

Brevard County (Florida)

Bylaws & Policies

7510 - USE OF DISTRICT FACILITIES

The Board believes that the grounds and facilities of this District should be made available for community purposes, provided that such use does not infringe on the original and necessary purpose of the property or interfere with the educational program of the schools and is harmonious with the purposes of this District.

The Board will permit the use of District grounds and facilities when such permission has been requested in writing by a responsible organization or a group of citizens and has been approved by the Superintendent.

Use by School-Oriented Organizations and Groups

There shall be no charge for use of school facilities and equipment to approved groups and organizations related to and connected with the school, students, and/or activities and events directly related to the operation or support of the school. Swimming pool use is an exception. All pool usage shall be consistent with the adopted fee schedule for use of pools. Custodial services shall be rendered at no charge to school-oriented groups described above, if the use of the facilities occurs during hours normally covered by school custodians, and if the event or activity does not create additional need for custodial services. School kitchens must be operated by regular cafeteria employees only. Charges will be assessed for the actual hourly rate, including applicable fringe benefits, for cafeteria employees on duty during the use.

Use by Nonschool-Oriented Organizations and Groups

There shall be a charge for the use of school facilities and equipment to groups and organizations not directly school related and/or oriented. Usage charges shall be established by the Superintendent and shall be based upon the facilities being used. Payment shall be made in advance by check payable to the School Board of Brevard County, Florida. A representative of the school shall be on the school grounds during the hours of use of facilities, except for playgrounds, [practice fields, or other similar non-building locations](#). Custodial services are included in the basic facility usage fee except when additional services are needed and/or when the use of the facility occurs outside normal hours when a representative of the District is not on the school campus. Charges made for extra custodial services described above shall be the hourly rate, including applicable fringe benefits, of the employee assigned. A qualified employee must supervise the operation of major equipment in cafeteria, shops, etc. Charges will be assessed for the actual hourly rate, including applicable fringe benefits, for the employee on duty during the use.

Long-Term Use

Long-term use agreements for school facilities shall be executed by written contract. When a standardized agreement has been adopted by the Board for use of specific types of facilities, such agreement shall be executed. When uses have not been made the subject of standardized agreements, the Superintendent shall negotiate, in conjunction with the Board attorney, a specific agreement for approval by the Board.

Use of Equipment

A. Rental

Equipment, other than the normal furnishings of a particular facility, is not available for rental except by special permission of the Superintendent. No property or equipment shall be used for any of the following purposes:

1. commercial or personal gain [by district employees using their position to secure a special privilege in the use of district facilities, property, or equipment that is not normally available to the public](#)
2. programs involving any form of gambling or any illegal activity
3. private teaching, except by accredited institutions of higher education
4. activities in violation of any Board regulation

5. by any organization or party which believes in or teaches directly or indirectly, the overthrow of the governments of the United States, the State of Florida, and/or Brevard County

B. Admission Fee

Notwithstanding the provisions in A above, nonschool-oriented organizations and groups may, upon approval of the Superintendent, use District facilities and charge an admission fee provided:

1. such fee is ~~only~~ to recover costs (or possibly more) associated with holding the specific event on District property;
- ~~2. the use of the facility is of educational benefit to students;~~
3. an approved facility usage agreement is executed for each use and all applicable facility use charges have been paid.

C. Intent

The intent of this policy may not be circumvented by any agency or organization described herein through use of the Board/County Commissioner Recreation Agreement, or similar agreements.

D. Denial of Use

The Superintendent may deny use of facilities or equipment to any agency or organization whose purpose in using District facilities and/or equipment is considered by the Superintendent to be incompatible with this rule.

Use of District Vehicles

Personal use of District-owned vehicles shall be as follows:

- A. Board security officers may be provided with vehicles on a twenty-four (24) hour basis, if authorized by the Superintendent. These vehicles are classified under IRS section 274(d) as qualified nonpersonal use vehicles, used by law enforcement officers. Personal use must be incidental to law-enforcement functions, such as being able to report directly from home in an emergency situation.
- B. All other personal use of District-owned vehicles, such as commuting to and from work, is prohibited, unless authorized by the Superintendent. The value of any personal use will be reported annually on the employee's W-2 as taxable income, subject to current Internal Revenue Service rules.

Temporary Facilities

The Superintendent shall be authorized to lend temporary relocatable buildings to governmental agencies under the following provisions:

- A. The period of use will be for one (1) year with an option to renew for an additional year, but not to exceed a combined period of three (3) years.
- B. The use of the temporary relocatable building shall be that of the primary governmental unit requesting the agreement and for a purpose not in conflict with any of the stated Board policies.
- C. Preference shall be given to governmental agencies that provide a primary or secondary service to the School District.
- D. There shall be no expense to the Board for the maintenance and care of the facility during the use period, and it shall be returned at the end of the use period in like or better condition.

Should all or any part of the District's community be struck by a disaster, the Board shall make District grounds and/or facilities available, for the housing, feeding, and care of victims or potential victims when requested by local, County, State, or Federal governmental authorities.

The Superintendent shall develop administrative procedures for the granting of permission to use District facilities including a schedule of fees. Such procedures are to include the following:

- A. Each user shall present evidence of the purchase of organizational/General liability insurance to the limit prescribed by the District's administrative procedures.
- B. Use of school equipment in conjunction with the use of school facilities must be requested specifically in writing, and may be granted by the procedure by which permission to use facilities are granted. The users of school equipment must accept liability for any damage or loss to such equipment that occurs while it is in their use. Where rules so specify, no item of equipment may be used except by a qualified operator.
- C. Users shall be liable financially for damage to the facilities and for proper chaperonage.

No liability shall attach to this District, or any of its employees and officers, specifically as a consequence of permitting access to these facilities.

F.S. [112.313](#), 119.011, 1001.41, 1001.42, 1001.51, 1013.10