



Book	Chesapeake Public Schools Policy Manual
Section	Chapter 5 - Community Relations
Title	Use of School Facilities - Community Use of Schools
Code	5-25 Regulations
Status	Under Review/Revision
Legal	Code 1950, as amended, § 22.1-79.3. Policies regarding certain activities. Code 1950, as amended, § 22.1-130.1. Access to high schools and high school students for military recruiters. Code 1950, as amended, § 22.1-131. Boards may permit use of various school property; general conditions; electric vehicle charging stations. Code 1950, as amended, § 22.1-132. Boards may impose certain conditions on use of property.
Cross References	5-25 Policy - Use of School Facilities - Community Use of Schools
Adopted	March 10, 1997
Last Revised	April 27, 2023
Prior Revised Dates	June 9, 2008, March 11, 2019, March 10, 2023

I. Definitions

- A. Facilities. Facilities are limited to school buildings and grounds.
- B. Organizations. (i) Governmental Unit (local, state and federal offices, boards, authorities, programs, and other governmental entities), (ii) youth organizations, (iii) non-profit (non-commercial) organizations, and (iv) commercial (for-profit) organizations having an office or similar physical presence in the City of Chesapeake.
- C. **Exempt Eligible Organization.** Organizations that are eligible to utilize school exempt from paying rental fees for facilities use.
 1. School-Sponsored Organizations. Organizations to which a Chesapeake Public Schools (CPS) faculty or staff member has been assigned as sponsor, advisor, or leader, intended to further an educational and/or recreational extracurricular purpose of the school, and whose proceeds, if any, are deposited in the organization's school account maintained by the school administration.
 2. School-Affiliated Organizations. Non-profit organizations which exist to support one specific school (e.g., Parent/Teacher Associations, Booster Clubs).
 3. Government Unit. Any Governmental Unit, as identified above, may use a school facility for conducting a public meeting, hearing, or other approved activity without incurring a facilities charge.
- D. **Non-Exempt Organization.** Organizations that are not exempt from paying rental fees for facility use.
 1. ~~Non-profit Religious Organizations. A 501(c)(3) organization that gathers in common membership for regular worship and religious observances and is located in Chesapeake or is providing a service that no resident group provides to the citizens of Chesapeake. Commitments for long-term use shall be limited to one year.~~
~~Proof of non-profit status by providing proper IRS documentation may be required.~~

- ~~a. Proof of non-profit status by providing proper IRS documentation may be required.~~
 - ~~b. The applicant organization must have plans in progress for securing its own location. Evidence of plans in progress may include but are not limited to, owning land that is properly zoned and planned for a meeting location, having current blueprints and/or a building fund.~~
 - ~~c. Contracts may be extended, one time, for six months with documentation of unintended delay or other unforeseen circumstances.~~
 - ~~2. Non-profit Charitable or Cultural Organization. A 501(c)(3) organization located in Chesapeake or providing a service that no resident group provides to the citizens of Chesapeake.~~
 - ~~a. Proof of non-profit status by providing proper IRS documentation may be required.~~
 - ~~b. An official roster listing the names and addresses of members must be provided for each organization. Rosters must be kept current and may be requested at any time during the rental period.~~
 - ~~c. For the rental of a large area within a school, such as the cafeteria, cafetorium, gymnasium, gymatorium, media center, or auditorium, a 2-hour minimum charge may be assessed.~~
 - ~~3. Non-profit Youth Organization. An organization that serves school-aged youth residents in the City of Chesapeake with Chesapeake residents comprising at least (75) seventy-five percent of the participants using the facility for the approved request.~~
 - ~~a. Proof of non-profit status by providing proper IRS documentation may be required.~~
 - ~~b. An official roster listing the names and addresses of members must be provided for each organization. Rosters must be kept current and may be requested at any time during the rental period.~~
 - ~~c. For the rental of a large area within a school, such as the cafeteria, cafetorium, gymnasium, gymatorium, media center, or auditorium, a 2-hour minimum charge may be assessed.~~
- E. Eligible Applicant. A resident of Chesapeake that is an active member of the requesting organization. An eligible applicant must provide proof of residence if requested.
- F. Security. A Chesapeake Police Officer(s), Chesapeake Sheriffs' Department Deputy, or a CPS Security Officer (SSO).
- G. Custodian. An employee of CPS assigned to maintain the cleanliness of a facility. Custodial services do not include the moving of equipment, arranging of furniture, or monitoring of entrances and exits.

