

**Las Cruces
Public Schools**

Regulation KF

Related Entries: Policy KF
Responsible Office: Associate Superintendent for Operations

COMMUNITY USE OF SCHOOL FACILITIES

I. PURPOSE

This regulation sets forth rules for the public use of all school district facilities.

II. DEFINITIONS

For the purposes of this regulation, the following definitions shall apply:

- A. *LCPS Facility or "Facility"/LCPS Facilities or Facilities* means any or all school district properties, including school sites, buildings, and other offices and properties; and all school district fine arts facilities; and athletics facilities.
- B. *Facilities Use Form* means LCPS KF-E1 Facilities Use Form, the form which is attached to this regulation and which is the only building/facilities use form that is recognized and accepted by Las Cruces Public Schools.

III. PRIORITY OF USE

For the purposes of this regulation, the following priority of use categories shall apply:

- A. Category 1: LCPS educational programs: On-going, school and school activity program.
- B. Category 2: School-related, non-profit groups: This includes parent/teacher groups, school clubs, school activities, public education institutions, extended care services, and intersession activities delivered by non-profit agencies.

To qualify for inclusion in Category 2 a group must be designated as a non-profit group with 501 (C) status from the IRS, must be educational or recreational in nature, must directly benefit school-age children and must be sponsored by or otherwise affiliated with the school or school district.

- C. Category 3: Non-profit groups whose activities directly serve school-age children: This category includes, but is not limited to, groups such as Scouts, Boys and Girls Clubs, Americorps/FYI, etc.

To fit into category 3, a group must be designated as a non-profit group with 501 (C) status from the IRS, must be educational or recreational in nature, must directly benefit school-age children and must be sponsored by or otherwise affiliated with the school or school district.

- D. Category 4: Public interest non-profit groups (not school-related) whose activities do not directly serve school-age children: This category includes groups such as community action groups, official agencies of the federal or local governments, and recognizable charitable and civic groups whose primary function is promotion of the health, safety, education, or welfare of the community in general.
- E. Category 5: Recreational, religious, political, arts-related and other non-profits: Distinguished from groups from Category 4, this category refers to a group whose interest is the group itself rather than for the general public.
- F. Category 6: Commercial (for profit) groups or individuals: This category includes groups and individuals whose purpose is direct or indirect financial gain and whose use of facilities will result in the group's or individual's direct or indirect financial gain.
- G. Charter schools and private schools: Fees for the use of school district facilities by all charter schools and private schools shall be determined by the Superintendent of Schools or his/her designee.

IV. UNAUTHORIZED USE

- A. Permission for use of LCPS facilities shall be denied in the following instances:
 - 1. Activities that are for purposes of a personal nature, including but not limited to, birthday parties, weddings, private parties, etc.
 - 2. Non-locally sponsored groups except those listed in Category 4 above.
 - 3. Groups whose use of school facilities, in the judgment of the Superintendent or his or her designee, is inappropriate at a school location.
- B. LCPS reserves the right to deny the use of school facilities to any individual or group.

V. INITIATING A REQUEST FOR FACILITY USE

- A. An individual or representative of a requesting group should contact the principal or director of the desired facility regarding proposed usage. The principal or director shall determine the most appropriate priority of use category for the applicant group (see Item III. above).
- B. Use of facilities shall be requested at least 10 working days in advance of the date of the proposed use. Agreements for facility use shall not be made during one school year for the following school year.
- C. A KF-E1 Facilities Use Form shall be requested, completed and returned to the appropriate principal or director by the applicant. Non-profit groups shall provide written proof of their 501 (C) status at that time.

- D. All groups or individuals (profit and non-profit) shall provide proof of liability insurance in the form of a valid insurance company certificate of insurance to protect LCPS and any employees or representatives of LCPS who will be conducting or assisting in or participating in the group's activities in LCPS facilities in an official capacity. The certificate shall show building user liability insurance policy limits in the amount of not less than \$1 million. Certificates of insurance shall include the name of the insurance company, name and address of the insured, type of policy, period of policy, a description of the activity, and the date(s) of the activity. The certificate shall include an endorsement which names LCPS as an additional insured to the facility user's insurance policies listed.
- E. If the requesting group or individual wishes to utilize an LCPS kitchen facility, the group or individual shall include, with the completed Facility Use Form, the appropriate paperwork, which may include a food permit and/or memorandum of understanding. See item IX below.

