

## COMMUNITY USE OF SCHOOL FACILITIES

### Statement of Policy

It is the policy of Western Wayne Schools to construct, maintain, and operate facilities necessary for the instructional mission of the School Corporation. When these facilities can be made available for other community uses without compromising the instructional mission of the Corporation, the Board will make Corporation facilities available.

If a Corporation facility is used by a not-for-profit entity, the Board will charge a fee that is calculated to recover the added costs resulting from the use of the facility. If the facility is used by a for-profit entity for a profit-generating activity, the Board will charge a fee for use of its facilities based upon the charges for the use of similar facilities for similar activities, provided that the fee for use shall not be less than the added costs of the use to the Corporation.

Should all or any part of the Corporation's community be struck by a disaster, the Board shall make Corporation grounds and/or facilities available, at no charge, for the housing, feeding, and care of victims or potential victims when requested by local, State, or Federal authorities. The Superintendent should meet with the county Emergency Management Agency to establish a disaster preparedness plan in order to ensure that proper procedures are established to minimize confusion, inefficiency, and disruption of the educational program. Decisions concerning requests for the use of Corporation shall be the responsibility of the Business Office acting under the supervision of the Superintendent. Enforcement of this Policy shall be the responsibility of the administrator with responsibility for the activities in a specific Corporation facility. As used in this Policy, "administrator" means a Corporation supervisory employee with responsibility for the activities at a Corporation facility. The term includes the Superintendent, Assistant Superintendent(s), directors, coordinators, building principals, assistant principals, and deans.

The use of Corporation grounds and facilities shall not be granted for:

- a. Private social functions
- b. Any purpose which is prohibited by law.
- c. Any purpose that may be reasonably believed to interfere with school-related activities.

### All Corporation Standards Applicable

All Corporation policies, rules, and regulations, including the Student Code of Conduct, apply to anyone attending an event on Corporation property. Any individual violating Corporation policies, rules, regulations, or Code of Conduct may be immediately excluded from Corporation property and appropriate authorities may be alerted (including but not limited to law enforcement and the administration of the school district attended by a violating student). No liability shall attach to this Corporation, any employee, officer, or member of this Corporation specifically as a consequence of permitting access to these facilities.

## **Playgrounds Considered A Community Physical Fitness Activity**

Using the playground can be a great physical fitness activity for children.

The Corporation's owned and operated playgrounds are to be considered school property, equipment, and facilities to which the general public is invited to use during non-school hours. Thereby, pursuant to I.C. 34-31-10, the Board approves general and normal playground activity as a "community use physical fitness activity," and by enacting this Policy, the Board intends to take the liability protections offered in I.C. 34-31-10.

The general public shall not be charged any fee for use of the Corporation's owned and operated playgrounds.

On each playground covered by this Policy, the Superintendent shall see that a sign is posted in a conspicuous location stating the following, in letters at least one inch in height:

### **WARNING**

**Under Indiana law, a school is not liable for an injury to, or the death of, a participant in physical fitness activities at this location if the death or injury results from the inherent risks of the physical fitness activity.**

**Inherent risks of physical fitness activities include risks of injury inherent in exercise, the nature of a sport, the use of exercise equipment, or the use of a facility provided by a school.**

**Inherent risks also include the potential that you may act in a negligent manner that may contribute to your injury or death, or that other participants may act in a manner that may result in injury or death to you.**

**You are assuming the risk of participating in this physical fitness activity.**

## **Administrative Guidelines and Procedures**

The Business Office may designate another administrator to perform the tasks assigned to that position under this Policy. The Superintendent is authorized to adopt rules, forms and procedures to implement this Policy, including permitted and prohibited use of facilities and how to reserve facilities.

### *Legal References:*

I.C. 20-26-5-1

I.C. 20-26-5-4

I.C. 34-31-10

I.C. 34-31-11.4  
511 I.A.C. 6-2-1(b)(5)

School Corporation

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