

COMMUNITY USE OF CHARTER SCHOOL FACILITIES

The Orleans Parish School Board recognizes the interest and capital investment the community has in school facilities and believes that the same should be available to schools and the community alike for legitimate purposes, as long as such use shall not violate School Board policy or federal, state or local laws applicable to such use. The School Board supports community use of school facilities for educational, civic, cultural, recreational and other community activities with the following caveats:

1. School activities shall always be given priority for use of school buildings and grounds;
2. The School Board shall not subsidize the use of facilities for events and activities not directly related to its primary educational mission; and,
3. Authorization to use school facilities does not imply endorsement or approval by the School Board of any group or activity.

The School Board recognizes that the primary purpose of school facilities is to implement the regular instructional and extracurricular programs of schools and that other usage shall not interfere with the daily school routine or with any school activity.

DEFINITIONS

Community Activities – Activities or meetings of individuals, non-profit groups or for-profit entities whose activities do not directly support or supplement the school's educational program.

School – An Orleans Parish School Board network school or charter school, as well as student organizations, teams or clubs within the school.

School Activities – Curricular and extracurricular functions; school, charter board or School Board-sponsored activities for students, faculty/staff and/or parents; meetings of students or faculty/staff that are held for the purpose of facilitating learning, raising revenue for the school and/or the school district, or providing a service on behalf of the school and/or school district; and activities or meetings of parent-teacher organizations, booster clubs, alumni associations or other organizations directly affiliated with the school that are held for the purpose of providing direct support for students and/or the school's educational program. At a charter school, such activities shall be under the supervision of the chief executive officer, school principal or their designees.

School Facilities –. For purposes of this policy, School Facilities refers to facilities and grounds controlled by Orleans Parish School Board and leased to charter schools.

School Fundraisers – Activities sponsored by the school, charter board or by parent-

teacher organizations, booster clubs, alumni associations or other organizations directly affiliated with the schools that are held for the sole purpose of raising revenue for the school or school district. If held at a school site or administrative office, such activities shall be held outside of the usual hours of operation.

Security Personnel – School Board security officer, police officer or commissioned security officer. The necessity for and number of security personnel required for an event shall be determined by the charter school’s chief executive officer, principal or board. Factors to be considered shall include, but not be limited to, the following: 1) the type of event, 2) the location of event, 3) the number of attendees, 4) the time of the event, and 5) whether alcohol will be served.

Use Fee – The cost of the physical operation of the facility, as well as any applicable personnel costs for supervision, custodial services, food services, security, technology services, or other services as may be required.

Partisan Political Meeting – Any event directed toward the success or failure of a particular candidate, particular political party, or particular political group. This can include, but is not limited to, events supporting a specific candidate running for office.

Political Campaign – Any organized event seeking to influence the decision making process within a specific group. This can include, but is not limited to, events soliciting support for a position on a referendum or events soliciting support for specific political parties.

APPLICATION FOR USE

The usage of school facilities for any activity other than a school activity, shall be based on a properly documented *Application for Facility Use* to be established by the charter board. The *Application for Facility Use* shall contain, but not be limited to, the following:

1. A “hold harmless” statement having the effect of holding the School Board and the charter school board/organization, free from any liability that may arise while the facilities are in use.
2. A statement requiring any individual or group using the school facilities to purchase liability insurance in such amount as the Orleans Parish School Board may stipulate, identifying the School Board and the charter school board/organization as *additional insureds*. A certificate verifying the purchase of such insurance shall be presented to the chief executive officer of the charter school, or his/her designee, along with the signed Agreement, prior to use of the facilities.
3. A statement that the individual or group using the school facilities shall assume all responsibility for security personnel, damages and/or maintenance expenses invested in the building, directly or indirectly resulting from their use of the facility.

4. A schedule of fees established by the charter school based on the cost of the physical operation of the facility, as well as any applicable personnel costs such as supervision, custodial services, food services, security, technology, or other services as required.
5. A requirement that all users agree to comply with this policy and any policies, administrative regulations or procedures governing facility use.

The charter school organization shall maintain appropriate administrative regulations and procedures governing the use of school facilities, which shall include fees to be charged and appropriate amounts of liability insurance coverage.

Parties requesting use of facilities must obtain an *Application for Facility Use* from the charter school. The signing party shall be at least eighteen (18) years of age and may be either an authorized signatory of the applying group or a private individual. In either case the signatory shall become the party responsible to the School Board and charter school board for the facilities use and compliance with all School Board regulations and procedures.

