

Summary Explanation and Background continued:

Key revisions to the Policy included significant changes to provisions governing the use of school facilities by School Allied Groups (SAG), and the requirement that entities categorized as Non-Profit Corporations and 501(c)(3) Organizations shall commence paying rental fee to utilize District school facilities. On this point, the SBBC deferred the effective date for payment of the rental fee for six months. Thereafter, the rental fee shall become effective on May 4, 2016. However, during adoption of the Policy, the SBBC directed that the Policy should be rescheduled before it to make certain corrective measures to address issues pertaining to the provisions governing the use of school facilities by SAG, and to further revisit the payment of rental fee by Non-Profit Corporations and 501(c)(3) Organizations; most specifically, if this fee can be discounted.

The issues regarding SAG are primarily twofold; 1. To ensure that personnel costs such as custodial costs are addressed each and every time SAG utilizes District school facilities; 2. To ensure that third party vendors utilized at school event(s) conducted by SAG must obtain and submit a Certificate of Insurance (COI) for such event(s) to the District's Risk Management Department prior to the commencement of the event(s). Revisions presented herein proposes the following solution: 1. That the SAG shall be denied use of school facilities if the custodial costs triggered by SAG's use of the facility are not addressed. However, if the SAG proposes to pay such anticipated costs, it could be permitted to utilize the facility. This proposal is consistent with the position taken by certain Board members during adoption of the Policy. 2. All third party vendors utilized by SAG at school event(s) conducted by SAG, must obtain a COI that indemnifies the SBBC, and submit the same to the District's Risk Management Department prior to the commencement of the event(s).

The issues regarding Non-Profit Corporations and 501(c)(3) Organizations relates to concerns that requires these entities to commence paying rental fee, after not paying such fee since 2005, would create undue financial burden on the entities. To address these concerns, revisions presented herein proposes that rental fee due to the entities should be discounted by twenty-five percent (25%). It should be noted that of the major Florida urban school districts examined, only Palm Beach County School District (PBCSD) provides discounts (fifty percent) to Non-Profit Organizations for use of its facilities (See Exhibit No. 6). Thus, the twenty-five percent (25%) discount recommended herein is based on providing a discount that is half of what PBCSD provides.

This revised Policy has been reviewed and approved as to form and legal content by the Office of the General Counsel.