



MIDWAY INDEPENDENT SCHOOL DISTRICT FACILITIES USE REQUEST

Rules: Guidelines and Application for the Non-School Use of School Facilities

A. GENERAL POLICY

Public School buildings, grounds and equipment are financed and maintained primarily for use in the instruction of enrolled students in the Midway Independent School District. Any other use of the facilities must be secondary to this purpose and shall be available for use by others under the conditions hereunder described.

School buildings and other facilities shall be made available to groups that wish to conduct activities which promote, stimulate and foster the interest of students and the community, as well as activities which promote the efficiency of the school district, so long as such activities do not conflict with the school program and community expectations for the District. Programs serving District students will be given priority for use. The following guidelines shall pertain to all groups who desire to use schools and/or other facilities in accordance with this policy, policy GKD LEGAL and LOCAL.

B. RULES FOR USE

1. COMPLIANCE WITH LAWS, RULES, REGULATIONS AND POLICIES

All Lessees of school facilities must guarantee orderly conduct, be responsible for building security, conduct only lawful activities, underwrite any damages to facilities and indemnify the District from any claims or damages arising from use. No school facility shall be used by any group or individual who is not in compliance with the requirements of all Federal or State statutes, regulations and rules prohibiting discrimination on the basis of race, religion, color, sex, national origin, handicapping conditions, age or other classification. State law prohibits the use of alcohol on school property. All laws (federal, state, local) and District policies are in effect 24 hours per day, including the times a facility is rented. Contraband shall include, but not be limited to drugs, drug paraphernalia, weapons, and alcohol. Any law enforcement officer shall enforce the law and arrest individuals for the violation of any law including but not limited to possession or consumption of alcohol on school property, drug law violations, weapon law violations, disruptions, trespassing, and the violation of any traffic law. The District's "Tobacco Free Policy" prohibits the use of tobacco in ANY form, in or on any District property or any location leased by the District where a user group event is being held. The policy includes, but is not limited to, all buildings, vehicles, property (outdoor or indoor), and all staff, students, parents, visitors, and patrons. (GKA-LEGAL, Education Code 38-006)

2. VIOLATION OF LAWS, RULES, REGULATIONS AND POLICIES

Any misrepresentation by any organization and/or individual, any abuse of any District property, any violation of state, local, or federal law and/or any violation of any District policy, rule or regulation may result in: 1) the immediate termination of the contract; 2) the requirement to immediately vacate the premises; and/or 3) the denial of that organization's and/or individual's request for future use of the premises.

3. LONG TERM OR REPEATED USE

Long term or repeated use for non-school purposes shall be no more frequently than once a week and for no longer than three (3) months except by Board approval or when the primary participants in the group are school aged children.

4. RESTRICTED USE OF CERTAIN AREAS

The request for certain restricted areas will be reviewed by the Principals/Director of Fine Arts/Director of Athletics for approval or denial.

5. ACCESS TO FACILITY KEYS

Only authorized employees of the school District shall be permitted to have keys to District facilities.

6. CUSTODIAL AND OTHER SERVICES

The Lessee of the facility is responsible for its cleanliness during and after use. The Lessee may contract with the District for custodial services. Base custodial fees charged to paying groups shall include limited custodial service only. Any specific service required shall be paid for in addition to the base fee.

7. PROPERTY DAMAGE OR ALTERATION

Damages for District property shall be paid for by the using group whether caused by the using group or others. Misuse or abuse of District equipment and/or facilities will result in the immediate denial for further use. Users shall make no alteration, temporary or permanent, to school without prior written consent from the Superintendent.

8. INSURANCE

All groups must view the online Facility Guidelines and must furnish liability insurance prior to approval for use. Any organization using school facilities must provide an original Certificate of Insurance, with the district named as the Certificate Holder, indicating a minimum of \$1,000,000 Combined Single Limit for Bodily Injury and Property Damage Liability coverage, in addition, the District must be named as an additional insured on this policy. The insurance requirement may be waived for organizations that exist for the improvement of educational opportunity in the District, subject to the approval by the Superintendent or designee.

