

**Bridge City Independent School District
Facility Use Agreement**

Name of Organization		
Billing Address		
Contact Person	Phone #	Date of Request
Facility Requested	Purpose of Event	
Date of Event	Hours: From _____ to _____	A.M./P.M. A.M./P.M.

NOTICE: ALL BCISD SCHOOL RELATED EVENTS AND/OR IN SEASON SPORTS EVENTS WILL BE A PRIORITY FOR ANY FACILITY THAT IS NEEDED. THE REQUESTING APPLICANT WILL THEN BE NOTIFIED THAT THE FACILITY WILL NOT BE AVAILABLE AND RE-SCHEDULING IS NECESSARY.

- Terms and Conditions of Agreement:
1. All requests must be submitted 14 days prior to date of event.
 2. The Bridge City Independent School District shall not be responsible or liable for property damage or personal injuries resulting from the use of the school building or equipment by the applicant.
 3. The applicant does hereby agree to hold the Bridge City Independent School District harmless from any claims, or damages arising from the use of the school facilities.
 4. The applicant agrees that there will be no smoking, tobacco use, alcohol use or possession of firearms within the grounds and facilities of the Bridge City Independent School District.
 5. Use of the kitchen or athletic facilities requires the approval of the Food Service or Athletic Director.
 6. The applicant agrees that no food or drink shall be permitted in areas other than the cafeteria without prior approval.
 7. Fees for the use of the facilities shall cover all custodial or maintenance charges. The Bridge City Independent School District will provide an estimate of the fees based on the hours requested and require payment before the facilities are used. The number of required employees shall be determined by the campus Administrator and/or Food Service/Athletic Director. The charges for school employees will be based on their current rate of pay, including overtime provisions. If the applicant's custodial or maintenance fees exceed the amount collected, the district will bill the applicant for the balance due. The balance must be paid to the Business Office within 30 days of the billing.
 8. For school sponsored programs where no fee is charged, the applicant will be held responsible for the proper cleaning and securing of facility after each use.

I have read and agree to the terms and conditions of the Facility Use Agreement.

Signature _____ Date _____

(To be completed by Bridge City Independent School District staff.)

- | | | |
|---|------------------------------------|--|
| <input type="checkbox"/> COMPLIMENTARY | COMMERCIAL | <input type="checkbox"/> NON-COMMERCIAL |
| <input type="checkbox"/> Facility Setup | <input type="checkbox"/> Utilities | <input type="checkbox"/> Custodian/Cafeteria Personnel |

<input type="checkbox"/> Tentative Approval	<input type="checkbox"/> Denied	_____	Date
		Principal / Director	
<input type="checkbox"/> Tentative Approval	<input type="checkbox"/> Denied	_____	Date
		Athletic / Food Service Director	
<input type="checkbox"/> Tentative Approval	<input type="checkbox"/> Denied	_____	Date
		Operations Director	
<input type="checkbox"/> Final Approval	<input type="checkbox"/> Denied	_____	Date
		Business Manager	

Remarks: _____

Deposit Paid \$ _____ Date _____ Collected By _____

**BRIDGE CITY INDEPENDENT SCHOOL DISTRICT
COMMUNITY USE OF SCHOOL FACILITIES
FEE SCHEDULE**

FACILITY	RENTAL FEE		SPECIAL CONDITIONS
	Day	Night	
Cardinal Stadium and/or Track	\$350 4 hours	\$550 4 hours	1. \$50 per hour after 4 hours 2. District retains concession rights 3. District will provide stadium manager only
Cardinal Softball Field	\$150 4 hours	\$250 4 hours	1. \$50 per hour after 4 hours 2. District will provide field manager only 3. District retains concession rights
Cardinal Baseball Field	\$150 4 hours	\$250 4 hours	1. \$50 per hour after 4 hours 2. District will provide field manager only 3. District retains concession rights
Practice Fields	\$50 4 hours	\$50 4 hours	\$10 per hour after 4 hours
BCISD High School Gymnasium	\$200 4 hours	\$200 4 hours	\$10 per hour after 4 hours
BCISD High School PE Gymnasium	\$150 4 hours	\$150 4 hours	\$10 per hour after 4 hours
BCISD Middle School Gymnasium	\$150 4 hours	\$150 4 hours	\$10 per hour after 4 hours
BCISD Intermediate Gymnasium	\$150 4 hours	\$150 4 hours	\$10 per hour after 4 hours
BCISD Elementary Gymnasium	\$150 4 hours	\$150 4 hours	\$10 per hour after 4 hours
BCISD High School Cafetorium	\$150 4 hours	\$150 4 hours	1. \$10 per hour after 4 hours 2. Use of kitchen requires cafeteria personnel on duty. Overtime pay will be added to rental fee.
BCISD Middle School, Intermediate, Elementary Cafetoriums	\$100 4 hours	\$100 4 hours	1. \$10 per hour after 4 hours 2. Use of kitchens requires cafeteria personnel on duty. Overtime pay will be added to rental fee.
Classrooms	\$10 per hour	\$10 per hour	1. \$5 per hour after initial 4 hours

When a school-related organization (booster club type organization) requests the use of a field requiring lighting, they will not pay the demand charge and they will have the concession rights. The proceeds from this activity under this agreement will be returned to the District in the form of donation (equipment or funds).

