

ENTIAT SCHOOL DISTRICT NO. 127

2650 Entiat Way
Entiat, WA 98822
(509)784-1800/784-2986 FAX

Agreement Assuming Risk of Injury, Death or Property Damage,
Waiver and Release of Claims and Indemnity Agreement

WHEREAS Entiat School District No. 127 is willing to allow use of its buildings and grounds under Board Policy No. 4260; and

WHEREAS there is the possibility of injury to person(s) or property while using said facilities; and

WHEREAS there is the possibility of death to person(s) while using said facilities:

NOW, THEREFORE in consideration of the permission given to allow use of facilities owned by Entiat School District No. 127, I do hereby agree that:

Each party to this agreement shall be responsible for all liability, loss, damage, expense, actions and claims to damages of persons or property resulting from actions or omissions on the part of itself, its employees, agents or officers. Neither party to this agreement shall be considered the agent of the other party.

Date

Signature of User Group Representative

User Group Name

Youth Sports Groups

If you are a youth organized sports group, you verify that all coaches, athletes, and their parent/guardian have complied with mandated policies for the management of concussions and head injuries as prescribed by HB 1824, section 2.

Attached is proof of insurance under an accident and liability policy issued by an insurance company authorized to do business in Washington State covering any injury or damage with at least \$50,000 due to bodily injury or death of one person and at least \$100,000 due to bodily injury or death to two or more persons.

Representative of Youth Sports Group

Date

*Note: Access to school facilities may not be granted until all requirements of this application are complete and approved by the school district and/or designee.

Use of School Facilities

The board subscribes to the belief that public schools are owned and operated by and for the community. The public is encouraged to use school facilities, but will be expected to reimburse the district for such use to ensure that funds intended for education are not used for other purposes. On recommendation of the superintendent, the board will set the rental rates schedule.

The superintendent is authorized to establish procedures for use of school facilities, including rental rates, supervisory requirements, restrictions, and security. Those using school facilities will maintain insurance for accident and liability covering persons using the district's facilities under the sponsorship of the organization.

The district does not discriminate based on race, creed, religion, color, national origin, age, honorably-discharged veteran or military status, sex, sexual orientation including gender expression or identity, marital status, the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability and provides equal access to Boy Scouts of America and other designated youth groups.

Community athletics programs that use district facilities will not discriminate against any person on the basis of sex in the operation, conduct or administration of their programs. The district will provide copies of the district's nondiscrimination policy to all third parties using district facilities.

For rental rate purposes, organizations seeking the use of school facilities have been divided into three categories:

School or Child-Related Groups or Other Government Agencies

School or Child-related Groups or Other Government Agencies include those organizations whose main purpose is to promote the welfare of students, or to provide members of the community access to government programs or opportunities for civic participation. Examples are: Scouts, Campfire, PTA, 4-H, city or county sponsored recreation groups, polling places, political caucuses and governmental groups. The district will provide official recruiting representatives of the state and United States military forces, Job Corps, Peace Corps and AmeriCorps with access to school facilities (including number of days and type of presentation space) equal to and no less than the access provided to other post-secondary occupational or educational representatives.

When facilities are used outside of regular school hours, or when the district incurs extra utility, cleaning or supervision costs, a fee, established by the superintendent, will be charged to recoup those costs. Additionally, youth organizations engaged in sports activities and using school facilities must provide a statement of compliance with the policies for the management of concussion and head injury in youth sports as required by RCW 28A.600.

Nonprofit Groups

Nonprofit groups and organizations may use school facilities for lectures, promotional activities, rallies, entertainment, college courses, or other activities for which public halls or commercial facilities generally are rented or owned. The district will charge a rental rate in excess of costs incurred. Excess charges may be waived when a service club or other nonprofit group is raising funds for charitable purposes.

To be granted this exception, the charitable organization must be recognized by the Philanthropic Division of the Better Business Bureau. Professional fund raisers representing charities must provide evidence that they are registered and bonded by the state of Washington. Such fund-

raisers must provide evidence that the charity will receive at least sixty (60) percent of the gross revenues received from the public prior to approval to use the facilities.

Similar treatment may be granted public universities and colleges when offering college courses within the community or when any university/college is offering a course for staff at the request of the district. Nonprofit groups of the kind that in most communities have their own facilities (churches, lodges, veterans groups, granges, etc.) who wish to use district facilities on a regular, but temporary, basis may do so under this rental rate.

Commercial Enterprises

Commercial Enterprises include profit-making organizations and business-related enterprises. While the district would prefer these organizations use commercial or private facilities, facilities may be rented for non-regular use at the prevailing rate charged by commercial facilities in the area.

District-sponsored activities, including curricular and co-curricular functions, retain first priority in use of facilities. Authorization for use of school facilities will not be considered as endorsement or approval of the activity, group or organization

Legal References:	RCW 4.24.660	Liability of school districts under contracts with youth programs
	RCW 28A.230.180	Access to campus and student information directories by official recruiting representatives.
	RCW 28A.320.510	Night schools, summer schools, meetings, use of facilities for
	RCW 28A.335.150	Permitting use and rental of playgrounds, athletic fields, or athletic facilities
	RCW 28A.335.155	Use of buildings for youth programs — Limited immunity
	20 USC Sec. 7905	Boys Scout of America Equal Access Act
	34 CFR Sec. 108.6	Equal Access to Public School Facilities For The Boy Scouts of America and Other Designated Youth Groups
	AGO 1973 No. 26, Initiative No. 276	School districts — Use of school facilities for presentation of programs — Legislature — Elections

Management Resources:

Policy & Legal News, February 2014
Policy News, August 2009

Other updates/corrections
Concussion and Head Injuries
Legislation

Adoption Date: December 2000

Revised: 08.09; 12.11, 12.12,12.13, 3.14