9. ATTENDANCE BY GENERAL PUBLIC

Any group renting or using a building for an occasion which the general public is eligible to attend shall be held responsible for the treatment of the property by the general public during that time. The group shall, at the discretion of the Superintendent's designee, be required to employ Law Enforcement officers to help ensure the safety of attending persons as well as to help prevent the destruction of school property. Employment of law enforcement officers does not release the renting or using group from liability for any damages incurred and/or injuries sustained while the building is occupied by the using group.

10. SUBSEQUENT AGREEMENT

After the original agreement groups or organizations desiring to continue to use the facility shall be required to submit a new application. Changes made after the original agreement is signed which affect the amount to be charged and/or the conditions of the rental agreement shall necessitate the signing of a new agreement to supersede the original agreement.

11. DISTRICT STAFF

The District shall furnish the necessary staff to open, clean and close the property. If the building is being rented or used during hours when District staff members are normally on duty and it is determined by the Superintendent's designee that no additional cleanup is warranted, there will be no charge for this service. However, if the building is being rented or used for hours during which District staff member are not normally on duty, the Superintendent's designee shall assign the number of staff necessary to maintain the facility.

12. DESIGNATED REPRESENTATIVE

All activities must be under the supervision of a responsible adult. MISD may require an employee of the District to be present at the activity, in an administrative role, at the expense of the Lessee. Any group renting or using District facilities shall designate one member of the group to be responsible for the program or activity. This person shall, in turn be responsible to the building principal and/or the District staff.

13. RENTAL AND PAYMENT TERMS

Checks shall be made payable to the District and payment of the facility usage charges may be required prior to rental or use of the facility. Rental time shall be charged from the time the Lessee enters the building until the Lessee leaves the building (set-up time till break-down time).

14. NON-DISTRICT USE OF GYMNASIUMS

- a) No food or drinks are allowed in the gym
- b) Parents of team members are to be advised that it is inappropriate to allow siblings of team members to be at the practices or games unsupervised.
- c) No student may enter any area of the school except the gym or restroom area.
- d) All boys and girls shall have adult supervision when they leave the gym to go to the restroom for a drink.
- e) No outside users of gyms are allowed in the gym/PE office.
- f) Team balls and other equipment shall not be used except in the gym area.
- g) School equipment such as balls, mats, etc. are not to be used by the outside groups.
- h) School telephones are to be used for emergencies only. Calling for parental pick-ups is not an emergency. Use of cellular phones by the team is suggested. Failure to comply with gym rules may result in suspension of gym use privileges.

15. OTHER RULES AND TERMS

- a) Special furniture or equipment needs must be approved by the Administration and fees paid accordingly.
- b) No admissions are to be sold in excess of the number of seats in any of the rented facility area.
- c) No charge will be made by the Lessee for use of the parking lots.
- d) Special permission for use of the Performing Arts Center or High School Theater for rehearsals during the school day, summer months or school holidays must be obtain from the Fine Arts Director.
- e) MISD may remove all property of any Lessee immediately after the expiration of the lease at the expense of the Lessee, or, in the alternative, to charge additional rental after the expiration of the lease.
- f) Notwithstanding anything herein contained, MISD Superintendent or his designee shall have the right to refuse to lease any school facility and to revoke at any time any lease agreement for the rental of any District facility, whenever in the sole discretion of MISD, the public interest demands such action.

- g) MISD reserves the right to change, alter, and amend any and all parts of these rules and guidelines at any time. The District may set aside these guidelines for any prior or future agreements.

C. CLASSIFICATIONS OF LESSEE GROUPS

MISD reserves the right to determine which classifications any group, individual, or organization will be placed. Groups that may be allowed to use or rent District facilities shall be classified as “Non-Paying Groups” or “Paying Groups”.

