

Scope of Use	<p>The District permits nonschool use of designated District facilities for educational, recreational, civic, or social activities when these activities do not conflict with school use or with this policy.</p> <p>[See CNB regarding nonschool use of District vehicles and FNAB regarding student group use of school facilities]</p>
Nonprofit Fund-Raising	<p>The District permits nonprofit organizations to conduct fund-raising events on designated District property when these activities do not conflict with school use or with this policy.</p>
Charitable Services	<p>Upon timely request, the Superintendent may permit a nonprofit organization to use a District facility to offer and provide a charitable service that is offered to a significant segment of the District's student body and/or the District community at large, which charitable service is offered free of charge only to those serviced by the provider, with particular attention to relief for the poor, distressed, or underprivileged, as determined by the Superintendent to be in the best interest of the District. Such use may be provided without the necessity of a user fee. Direct costs to the District for the use of such facilities shall be solely borne by the service provider. [Example: The city's offer to provide free, volunteer income tax assistance (VITA) for low-income, elderly, disabled, and/or LEP-speaking community residents.]</p>
For-Profit Use and Nonprofit Use in General	<p>The District permits individuals and for-profit organizations to use portions of the following facilities for both nonprofit and financial gain when these activities do not conflict with school use or with this policy, and for purposes that would not cause substantial disruption of or material interference with school activities:</p> <ol style="list-style-type: none">1. Edgewood Academy Fine Arts Auditorium and related resources;2. A facility that is closed and is no longer expected to be used as a school facility or for the purpose for which it was created in the foreseeable future; or3. A facility authorized by the Board or the Superintendent.
Procedures, Terms, and Conditions	<p>Nonschool use of designated District facilities shall be in accordance with administrative procedures, terms, and conditions established for each facility by the Superintendent or designee, which shall be reflected in a written facility use contract. Each request for use of a District facility that has been designated for nonschool use shall include a written acknowledgement by the requester that the requester has received and read a copy of this policy and current administrative procedures, terms, and conditions established for requested nonschool use.</p>

Scheduling

Requests for nonschool use of District facilities shall be considered on a first-come, first-served basis for nonschool activities.

Academic and extracurricular activities sponsored by the District shall always have priority when any nonschool use is scheduled. [See FM] The Superintendent or designee shall have authority to cancel a scheduled nonschool use if an unexpected conflict arises with a District activity.

Approval of Use

The Superintendent or designee is authorized to approve use of any District facility used for nonschool use. Unless otherwise provided herein, the Superintendent's designee shall be the deputy superintendent or other noncampus administrator who has received specific authority from the Superintendent for a particular transaction.

The principal or designee shall be the Superintendent's designee for approving the use of the principal's campus facility for Board-recognized, direct school-support organizations, such as parent-teacher organizations and booster clubs.

The athletic director shall be the Superintendent's designee for approving the use of District athletic facilities for Board-recognized, direct school-support organizations, such as parent-teacher organizations and booster clubs. Use of athletic facilities located on a campus shall also require the approval of the campus principal or designee.

Approval shall not be granted to individuals and/or groups that have past-due accounts with the District.

Approval shall not be granted for any purpose that would, in the opinion of the Superintendent, damage school property or to any group that is known to have damaged District property and has not, satisfactory to the District, timely addressed and corrected the damage.

Emergency Use

In case of emergency or disaster, the Superintendent or designee may authorize the use of school facilities by generally recognized civil defense, health, or emergency service authorities.

Use Agreement

Each individual and organization approved for nonschool use of a designated District facility shall complete a written contract with the District, indicating receipt and acceptance of this policy and applicable administrative terms and conditions.

User Fees and Direct Costs

A nonschool user shall pay a user fee, unless the user qualifies for a limited waiver of user fees in accordance with this policy, and shall then pay for the actual direct costs to the District for the use of designated District facilities; except, however, the direct cost of

personnel services may be waived or offset under limited circumstances as hereinafter set out.

Definitions

“User fees” shall mean predetermined fees for nonschool use of District facilities that are published each year in the District’s schedule of fees and are subject to waiver under limited, specified conditions.

“Actual direct costs” shall mean separate and distinct from user fees and include actual District expenses that the District would not have otherwise incurred except for the permitted nonschool use of a District facility. By way of example and not by way of limitation, they include such expenses as personnel services and utility costs. Actual direct costs shall not be subject to waiver except as permitted under LIMITED WAIVER OF PERSONNEL SERVICES, below.