VI. APPROVAL OF USE OF SCHOOL FACILITIES

- A. The school principal or director or designee shall determine the availability of the requested facility based upon previous commitment, priority and propriety of proposed use.
- B. After receiving the completed KF-E1 Facilities Use Form, the principal or director or designee shall sign and forward the form to the LCPS office of the Associate Superintendent of Operations/Coordinator for Custodial Services for approval.
- C. Completed Facility Use Forms that include payment (See Appendix I) must be submitted to the Office of the Associate Superintendent of Operations.
- D. Completed Facility Use Forms that do not include payment (See Appendix I) must be submitted to the Coordinator for Custodial Services.
- E. A copy of the final approved and completed Facility Use Form shall be forwarded to the principal or director by the Coordinator for Custodial Services. Copies of the approved form shall also be given to the requesting group and to other LCPS departments as appropriate.

VII. BILLING AND COLLECTING

- A. The schedule of rental rates is attached (See Appendix I) and is considered to be part of this regulation. Rates represent basic use of LCPS facilities for periods of:
 - 1. Up to two (2) hours;
 - 2. Two (2) to four (4) hours; and
 - 3. Four (4) to six (6) hours
 - 4. Use exceeding six (6) hours will be charged at the four (4) to six (6) hour rate

- B. Along with completed Facilities Use Form KF-E1 and all other required paperwork, the user group shall submit a valid money order for the full amount of the rental fee to the office of the Associate Superintendent of Operations at least 10 working days before the date of proposed use.
- C. The money order shall include any additional LCPS personnel costs incurred by the user group. Additional reimbursement for payroll and other direct costs related to facility use is required, as stated on Form KF-E1.
 - 1. These fees shall be assessed as follows:
 - a. Fees for custodial services.
 - i. Groups utilizing LCPS facilities before 7:00 a.m. and/or after 9:00 p.m. during regular work days (Monday-Friday) or on weekends shall be assessed a fee of \$21.00 per hour for custodial services.
 - ii. Groups utilizing LCPS facilities during the hours of 7:00 a.m.-9:00 p.m. may be assessed a fee of \$21.00 per hour for custodial services if the principal or director or his or her designee determines that use of a specific room requires additional custodial services that go beyond the normal custodial duties.
 - iii. Groups utilizing LCPS facilities on school district holidays shall be assessed a fee of \$42.00 per hour (double time) for custodial services.
 - b. Fees for Nutrition Services Department employees (cafeteria workers).
 - i. Groups utilizing LCPS kitchen facilities shall be assessed a fee of \$25.00 per hour for Nutrition Services Department employees.
 - ii. Groups utilizing LCPS facilities on school district holidays shall be assessed a fee of \$50.00 per hour (double time) for Nutrition Services Department employees.
 - iii. Groups utilizing LCPS kitchens shall be required to have a Nutrition Services Department employee on site during the entire event, from the time the kitchen is opened until the time the kitchen is closed.
 - iv. LCPS kitchen facilities are available for use by non-school user groups only during weekday evenings and on school days during the school year. They are not available during regular school hours while school is in session. This includes both balanced- and regular-calendar schools.
 - v. A limited number of school kitchen facilities are available during summer break. Call the Nutrition Services Department at 575.527.5996 for availability.

2. The school principal or department director is responsible for authorizing and reporting all contractual overtime for school district personnel.
- D. Fees for the use of any LCPS facility may be waived, in all or in part, by the Superintendent or his/her designee.

VIII. SAFEGUARDING SCHOOL PROPERTY

- A. The representative of the user group or individual who signed Form KF-E1 for the use of an LCPS facility shall be responsible for reasonable care of the facility and for proper conduct of members of the group while they are using the facility.
- B. The user group or individual will be billed for any damage resulting from improper or careless use of the facility. Any damage to a school facility may result in the user group being barred from future use of any LCPS facility.
- C. Abnormal wear and tear on a school district facility may require an additional charge to the user to restore the facility to its normal condition.
- D. Use of alcohol, tobacco or firearms is prohibited in all LCPS facilities and on all LCPS property. (See LCPS Policies ADB and ADC).