NON-PAYING GROUPS - (Non-paying groups shall not sub-lease or sponsor an activity for which a charge is assessed.) The following are examples of non-paying groups: (non-exhaustive)

1. Student, staff and parent organizations directly related to the District shall have the use of facilities as scheduled by and under the supervision of the principal without charge.
 - a) School student organizations
 - b) PTA/PTO/Booster Clubs
 - c) School clubs and activities
 - d) UIL events hosted by MISD
2. Non-profit (501C3) service organizations holding an IRS tax-exempt status, whose efforts support the goals, curriculum and student development practices of the district, as determined by the Superintendent or the Superintendent’s designee.
 - a) Midway Education Foundation
3. Non-school youth organizations comprised of students residing within the District shall not be charged for facilities utilized between the time of student dismissal and an agreed upon time as set by the principal on school days.
 - a) 4-H Clubs
 - b) Boy Scouts
 - c) Girls Scouts
 - d) Y Guides
 - e) Special Olympics
4. City, State, Community, and Political Organizations
 - a) Cities
 - b) Law Enforcement Agencies
 - c) Public Safety and Fire Protection Departments
 - d) Polling Places
 - e) Political Party Conventions
 - f) Homeowner Associations within the District that do not charge assessment fees.
 - g) Educational Professional Organizations for District Staff.

PAYING GROUPS - The specified District facilities shall be available for rental to the following in priority order and at fees established by the District. Classification will be determined by District based on information provided by the applicant. Examples: (non-exhaustive)

CLASSIFICATION I – Non-profit groups and activities serving youth and community

- 1) YMCA
- 2) Rotary Club
- 3) Lions Club
- 4) Religious Groups
- 5) Homeowner Associations within the District that charge assessment fees

CLASSIFICATION II – Non-profit youth-oriented groups

- 1) Youth Sports Groups consisting of Midway ISD students
- 2) Amateur Athletic Union (AAU)
- 3) Basketball Congress International (BCI)
- 4) Lone Star League

CLASSIFICATION III – Non-profit, non-district based educational institutions

- 1) Texas School Districts & UIL events not hosted by MISD
- 2) McLennan Community College
- 3) Texas State Technical College
- 4) Baylor University

CLASSIFICATION IV – Profit or non-profit, non-district based groups and activities that serve school or district purposes

- 1) SAT instruction - if conducted by outside private organizations
- 2) Drill Team Camps – if conducted by outside private organizations
- 3) Cheerleading Camps – if conducted by outside private organizations
- 4) Instructional Private Organizations
- 5) Academic or Athletic Camps – if conducted by outside private organizations

CLASSIFICATION V – For profit groups and activities

- 1) Organizations that are non-student groups
- 2) Fine Arts performances, dance studios, popular music concerts, touring groups, etc.

D. FACILITIES AVAILABLE FOR USE

FINE ARTS FACILITIES – Coordinated through the Office of Fine Arts Director
Performing Arts Center (PAC)
High School Theater

OTHER CAMPUS FACILITIES – Coordinated through the Principals' Offices
Classrooms – All facilities (at the discretion of the Principal)

Computer Labs – All facilities (as approved by the Technology Department)

Cafeterias – All facilities

There is no cooking in the kitchens. Access to kitchens for reasons other than cooking is to be coordinated through the Food Service Director. The Food Service Director will determine whether or not Food Service staff will be required.

Gymnasiums – Middle School Main gym, Middle School PE gym, Intermediate gyms, Elementary campus gyms

E. FACILITIES NOT AVAILABLE FOR USE

Agricultural Facility

ATHLETIC FACILITIES – The following athletic facilities are to be used for District and UIL events only and are not available for non-school use

Baseball Field
High School Arena
Midway Activity Center (MAC)
Panther Stadium
Soccer Field
Softball Field

F. PROCEDURE FOR MAKING APPLICATION AND PAYMENT

All individuals, groups, organizations or businesses will adhere to the following procedure when applying

