaments, and productions. This category includes: amateur theater groups, political rallies, competition teams (youth or adult), etc. A maintenance fee will be assessed per organization. The maintenance fee charged will be based on the number of sites used by that organization.

FEE SCHEDULE FOR GROUP E – Please Check Appropriate Box			
<input type="checkbox"/> Auditorium \$90/hr <input type="checkbox"/> HS Theater \$90/hr	<input type="checkbox"/> Cafeteria \$65/hr (no kitchen unless cafeteria manager present, additional charges will apply)	<input type="checkbox"/> Classroom, Locker Room, or Computer Lab \$60/hr	<input type="checkbox"/> Media Center \$45/hr*
<input type="checkbox"/> Band Room \$45/hr	<input type="checkbox"/> HS Gym (no locker room) \$40/hr* or \$320/day (8 hr. day) <input type="checkbox"/> HS Auxiliary Gym (no locker room) \$30/hr* or \$240/day (8 hr. day) <input type="checkbox"/> MS & ES Gym (no locker room) \$35/hr* or \$280/day (8 hr. day)	<input type="checkbox"/> Multi-Purpose Room/meetings \$65/hr	<input type="checkbox"/> Multi-Purpose Room/Sports \$65/hr
<input type="checkbox"/> HS Baseball or Softball Field \$150/day <input type="checkbox"/> MS Baseball or Softball Field \$100/day <input type="checkbox"/> Concession, Restrooms, Press box (each) \$20/hr	<input type="checkbox"/> HS Stadium Field (w/restrooms, concessions, press box**) \$800/day <input type="checkbox"/> MS Stadium Field (w/restrooms, concessions, press box**) \$600/day	<input type="checkbox"/> Playgrounds or Open Play Areas (Elementary) \$75/day	<input type="checkbox"/> Multi-Purpose Field \$50/day
<input type="checkbox"/> Parking Lot Only \$200/day	<input type="checkbox"/> HS & MS Field Lights (if available) \$30/hr <input type="checkbox"/> ES Field Lights (if available) \$30/hr	<input type="checkbox"/> Tennis Courts \$75/day	<input type="checkbox"/> Soccer \$50/day
<input type="checkbox"/> Track \$100/day	<input type="checkbox"/> Minitorium (Discovery Academy) \$400/day minimum	<input type="checkbox"/> Central Office Meeting Rooms \$30/Day	
Heating or cooling is available for \$25/hr Minimum two hour charge per inside space per day: must be continuous time. **Press box does not include equipment. Half day rates are available (four hours or less)			

F. Events hosted for profit. For purposes of this regulation, “for profit” means that the proceeds derived from the event are to be received by an individual, group of individuals, or entity organized for profit. For profit events are subject to all of the requirements of this regulation, but do not have any priority of use and may only be held at school facilities pursuant to a separate agreement entered into on a case-by-case basis. Buncombe County Schools will not permit for profit events that do not involve and/or benefit Buncombe County Schools students.

Cross Reference: Board Policy 5030

Replaces Administrative Regulation 530R

History of Administrative Regulation 530R

Adopted – September 16, 1993	Revised - August 8, 2002
Revised - December 2, 1993	Revised - January 9, 2003
Revised - August 12, 1997	Revised – June 2, 2011
Revised- September 3, 1998	

Submitted to the Board for Information – April 10, 2014

Revised – January 15, 2015

Revised – June 2, 2016

Revised – November 1, 2018