IX. USE OF KITCHEN FACILITIES

- A. School kitchens are available for school and community groups to use for special occasions, providing the groups comply with this policy and regulation and all other applicable school district policies and regulations.
- B. The following items are required by all organizations (school or community) wishing to use a school kitchen:
 1. Completed Form KF-E1.
 2. Temporary Health Permit, to be obtained by the user group from the Las Cruces office of the New Mexico Environment Department.
 3. If the user group is affiliated with a school or the school district and is selling food, one or more members of the group must attend a Nutrition Services Department food fundraising training workshop at least once per school year.
 - a. The group also shall sign a memorandum of understanding (MOU) indicating at least one (1) of its members has completed the training.
 - b. The certificate from this training must be attached to the building use request form each time the use of a school facility.
 - c. To register for a training, call the Nutrition Services Department at 575.527.5943 or 575.527.5996.

- C. Completed Form KF-E1 must be delivered to the Nutrition Services Department office at least two (2) weeks before the group wishes to use a school kitchen.
 - 1. Requests for use of school kitchen facilities may be denied if the requests are received less than two (2) weeks prior to the date of proposed use, due to lack of time to make necessary arrangements.
 - 2. The Nutrition Services Department will coordinate with other LCPS departments, and with the school whose kitchen is to be used, as appropriate.
- D. A kitchen manager or Nutrition Services Department employee must be on duty the entire time the kitchen is being used to ensure that food safety and sanitation regulations are followed and that all equipment is used safely and correction. (See Item VII. C. b. above.)
- E. After its use, the school kitchen shall be cleaned by the organization using the kitchen, to the satisfaction of the Nutrition Services Department employee on duty. Failure to clean the kitchen may result in additional charges to the user group and/or that group being barred from using school district facilities in the future.
- F. No one under the age of 18 shall be in the school kitchen during its use by any school or community group. No one under the age of 18 may operate any of the kitchen equipment, including stoves and ovens.
- G. Unauthorized or excessive traffic in and thru a school kitchen food preparation area is a violation of school district policy and City of Las Cruces and State of New Mexico health regulations.
- H. The handling or “mixing up” of school food used for student meals and other foods brought from outside the school is strictly prohibited. This pertains to foods that are frozen, refrigerated or in storage in the school kitchen.
- I. No food or supplies purchased by the Nutrition Services Department shall be used by any organization.
- J. An inspection of the school kitchen by the Las Cruces office of the New Mexico Environmental Department may occur at any time before or during the event to verify that proper food safety and sanitation procedures are being followed by the user group. Any citations issued will be the sole responsibility of the user group. Violations may result in the closure of the event to the public.
- K. School kitchens cannot be used by any organization while school meals are being prepared or served.
- L. The user organization will be billed for any damage to school equipment or facility, and/or for any missing equipment or small wares.
- M. If the user group is affiliated with the schools or is having an event in support of schools, and is selling food, the group must comply with all the New Mexico

Public Education Department nutrition standards, and all LCPS Nutrition Services Department policies and guidelines.

X. USE OF LCPS PERFORMING ARTS CENTER

- A. All school and community groups that wish to use the LCPS Performing Arts Center (PAC), located at Oñate High School, should download the applications packet from the LCPS website at [Application Packet for use of PAC](#).
- B. All school and community groups who wish to use the PAC must complete the application packet and must follow all applicable rules and regulations.
- C. The use of the LCPS PAC is under the direction of the LCPS coordinator for Visual and Performing Arts or his/her designee.

XI. USE OF LCPS FIELD OF DREAMS ATHLETIC FACILITY

- A. All school and community groups that wish to use the LCPS Field of Dreams athletics facility, which includes the stadium and/or parking lot, must complete Form KF-E1. The completed form and other appropriate paperwork shall be submitted to the LCPS Athletic Department at least 10 working days prior to the date of the event.
- B. All user groups that wish to use school gymnasiums and athletic fields must complete Form KF-E1. The completed form must be submitted to the school's principal and/or front office at least 10 working days prior to the date of the scheduled use of the gymnasium or athletic field.
- C. At the discretion of the LCPS Athletic Director, the school district may enter into an MOU with any user group for the use of the Field of Dreams.
- D. The use of the Field of Dreams and other LCPS athletic facilities and fields, recreational space, buildings and other facilities by the City of Las Cruces shall be governed by the current, signed and approved memorandum of agreement between Las Cruces Public Schools and the City of Las Cruces.

XII. SECURITY DURING EVENTS AT LCPS FACILITIES

The school district shall reserve the right to mandate the presence of armed or unarmed security at any event or activity – whether they are or are not sanctioned by the school or school district – taking place at any school district facility.

- A. The group or organization using the school facility may be required to pay part or all of the security fee.
- B. The need for security at an event at a school facility shall be made on a case-by-case basis, and shall be determined by the school principal or his or her designee, in consultation with the school district's Coordinator for Safety and Security.