APPLICATION FOR FACILITY USE

1. All Lessees of school facilities must submit an Application for Facility Use whether or not charges are made. Applications will be acted on as of their filing dates.
2. Procedures for the application for use of facilities will be as follows:
 - a) Applicants will be able to access the online Facility Use website and check the availability of the desired date and facility to rent.
 - b) Requester will complete the online "Application for Facility Use" and submit for the approval.
 - c) The Principal, Fine Arts Director, the Athletic Director or Technology Director will approve or deny the requestors online application.
 - d) If approved, the Applicant will be notified by email. If denied, the requester will also be informed of the denial by email.
3. Once a request is approved at the campus or department level and received by the Central Office, the Central Office will review for approval. If approved the Central Office will:
 - a) Determine applicable charges.
 - b) Notify the campus or department of requester or approval.
 - c) collect charges if applicable.
 - d) Schedule staff and set-up as needed.If denied, the Central Office will notify the campus or department and requester.
4. Reservations for school facilities may be taken at any time, but will not be confirmed more than ninety (90) days in advance.
5. Cancellation by the District may be made under extenuating circumstances.

PAYMENT FOR USE

1. Payment of all applicable charges may be required in advance upon approval of application at least ten (10) days prior to use.
2. A 25% refundable deposit may be required in addition to the advance payment and will be made at the same time as advance payment. A deposit is to insure that the Lessee abides by the rules and guidelines of the District. If, however, the District, at its own expense, must repair, clean or perform any other work due to Lessee's neglect, the District may apply all or part of the deposit towards offsetting the District's expense.
3. In the event of cancellation of the application by the Lessee five (5) or more days prior to the requested date, all advance payment and deposits will be refunded. If cancellation is within five (5) of the requested date, a charge may be assessed at 1/5 the advanced payment for each day within the five (5) day period.
4. In the event of cancellation by the District, all monies will be refunded.

G. FEE SCHEDULE

CUSTODIAL STAFF

Non-paying groups shall be provided free custodial services with the use of the facility when District custodial staff is scheduled to be on duty at the given facility. Non-paying groups 3 and 4 using facilities after hours or on days when custodial staff is not scheduled to be working will pay for any custodial staff needed. Paying groups will pay for any custodial services needed as a result of the facility use. The hour rate for any chargeable custodial services will be \$25.00 per hour.

OTHER STAFF AND EXPENSES

Both Paying and Non-paying groups will pay for any staff other than custodial staff, as well as, reimburse the District for other costs incurred as a result of the facility use as deemed necessary by the Superintendent's Designee.

FACILITY RATES

	CLASS I	CLASS II	CLASS III	CLASS IV	CLASS V
PAC	\$100.00	\$125.00	\$160.00	\$190.00	\$220.00
HS Theatre	\$100.00	\$100.00	\$130.00	\$155.00	\$180.00
PAC and High School Theatre rates include: space, 2 dressing rooms, administrator and (adult) technician					
Classrooms	\$10.00/hr	\$15.00/hr	\$20.00/hr	\$25.00/hr	\$30/hr
Cafeterias					
Elementaries	\$25.00/hr	\$35.00/hr	\$45.00/hr	\$55.00/hr	\$65.00/hr
Intermediates	\$30.00/hr	\$40.00/hr	\$50.00/hr	\$60.00/hr	\$70.00/hr
Middle School	\$30.00/hr	\$40.00/hr	\$50.00/hr	\$60.00/hr	\$70.00/hr
High School	\$70.00/hr	\$80.00/hr	\$90.00/hr	\$100.00/hr	\$100.00/hr
Gymnasiums					
Elementaries	\$10.00/hr	\$20.00/hr	\$30.00/hr	\$40.00/hr	\$50.00/hr
Intermediates	\$10.00/hr	\$20.00/hr	\$30.00/hr	\$40.00/hr	\$50.00/hr
Middle School PE Gym	\$25.00/hr	\$35.00/hr	\$45.00/hr	\$55.00/hr	\$100.00hr
Middle School Main Gym	\$70.00/hr	\$80.00/hr	\$90.00/hr	\$100.00/hr	\$110.00/hr

STAFF RATES - *overtime rates may apply

Security Officer	\$40.00/hr (3 hour minimum)
Technician	\$35.00/hr
Supervisory Staff	\$30.00/hr
Administrators	\$45.00/hr
Stage Hands	\$12.50 - \$25.00/hr
Food Service Staff	\$20.00/hr
Custodial Staff	\$25.00/hr