

COMMUNITY USE OF SCHOOL FACILITIES

Statement of Policy

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

If a District 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 District.

District facilities managed for the District by Emergency Services Education Center, Incorporated [“ESEC”] shall not be covered by this Policy and shall be made available for community use according to a policy adopted by the Board of ESEC.

Decisions concerning requests for the use of District 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 District facility. As used in this Policy, “administrator” means a District supervisory employee with responsibility for the activities at a District facility. The term includes the Superintendent, Assistant Superintendent(s), directors, coordinators, building principals, assistant principals, and deans.

All District Standards Applicable

All District policies, rules, and regulations, including the Student Code of Conduct, apply to anyone attending an event on District property. Any individual violating District policies, rules, regulations, or Code of Conduct may be immediately excluded from District 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).

Playgrounds Considered A Community Physical Fitness Activity

Using the playground can be a great physical fitness activity for children. The playgrounds owned and operated by District have traditionally been publicly accessible during non-school hours and the District has traditionally encouraged the community to use the playgrounds during non-school hours.

The District'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 District'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.

MSD of Wayne Township, Marion County, Indiana

Adopted: July 23, 1979

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Revised December 9, 2019