II. Request

- A. An application form reflecting the policies and regulations of CPS regarding community use of school facilities and grounds shall be available online.
- B. All required documentation must be included at the time of submission, or the application review may be delayed. Applications are accepted year-round and must be submitted at least (30) thirty days in advance of the date of the event.

III. Conditions for Use

- A. The applicant must be present for the entirety of the event and will serve as the point of contact. Facility use documentation may be requested at any time during the rental period.
- B. The group or organization using school facilities shall be responsible for all damage or loss to property and equipment.
- C. The School Board reserves the right to charge additional fees for the use of facilities lasting beyond the hours prescribed in the facility-use request.
- D. A CPS administrator may attend any activity held on CPS property at any time.
- E. Only those facilities specified and selected in the facility use request may be used.
- F. No school facility may be used unless an assigned CPS employee is present.
- G. The applicant and organization representative ensure that all adult employees, coaches, volunteers, and team administrators have gone through a satisfactory background check, including the National Sex Offender Registry, to help ensure the safety of all program participants. The required background check may be obtained through the database maintained by the Virginia State Police or other sources, and it may be supplemented by additional and/or follow-up inquiries where indicated and should be completed to the satisfaction of CPS. The requester must be able to produce documentation of each present adult employee, coach, volunteer, and team administrator upon request.
- H. Schools and school grounds are not available for private events or gatherings of individuals. In general, school facilities are not available for business use for profit. The School Board reserves the right to cooperate with agencies of the City to consider on a case-by-case basis uses of the school facilities that may confer a special benefit to the citizens of Chesapeake.
- I. User agrees to hold harmless and indemnify CPS with respect to any claim of loss, injury, or damage because of the intentional acts or omissions, recklessness and/or negligence of the user or user's employees

or agents, including damage to School Board property for which the School Board is liable.

- J. User agrees to comply with the safety regulations and policies of the Chesapeake Fire and Police Departments.
- K. Placement of signs, banners, or other advertising devices on CPS property will be evaluated on a case-by-case basis. There shall be no advertising which advocates the use of alcohol, tobacco, unlawful drugs or criminal gang activity. Such a request must be in compliance with any applicable City ordinance regarding signage.
- L. Any facility use which has the potential to create damage to a facility or result in unusual clean-up expenses shall be prohibited.
- M. Individuals may use CPS outdoor facilities without rental for individual purposes only (e.g., walking track, tennis courts, outdoor playgrounds) outside of the instructional day when it does not conflict with school activities. Building restroom facility use is not permitted.

IV. Maintenance

- A. Staging and/or decorations must be done so as not to deface or damage any property and must be approved by the respective building administration/designee. All staging and decorations must meet all building and fire prevention codes of the City of Chesapeake. Where codes require, the organization must contact the Chesapeake Fire Marshall for direction, inspection, and approval.
- B. ~~Non-exempt organizations: Vehicles, trailers, and storage pods shall be located on school property only during the time of the approved facility use. Overnight or long-term storage of vehicles, trailers, or storage pods is prohibited.~~
- C. ~~No storage of equipment, materials, supplies, etc., nor placement of a storage unit within a facility or on the property of CPS is permitted by non-exempt organizations.~~
- D. School-sponsored or school-affiliated organizations, with the permission of the school principal, may store equipment, materials, and supplies on school property. Government units, with permission from the Office of Student Activities and Facility Use, may store equipment, materials, and supplies on school property.

V. Prohibited Activities on School Property

- A. ~~Non-exempt organizations utilizing school facilities or grounds within CPS are prohibited from the use of any open flame including, but not limited to, candles, sterno/paraffin heat sources, barbeque grills (charcoal or gas source), smokers, lighters, matches, or any other device from which an open flame may be ignited.~~
- B. Flammable materials may not be stored on school property.

VI. Promotional Materials and Communication

- A. The school name or facility name shall not be used in promotional materials without permission from the Office of Student Activities and Facility Use. Use of any CPS logo(s) is prohibited.

VII. Security

- A. The cost for security will be the responsibility of the user and paid to CPS in advance of an event. The number of security officers required for facility usage will be determined by CPS and will consider:
 - 1. The nature of the activity.
 - 2. The time of day.
 - 3. The length of time encompassing the activity.
 - 4. Historical antecedent incidents associated with the activity or a like activity.
 - 5. Crowd analysis to include (1) size, (2) mix of students and adults, (3) the likelihood that the activity will attract persons not interested in the activity, (4) the presence of other individuals in the facility at that time, (5) any special risk or danger to safety or property.
 - 6. Any other factors unique to the activity.
 - 7. CPS safety assessment (if applicable). The Superintendent or designee reserves the right to conduct a safety risk assessment for any facility use requests.
 - 8. Traffic control, parking concerns, and pedestrian traffic along major roads.
- B. The entrance must be monitored by an adult aged (21) twenty-one and over to monitor the main entrance for participants for the entirety of the event.
- C. The organization that uses the building and grounds shall be responsible for the conduct of its members.
- D. Building keys or fobs will not be provided to any organization.