For purposes of this policy only, “nonprofit organization” shall mean:

1. A nonprofit organization recognized by the Internal Revenue Service (“IRS”) as having Section 501 (c)(3) or Section 501 (k) status under Title 26, Subtitle A, Chapter 1, Subchapter F, Part I of the United States Code and to which contributions are generally allowable by the IRS for federal income tax deduction.
2. A state-recognized nonprofit organization that, while not officially recognized by the IRS as having IRC Section 501(c)(3) or Section 501(k) status as described in the first definition, above, is registered with the District and would qualify for such status.
3. A District-recognized, community-based, organization that, while not organized under the solemnities of law for state recognition as a nonprofit organization, is:
 - a. Registered with the District;
 - b. Found by the Superintendent or designee to operate without profit, solely for a purpose that would be considered exempt under IRC Section 501(c)(3); and
 - c. Known to conduct activities in the District that are found by the Superintendent or designee to be beneficial to District students in more than a *de minimis* number.
4. A representative of the San Antonio City Council, Bexar County Commissioner’s Court or other public official or designee acting on behalf of the public official or public body

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that has requested the use of a District facility to provide important and timely information that shall impact or is of particular interest to the parents and students of the District.

Limited Waiver of User Fees

User fees are hereby waived for the following types of approved organizations:

1. Direct school-support organizations, such as Board-recognized parent-teacher organizations and booster clubs, that are duly registered pursuant to applicable administrative regulations.
2. Nonprofit organizations as defined by this policy that operate primarily in the District.

Organizations for which user fees may be waived shall be permitted only one fund-raising activity per school year with user fees waived.

Waiver of fees shall not extend beyond six weeks cumulative per school year. A user fee shall be assessed and charged for days that exceed this period.

Custodial Services Required

Custodial staff shall be required during the period that nonschool use of a District's facility is requested. The approved use shall be required to conclude not later than 30 minutes before the conclusion of the custodial staff's shift.

Limited Waiver of Personnel Services (Recreational Only)

The actual direct costs of District personnel services (e.g., for custodial staff) in providing designated facilities for recreational use may be waived or offset by the Superintendent or designee when the requesting organization is expected to provide recreational services to more than a *de minimis* number of District students in the following circumstances:

1. The organization is registered with the District as a District-based nonprofit organization as defined by this policy.
2. A majority of the students expected to be involved in the recreational use are currently enrolled in the District.
3. All other provisions for waivers shall apply, except that waiver of personnel services shall not be authorized for activities in recreational facilities when the primary purpose is for profit or is classified as concession.

Waiver of All Fees/ Costs

User fees and direct costs are hereby waived in providing a designated facility for a representative of City Council, County Commissioner's Court, or other public official or designee acting on behalf of the public official or public body and that, in conjunction with the District and at its request, has agreed to provide important and

timely information that will impact or is of particular interest to the parents and students of the District.

Required Conduct

The following requirements shall apply to the use of all school facilities:

1. All business shall be conducted in an orderly and lawful manner.
2. All laws and District policies, including but not limited to those prohibiting the use, sale, or possession of alcoholic beverages, illegal drugs, firearms and the use of tobacco products on school property, shall be followed. [See GKA]
3. Alteration, temporary or permanent, to school property without prior written consent from the Superintendent is prohibited.
4. Possession of keys to buildings by anyone other than school employees and officials is prohibited.
5. The use of any school building without a representative of the District being present is prohibited.
6. No meeting shall be held in a school building or on school grounds for the purpose of advancing any doctrine or theory subversive to the Constitution or laws of the state of Texas or the United States, nor for any activity that may cause substantial disruption of or material interference with school activities or that is determined by the Superintendent or designee to create an unacceptable risk to the safety of students or other persons or to District property.
7. All nonschool users of District facilities and property shall be responsible for the cost of repairing or replacing District property if the property is damaged or destroyed, in whole or in part, because of nonschool use.
8. Nonschool users of District facilities shall require adequate insurance that is acceptable to the District and shall provide the District with a hold harmless and indemnification agreement in a form acceptable to the District.
9. Administrative policies and procedures shall be followed for the nonschool use of any District facility.