For requests by other districts to use a field requiring lighting, the charges will be negotiated at the time of the request.

USE ON REGULAR BASIS: Groups using a facility on a regular basis are to submit a request to the Business Office for a reduced fee from that stated in the above schedule.

COMMUNITY RELATIONS
NONSCHOOL USE OF SCHOOL FACILITIES

GKD
(LEGAL)

PROHIBITED ACTS	<p>An officer or employee of the District who is acting or purporting to act in an official capacity may not, because of a person's race, religion, color, sex, or national origin:</p> <ol style="list-style-type: none">1. Refuse to permit the person to use facilities open to the public and owned, operated, or managed by or on behalf of the District;2. Refuse to permit the person to participate in a program owned, operated, or managed by or on behalf of the District;3. Refuse to grant a benefit to the person; or4. Impose an unreasonable burden on the person. <p><i>Civil Practices and Remedies Code 106.001(a)</i></p>
RIGHT TO PRESERVE USE	<p>The District, like a private property owner, may legally preserve the property under its control for the use to which it is dedicated. <u><i>Lamb's Chapel v. Center Moriches Union Free Sch. Dist.</i>, 508 U.S. 384 (1993)</u></p>
FORUM FOR COMMUNICATION	<p>The District may create a public forum of a place or channel of communication for use by the public at large for assembly and speech, for use by certain speakers, or for the discussion of certain subjects. <u><i>Perry Educ. Ass'n v. Perry Local Educators' Ass'n</i>, 460 U.S. 37 (1983)</u>; <u><i>Chiu v. Plano Indep. Sch. Dist.</i>, 260 F.3d 330 (5th Cir. 2001)</u></p> <p>The District is not required to allow persons to engage in every type of speech when the District establishes a limited public forum; the District may be justified in reserving its forum for certain groups or for the discussion of certain topics. The District shall not discriminate against speech on the basis of viewpoint, and any restriction must be reasonable in light of the purpose served by the forum. <u><i>Good News Club v. Milford Cent. Sch.</i>, 533 U.S. 98 (2001)</u>; <u><i>Lamb's Chapel v. Center Moriches Union Free Sch. Dist.</i>, 508 U.S. 384 (1993)</u></p>
FEES FOR USE	<p>The Board may set and collect rentals, rates, and charges from students and others for the occupancy or use of any of the District's facilities, in the amounts and manner determined by the Board. <i>Education Code 45.033</i></p>
CHARTER SCHOOLS	<p>The District may not require a campus or campus program charter that is the result of the conversion of the status of an existing District campus to pay rent for or to purchase a facility in order to use the facility.</p> <p>The District may not require a campus or campus program charter, or an open-enrollment charter school, to pay for any service pro-</p>

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vided by the District under a contract between the District and the campus, campus program, or open-enrollment charter school an amount that is greater than the amount of the actual costs to the District of providing the service.

Education Code 11.1543

PATRIOTIC SOCIETIES	<p>If the District has a designated open forum or a limited public forum and receives funds made available through the United States Department of Education, the District shall not deny equal access or a fair opportunity to meet, or to discriminate against, any group officially affiliated with the Boy Scouts of America, or any other youth group listed in Title 36 of the United States Code (as a patriotic society), that wishes to conduct a meeting within that designated open forum or limited public forum, including denying such access or opportunity or discriminating for reasons based on the membership or leadership criteria or oath of allegiance to God and country of the Boy Scouts of America or of the youth group listed as a patriotic society.</p> <p>The United States secretary of education may issue and secure compliance with rules or orders with respect to a district that receives federal funds and that denies equal access, or a fair opportunity to meet, or discriminates, as described above. If a district does not comply with the rules or orders, no funds made available through the Department of Education shall be provided to that district.</p>
'YOUTH GROUP'	<p>"Youth group" means any group or organization intended to serve young people under the age of 21.</p>
LIMITED PUBLIC FORUM	<p>For purposes of this policy regarding PATRIOTIC SOCIETIES, an elementary school or secondary school has a limited public forum whenever the school grants an offering to, or opportunity for, one or more outside youth or community groups to meet on school premises or in school facilities before or after the hours during which attendance at the school is compulsory.</p>
SPONSORSHIP	<p>Nothing in this policy shall be construed to require the District to sponsor any group officially affiliated with the Boy Scouts of America, or any youth group listed as a patriotic society.</p> <p><i>Boy Scouts of America Equal Access Act, 20 U.S.C. 7905</i></p>
FACILITIES AS POLLING PLACES	<p>The District shall make its buildings available for use as polling places in any election that covers territory in which the buildings are located. If more than one authority requests the use of the buildings for the same day and simultaneous use is impractical, the District shall determine which authority may use the building. <i>Election Code 43.031(c)</i></p>

