

ORANGE COUNTY
BOARD OF EDUCATION

AGENDA ITEM ABSTRACT

Meeting Date: July 14, 2014

AGENDA ITEM No. 14-07-13

ACTION: (Y/N) Y

SUBJECT: Facility Use Fee Waiver Request

INFO. CONTACT: G. Seth Stephens PHONE: 919-732-8126

- ATTACHMENTS:
1. Facility Use Waiver Request Letter
 2. Board Policy 5030
 3. Facility Use Fee Schedule

PURPOSE: The purpose of this agenda item is to provide the written request from Orange Community Players, a non-profit entity, seeking a waiver of applicable fees for the use of an OCS facility.

BACKGROUND: Pursuant to Orange County Board of Education policy #5030, the facilities use policy applies when a person or entity other than the school system itself wishes to use school property.

FINANCIAL IMPACT: The facilities use fee schedule determines what amount, if any, a user must pay to use OCS facilities. Any fees waived in relation to board policy #5030 will not be captured by the district.

RECOMMENDATION: The Superintendent recommends that the Board waive fees for this one time use as requested by the aforementioned requestor, with the exception of support fees.



PO Box 114
Hillsborough, NC27278

Board of Directors

Carolyn Allen June 23, 2014

Debra Davidson Dr. Del Burns
Jennifer Kessler Interim Superintendent
Terri Leonard Orange County Board of Education
Deryl McGuire 200 East King Street
Hillsborough, NC 27278

Bob Sharpe

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Kim Tesoro

Deborah Williams

Lisa Woodward

Dear Dr. Burns,

Orange Community Players (OCP) has used Orange High School for their Summer Musical Production for eight years. OCP was founded through Orange County Recreation and Parks and became a 501-C3 Organization when County departments merged and programs were cut.

In the spring of 2010, early April, Dr. Pat Rhodes, Dr. Debbie Piscitelli, Dr. George McFarley and I met in the Board Room at the Orange Board of Education. I explained that Orange Community Players was founded to promote the arts and have a true community theatre in northern Orange County. After discussion, the suggestion was made by Dr. Rhodes and Dr. McFarley that an MOE would be in order.

Dr. McFarley sent a copy of another MOE for me to amend and return to him.

An amended document was never received by me and was told everything was fine. Since 2010, applications have been submitted, approved, fees waived, and custodial fees have been paid at end of the summer production. Budgets for our productions have been based on these waived fees

The OCP Organization emphasizes all the arts, youth, family, learning, while promoting the true sense of community. Aside from the productions, community and school activities have included the annual Candlelight Tour, where members dress in "period" costumes, served as docents and "caroled" throughout the town. Historic experiences include reenactments at Burwell School for both the community and school children. Performances have been in the schools, court house, Orange County Senior Center and was part of a UNC-TV documentary. Other OCP activities have included theatre workshops in schools, costumes loaned, assistance in set construction for school productions, school fund raising events and promotion of school arts events

Telephone-919.732.4476

www.ocpnc.com

OCP is not a funded entity. OCP has been very fortunate that we have donations from this community - performance space, rehearsal space in churches, business warehouse or meeting hall, barns for set building, personal garages and dining rooms for costumes construction and hundreds of volunteer hours. Through the cooperation of the school system, the arts programs, including band, choral, art and theatre. OCP is growing and we want to create more programs that can be offered to all in the community.

The summer production, "Seussical, the Musical" is scheduled for July 24-28 at Orange High School. The show, with a cast of 80+, has been in full rehearsal since May. We are asking that the facility fee be waived for this production as the Orange County Schools so graciously have done in the years previous.

It is only through you generous cooperation and that of the people of Orange County that OCP can continue to produce and present quality productions.

Warmest Regards,

A handwritten signature in cursive script that reads "Deryl McGuire".

Deryl McGuire
Founder
Orange Community Players

cc: Mr. Seth Stephens
Enclosure

INTRODUCTION

The facilities use policy applies when a person or entity other than the school system itself wishes to use school property. The school system's own use of school property is restricted to activities and events approved by the principal or building supervisor that are directly a part of school system programs or functions, such as a school play or athletic event, the school system's own after-school program, school-sponsored student group meetings, faculty meetings, and other events that are a direct extension of the school day. Essential elements of any such use include: 1. The use is a direct continuation of an existing school program or function; 2. Any fees charged to participants are deposited with the school itself and treated in all respects as school system funds; and 3. School system staff acting in their role as school employees, and not in any private role, participate in and supervise the school use.

The Superintendent or designee is authorized to approve facility use applications except where the approval of the Board of Education is required as set forth in this policy. Any facility rental for a period exceeding one year requires approval of the school board.

FACILITY USE CATEGORIES

The school system has first priority on the use of its property. If the use of school property is not by the school system itself, it must fall in one of the following categories, listed in priority of use:

- A. School-Related Group approved by the school system, whose sole purpose is to provide direct financial and other support to a school and when the specific school use is directly linked to its mission of supporting the school and when no fees are charged to participants who attend the event with the exception of an approved fundraiser at which the funds will be provided in full to support the school. Examples include a PTA meeting on the topic of providing teachers' extra supplies at a school and an approved booster club fundraising activity when the funds will be used solely to aid a school program. A booster club's use of a school's indoor gym for its members to play basketball or for some other activity that is not directly linked to the mission of supporting the school does not meet the criteria of this user category. Any school-related group must agree to allow the school system, upon request, to review any records of the group, including any financial records.
- B. Non-Profit Entity or Individual whose central purpose is to serve school-aged children when the specific use is directly linked to its mission of serving school-aged children and when any fees charged to participants must be nominal amounts designed to cover the entity's rental and other costs incident to the use of school property. The non-profit user must be approved by the federal government as a 501(c)3 charity. Examples include a YMCA camp for children or an AAU athletic event. As a condition of the rental, the entity must be willing to provide the school system, upon request, any records pertaining participant fees and other documents to assure the costs to participants is nominal.
- C. Other Non-Profit entities approved by the federal government as a 501(c)3 charity.
- D. All other users, including for-profit users.