- C. Such determination may be up to and including the date(s) of the event, depending upon the threat assessment.
- D. The determination of the need for security during an event at a school facility shall be based upon:
 - 1. A threat assessment with regard to activities taking place on school facility grounds or in the surrounding area, as determined by the school principal or his or her designee, the school district's Coordinator for Safety and Security and/or local law enforcement agencies.
 - 2. The anticipated size of the crowd at the event.
 - 3. The potential for violence at the event due to a strong rivalry between teams or other factions competing or appearing at the event.
 - 4. Other information or intelligence gathered by or known to school officials or local law enforcement officials.
- E. If it is deemed appropriate for security to be on site for any event at an LCPS facility, the Coordinator for Safety and Security, in consultation with the principal or his or her designee, the Director of Athletics (if appropriate), and the Superintendent (if appropriate) shall determine if the security personnel shall be armed or unarmed.
- F. The Coordinator for Safety and Security, in consultation with the principal or his/her designee, shall determine if: 1) LCPS School Resource Officers shall be contracted to provide the security mandated, and at what hourly rate the group or organization using the school facility shall be charged for this service; or 2) private security personnel shall be contracted to provide the security mandated, and at what hourly rate the group or organization using the school facility shall be charged for this service.

XIII. SECURITY ON SCHOOL GROUNDS AFTER HOURS

- A. Under the provisions of its joint usage agreement with the City of Las Cruces, the school district shall keep the grounds of schools open from 5:00 a.m. until 11:00 p.m. each day, except for emergencies, permitted special events, when a school has fenced school grounds which are locked during specified hours and/or when hours are posted differently from those these specified hours.
- B. All school grounds shall be closed from the hours of 11:00 p.m. until 5:00 a.m. each day.
- C. Individuals shall not be allowed on any school grounds between the hours of 11:00 p.m. until 5:00 a.m. without written authorized from the school district (LCPS Form KF-E1).

- D. The superintendent shall have the authority to change the opening and/or closing hours of any or all school grounds.
- E. School district employees and officers of the Las Cruces Police Department shall not be restricted by the opening and closing hours of school grounds in performance of their duties.
- F. Under the school district's joint powers agreement with the City of Las Cruces, violation of this provision shall be considered a misdemeanor offense, punishable in accordance with section I-10 of the City code.
- G. Officers of the Las Cruces Police Department shall have the authority to eject from any school grounds any person who is on said school grounds in violation of this regulation.
- H. Officers of the Las Cruces Police Department shall have the authority to issue citations for any violation of the City Code on school grounds as the violation applies to this regulation, including but not limited to the following:

Section 5-1	Drinking in public.
Section 10-41	Traffic; fireworks; alcoholic beverages; bicycles and skates.
Section 19-36	Criminal damage to property.
Section 19-42	Trespass.
Section 19-45	Littering.
Section 19-124	Radios and phonographs.
Section 19-125	Loudspeakers and amplifiers.
Section 19-126	Yelling or shouting.
Section 19-127	Animals.
Section 19-201	Indecent exposure.

History: Replaces Procedure 555; Revised October 2009



Associate Superintendent for Operations

November 17, 2009

Date Approved



APPENDIX I
Regulation KF: Community Use of School Facilities
USE CATEGORIES AND FEES
November 17, 2009

TYPE OF FACILITY	CATEGORY OF USE							
	1-2	3-4	5			6		
			0-2 hours	2-4 hours	4-6 hours	0-2 hours	2-4 hours	4-6 hours
Auditoriums/Theatres/Lecture Halls			\$75.00	\$100.00	\$125.00	\$375.00	\$437.50	\$500.00
Cafeterias (not including kitchen)/Libraries			\$50.00	\$75.00	\$100.00	\$218.75	\$281.25	\$343.75
Kitchen (in addition to cafeteria charge; requires cafeteria director)			\$37.50	\$62.50	\$87.50	\$250.	\$312.50	\$375.00
Classroom/Chorus Room/Lobby			\$25.00	\$37.50	\$50.00	\$125.00	\$187.50	\$250.00
School Grounds			\$25.00	\$37.50	\$50.00	\$125.00	\$187.50	\$250.00
School Gymnasium			\$50.00	\$75.00	\$100.00	\$312.50	\$375.00	\$437.50
Field of Dreams Athletic Facility					\$200.00			\$600.00