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No charge, including a charge for personnel, utilities, or other expenses incurred before or after regular business hours, shall be made for the use of a District building for a polling place if the day of the election is a day on which the building is normally open. If the day of an election is a day on which the building is not normally open, a charge may be made only for the reimbursement of actual expenses resulting from use of the building in the election. *Election Code 43.033(a)*

POLITICAL PARTY
CONVENTIONS

The District shall not assess a charge for the use of a school building for a precinct, county, or senatorial district convention, except for reimbursement for the actual charges resulting from use of the building for the convention. The District shall provide an itemized statement of expenses to the reimbursing authority. *Election Code 174.0631*

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PUBLIC USE	The Board shall make school facilities available to organizations and/or groups within the District, provided such use does not interfere with the normal operation of school and provided the organization and/or group qualifies under one of the following headings:
COMPLIMENTARY USE	Organizations and/or groups within the District shall be permitted to use school facilities on a complimentary basis if: <ol style="list-style-type: none">1. The organization and/or group is connected with the school.2. The organization and/or group is open to all children of a particular age group.3. The organization and/or group is community-wide in nature and offers a program of interest and benefit to the general public.4. Such use does not entail custodial and utility service beyond that provided for the normal school day.
COMMERCIAL USE	Organizations and/or groups within the District shall be permitted to use school facilities for private profit or commercial purposes if: <ol style="list-style-type: none">1. An educational, civic, or charitable purpose shall be served.2. A substantial segment of the community shall benefit.3. Alternate facilities are unavailable or available only at undue cost or inconvenience.
NONCOMMERCIAL USE	Organizations and/or groups within the District shall be permitted to use school facilities on a noncommercial basis if: <ol style="list-style-type: none">1. The organization and/or group otherwise qualifies for complimentary use, but such use entails custodial and utility service beyond that provided for the normal school day.2. The organization and/or group otherwise qualifies for commercial use.<ol style="list-style-type: none">a. The sponsored activity or program is not for private gain.b. No admission shall be charged. <p>[See CNB regarding nonschool use of District vehicles and FNAB regarding student group use of school facilities]</p>
SCHEDULING	Requests for nonschool use of District facilities shall be considered on a first-come-first-served basis. Academic and extracurricular activities sponsored by the District shall always have priority when any use is scheduled. [See FM] The organizational managers shall have authority to cancel a

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	<p>scheduled nonschool use if an unexpected conflict arises with a District activity.</p>
SCHEDULING PRIORITIES	<p>In the event scheduling conflicts occur, groups or individuals shall be scheduled to use school facilities in the following order:</p> <ol style="list-style-type: none">1. School organizations or groups2. School-related organizations or groups3. Youth groups4. Local organizations5. Civic or community organizations
APPROVAL OF USE	<p>The principal is authorized to approve use of facilities on a school campus. The principal and food service director are authorized to approve use of the kitchen. The principal and athletic director are authorized to approve use of District athletic facilities.</p> <p>Approval shall not be granted for any purpose that would damage school property or to groups that are known to have damaged other rented property.</p>
CAFETERIA	<p>If the cafeteria kitchen is used, a regular cafeteria worker shall be on duty. School or school-related groups may use the cafeteria at no charge for use of kitchen or dining room; however, a fee for the cafeteria worker at the regular hourly wage, or if applicable, the overtime rate, normally earned shall be charged by the District. All other groups shall be charged for use of the dining area as well as a separate charge for use of the kitchen.</p> <p>Prices for meals served by the cafeteria staff shall be set by the cafeteria director and food service director.</p>
EMERGENCY USE	<p>In case of emergencies or disasters, the Superintendent may authorize the use of school facilities by civil defense, health, or emergency service authorities.</p>
USE AGREEMENT	<p>Any organization or individual approved for a nonschool use of District facilities shall be required to complete a written agreement indicating receipt and understanding of this policy and any applicable administrative regulations, and acknowledging that the District is not liable for any personal injury or damages to personal property related to the nonschool use.</p>
FEES	<p>The District shall establish usage fees adequate for the costs of custodial services, cafeteria workers, school security precautions, and utilities connected with the use of facilities by organizations and/or groups. The assistant superintendent for business and</p>

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finance shall be authorized to set the fees and supervise the contracts.

Organizations and/or groups using the facilities for commercial purposes shall be charged use fees greater than those charged organizations and/or groups using facilities for noncommercial purposes.

No fees shall be assessed organizations and/or groups qualifying for complimentary use, provided that the hours of use do not entail retaining a custodian or kitchen workers, and operating utilities beyond normal hours.

REQUIRED CONDUCT

Persons or groups using school facilities shall:

1. Conduct business in an orderly manner.
2. Abide by all laws and policies, including but not limited to those prohibiting the use, sale, or possession of alcoholic beverages, illegal drugs, and firearms, and the use of tobacco products on school property. [See GKA]
3. Make no alteration, temporary or permanent, to school property without prior written consent from the Superintendent.

All groups using school facilities shall be responsible for the cost of repairing any damages incurred during use and shall be required to indemnify the District for the cost of any such repairs.