EXCEPTIONS TO THE STANDARD FACILITY USE CATEGORIES AND PROCESS

All units of local government in Orange County may use school facilities free of charge upon approval of the Superintendent or designee, provided the use is to carry out a governmental function and does not interfere with school operations and is not for an ongoing use. In addition, the school board may enter into a joint use agreement with any other governmental entity, in the best interest of the school system, on terms it deems wise. Any governmental use other than through a joint use agreement, or as set forth above, will be accorded the same status as a 501(c)3 charity for purposes of the above categories, with the understanding that the County Board of Elections may use a school free of charge for the purpose of conducting registration and voting for any primary or election. Further, political parties may use schools without charge, except custodial and utility fees, for the express purpose of annual and biennial precinct meetings and county and district conventions: provided, that such use shall not be permitted when school is in session or which would interfere with normal school activities or functions, and such use shall be subject to reasonable rules and regulations of the school board. Also, the Superintendent shall have the authority to approve the use of school facilities as alternate assembly sites for United States and North Carolina military organizations. Finally, the school board may enter into any other facility use agreement for a period of less than 10 years, on terms and condition it deems wise, provided that the board identifies a specific benefit to the school system in entering into such an agreement and this benefit outweighs the costs or disadvantages to the school district.

FEE SCHEDULE AND RENTAL PROCEDURES

The Superintendent shall present a facility use fee schedule to the school board by July 1 of each year. In addition, the Superintendent shall develop facility use procedures including a rental application. The Superintendent shall make these procedures readily accessible to the public.

Legal References: Community Schools Act NC GS 115C, Article 13; GS 115C-203 through 115C-209.1, GS 115C-524(b), GS 160A-272, GS 160A-274, GS 12, GS 163-96, GS 163-99, GS 163-129

ORANGE COUNTY SCHOOLS
Rates for Rental of School Facilities 2014-2015

Space <i>Note: Fees cover parking lot if renting other facilities</i>	School-Related Group <i>(OCS Category A)</i>	Non-Profit Serving Children <i>(OCS Category B)</i> <i>(98% discount of market rate)</i>	Other Non-Profit Entities <i>(OCS Category C)</i> <i>(95% discount of market rate)</i>	All Other Users including for-profit users <i>(OCS Category D)</i> <i>(market rate)</i>
Auditorium	\$0/hr	\$5/hr	\$12.50/hr	\$250/hr
Auditorium w/dressing room	\$0/hr	\$6/hr	\$15/hr	\$300/hr
Auditorium, Band, Art, Chorus (each)	\$0/hr	\$2/hr	\$5/hr	\$100/hr
Cafeteria/Media Center	\$0/hr	\$4/hr	\$10/hr	\$200/hr
Class Room/Locker Room	\$0/hr	\$2/hr	\$5/hr	\$100/hr
Gym w/no lockers	\$0/hr	\$3/hr	\$7.50/hr	\$150/hr
Multipurpose/Meeting Room	\$0/hr	\$3.10/hr	\$7.75/hr	\$155/hr
Multipurpose Rm w/sports	\$0/hr	\$3.10/hr	\$7.75/hr	\$155/hr
Cafeteria w/kitchen	\$0/hr	\$5.50/hr	\$13.75/hr	\$275/hr
Cafeteria w/kitchen (food prepared on site)	\$0/hr	\$6.50/hr	\$16/hr	\$325/hr
Baseball/Softball Field	\$0/hr	\$5.20/hr	\$13/hr	\$260/hr
Concession, Restroom, Press Box (each)	\$0/hr	\$4.50/hr	\$11.25/hr	\$225/hr
Football Field	\$0/hr	\$10/hr	\$25/hr	\$500/hr
Football Field w/concession, restroom, press box (each)	\$0/hr	\$15/hr	\$37.50/hr	\$750/hr
Parking Lot	\$0/hr	\$15/day	\$37.50/day	\$750/day
Playgrounds/Open play area	\$0/hr	\$1.80/day	\$4.50/day	\$90/day
Field Lights (if available)	\$0/hr	\$0.60/hr	\$1.50/hr	\$30/hr
Soccer Field	\$0/hr	\$3.50/hr	\$8.75/hr	\$175/hr
Tennis Court	\$0 per ct/hr	\$2 per ct/hr	\$5 per ct/hr	\$100 per ct/hr
Track	\$0/hr	\$7/hr	\$17.50/hr	\$350/hr
Supported Staff Fee (custodial, technical, cafeteria)*	\$20/hr	\$20/hr	\$20/hr	\$20/hr
Equipment Fees:			After Hours Utilities Usage Fee	
PA System \$35-\$100 day (each)	Screens \$5/day (each)		H/S \$45/hour	
Stage/Spot Lights \$25 (each)	Overhead Projectors \$25 (each)		MS \$25/hour	
Televisions \$25 (each)	Tables \$3 (each)		E/S \$20/hour	
VCR \$20 (each)	Chairs \$1 (each)			
Risers \$75 (each)	Scoreboard \$5/hr (each)	*School staff shall be on site during reservation, however, principal may waive		