The *Application for Facility Use* shall be submitted to the chief executive officer of the charter school, or his/her designee, for final approval. For these purposes, "final approval" shall mean the final consent necessary for the approval of *Application for Facility Use*. Any request for facility use that conflicts with this policy shall be denied. The chief executive officer of the charter school, or his/her designee, shall have the right to deny requests for facility use at their discretion when the facility requested is not available at the requested time.

PRIORITY OF USE

Priority for the use of school facilities shall be as follows:

1. School Activities

The use of school facilities for school activities shall take precedence over all other activities. There shall be no use fee charged for school activities. Should a conflict arise between a school activity and a community activity, the school activity shall take precedence, even if a scheduled community activity must be cancelled.

2. School Fundraisers

Groups seeking to utilize school facilities for school fundraisers shall have second priority for available school facilities.

3. Community Activities

Community activities will have third priority of use for available school facilities. The applicable use fee may be required.

PROHIBITED ACTIVITIES

The following activities shall be strictly prohibited in or on school facilities:

1. The use of any tobacco product, smokeless tobacco, or any smoking object/device, including but not limited to electronic cigarettes, advanced personal vaporizers, vape pens, vape mods and similar devices, with the exception of any tobacco product approved by the United States Food and Drug Administration for sale as a tobacco cessation product and which is marketed and sold solely for such purpose;
2. The use, sale, or possession of alcoholic beverages, except as provided by the Exception for Alcohol Service;
3. Raffles or games of chance, except in relation to fundraising activities during School Fundraisers; and,
4. Partisan political meetings or political campaigns.

EXCEPTION FOR ALCOHOL SERVICE

Any group wishing to serve alcohol at an Orleans Parish School Board facility for a Community Activity shall be required to obtain the consent of the Superintendent, after obtaining the consent of the CEO of the charter school, or his/her designee.. Any charter school wishing to serve alcohol at a school facility shall be required to obtain the consent of the Superintendent. . Alcohol service shall be limited to no more than four (4) activities per school site, per school year. Any request to serve alcohol or to allow the service of alcohol at a school activity or school fundraiser shall be submitted by the requestor in writing to the charter school, and to the Superintendent. The Superintendent shall establish a form for this purpose which shall be attached to the *Application for Facility Use* where applicable.

The charter school or Superintendent shall not authorize the service of alcohol at any activity unless the following conditions are met by the requestor:

1. No alcoholic beverages may be served at student/youth-focused events, such as school athletic events, school plays, or talent shows.
2. The service of alcohol shall be restricted to beer and wine only, with the exception of fundraising events.
3. Food and/or snacks and non-alcoholic beverages shall be made available throughout the event where alcohol is to be served. Alcohol shall not be served to anyone who appears to be intoxicated.

4. When alcohol other than beer or wine may be made available, the alcohol shall only be served by certified, professional servers who have been properly trained and licensed.
5. Alcohol shall only be served by, purchased by, and served to adults twenty-one (21) years of age and older. Servers shall request proof of age prior to serving anyone.
6. Individual guests shall be prohibited from bringing alcohol to the event for personal consumption.
7. If an event exceeds four (4) hours in duration, service of alcoholic beverages shall cease one-half hour before the end of the event.
8. Guests shall not be permitted to carry open containers of alcohol off the premises.
9. The appropriate state and/or local alcohol permit shall be obtained prior to the event, and said permit shall be publicly displayed during the event.
10. At all events where alcohol is served, the following shall be posted:
 - A. A copy of the applicable alcohol permit;
 - B. Signs that warn of the danger of alcohol to pregnant women and their unborn children;
 - C. Notice of current legal drinking age and the requirement to produce valid identification when served; and,
 - D. Signs prohibiting alcohol from being brought on or taken off school grounds.

NONCOMPLIANCE

Failure to comply with this policy, administrative rules and regulations by third parties relative to the use of school facilities, or the terms of the *Application for Facility Use* shall result in immediate removal from the school facility, forfeiture of any use fee paid, loss of use privilege in the future, and referral to law enforcement as necessary.

New policy: May 21, 2019

Ref: Constitution of Louisiana, Art. VII, Sec.14; La. Rev. Stat. Ann. §§14:91.7, 17:81, 17:240, 17:416, 40:1291.11; Board minutes, 5-21-19.