VIII. Personnel

- A. CPS personnel shall be assigned in a number sufficient to promote satisfactory operation of the facility during its use and proper clean-up after the conclusion of the activity.
 - 1. Payment for all personnel shall be made for a minimum of two hours.
 - 2. A CPS custodian is required during all scheduled events, and it is the responsibility of the school/building administrator or designee to assign.

3. An event supervisor may be assigned at the discretion of the principal and/or Office of Student Activities and Facility Use. The cost of the event supervisor will be the responsibility of the user.
4. All personnel shall be paid an hourly rate approved by the School Board each year. If the assignment taken together with a CPS staff member's regular schedule results in overtime for the CPS staff member, an overtime rate may be charged.
5. All payments to CPS personnel assigned by CPS must be paid through CPS payroll.

IX. Insurance

A. All facility use requests require that the group or organization furnish a Certificate of Insurability and endorsement page. Insurance requirements can be found on the Risk Management webpage of the Chesapeake Public Schools' website, or by contacting the Office of Student Activities and Facility Use or the Department of Benefits and Risk Management.

B. Additional Insured Status

1. CPS, its officers, officials, employees, and volunteers are to be covered as additional insureds on the commercial general liability (CGL) policy with respect to liability arising out of the use of a school facility. The Certificate shall certify that the policy has been endorsed to name, as an additional insured, CPS with respect to the use of school premises. Chesapeake Public Schools, 312 Cedar Rd. Chesapeake, VA. 23322 shall be declared the certificate holder. Accompanying the certificate of liability will be the requirement of the additional insured endorsement page.
2. These amounts may be adjusted depending upon the rise of exposure factors present.
3. It is strongly recommended that the organization considers the purchase of Event Cancellation Insurance if the cancellation for adverse weather or other similar causes will fiscally impact the organization.

X. Sale of Merchandise

- A. ~~The sale of merchandise, food, and beverages by non-exempt organizations must be approved by the building principal and the Office of Student Activities and Facility Use.~~
- B. **Eligible Exempt** organizations may be permitted to use concession (indoor or outdoor) with the approval of the building principal. If approved, school-affiliated organizations must complete a request for all dates of use.

XI. Fees

- A. A list of all fees charged for the use of various facilities can be found in School Board Regulation 4-8.
- B. ~~All fees and charges for non-exempt facility rentals are determined by the Chesapeake School Board each year in the annual budget.~~
- C. All organizations will be responsible for the cost of personnel and custodial services at the rate outlined in the applicable Fee Schedule. Personnel fees will be charged only if the scheduled event occurs after the district employee's normal working hours.
- D. ~~Payment for all fees is required in advance of the rental date~~

XII. Cancellations

- A. Cancellations shall be communicated to the building administrator and the Office of Student Activities and Facility Use at least (3) three days in advance of the date of the event. Failure to communicate a timely cancellation is cause for denying future building use approvals.
- B. CPS reserves the right to cancel a facility rental for any lawful reason. Notice will be provided as early as possible in the event of a cancellation. Organizations will receive a refund if no mutually agreeable alternate event date can be scheduled.
- C. Partial or full refunds may be issued as follows:
 - i. Written/email notification is provided no less than (3) three business days before the date of the event.
 - ii. The event is canceled by CPS, and no alternate date for the event is scheduled.

XIII. Facility Availability for Non-Exempt Organizations

- A. ~~Facilities may be available for non-exempt organization rentals as follows:~~
 1. ~~Monday through Friday at the earliest time feasible after dismissal, ensuring the request does not interfere with school operations, as determined by the school principal and ending prior to 10:00 p.m.~~
 2. ~~Saturdays from 8:00 a.m. through 10:00 p.m.~~
 3. ~~Sundays from 8:00 a.m. through 1:00 p.m.~~
- B. ~~No request made by a non-exempt organization will be considered on dates when schools and offices are closed, as published on the CPS Calendar. This includes non-exempt organization rentals with long-term agreements.~~

~~C. No request made by a non-exempt organization will be considered (2) two weeks prior to school opening date and (2) two weeks after school closes. This does not include non-exempt organization rentals with long-term agreements.~~