


# **Reciprocal Use Agreements**

# Authorized Use of SBBC Facilities by City

4.2 "SBBC agrees to allow CITY use of SBBC facilities (hereinafter referred to as "School Board Licensed Facilities"), but not limited to those described in Exhibit B, in the City of [Municipality] on such days and at such times as are mutually agreed upon by the Superintendent or his/her designee and the CITY Manager or his/her designee. The SBBC agrees to waive any and all rental fees (excluding any Custodial Operational costs. In addition, Energy Assessments costs, when applicable.) associated with the CITY's use of School Board Licensed Facilities in accordance with Policy 1341, Use of Broward County School Facilities for Non-School Purposes."



# Policy 1341

- Rule 5(b)(2) After Hours and Non-School Days
  - Utilities Costs and Custodial Costs
  - Personnel Costs
- Rule 5(b)(3)
  - “Governmental Organizations that charge participants for activities shall pay Rental Fees, Custodial Costs, Utilities Costs, and Personnel Costs as incurred, including, without limitation, any required security.”
- “This Policy is not applicable to a Reciprocal Use Agreement between the School Board and other governmental agencies. Those agreements shall stand upon their own terms.”

# Unintended Consequence of 4-Day Work Week

- Friday is now a “Non-School Day” under Policy 1341
- Example of typical city camp on Friday (8am – 6pm)
  - Custodial Costs                      \$44 x 10 hrs.    \$440
  - Energy Assessment                \$30 x 10 hrs.    \$300
  - Total Daily Assessment                                      \$740
- Daily Assessment applied to multiple locations, assume 4 locations                                      \$2,960
- Financial impact for summer 4-day work week
  - 8 Fridays                                      \$2,960 x 8                \$23,680



# Considerations of Non-School Day

*It has always been the position of the District to only seek reimbursement for those costs not otherwise incurred.*

- Energy Utilization
  - During 4-day work week HVAC units are “shut down” to reduce energy consumption
- Custodial Impact of “Event”
  - Provision of their own custodial services
- Access to the Facility
  - Contractual 4 hr. minimum
  - FLSA Implications
  - SBBC agent during “event”



# Request of Specific Municipality

- Revision to 4.2

- “... The SBBC agrees to waive any and all rental fees including any Custodial Operational ~~(excluding any Custodial Operational costs. In addition, Energy Assessments costs, when applicable.)~~ associated with the CITY’s use of School Board Licensed Facilities in accordance with Policy 1341, Use of Broward County School Facilities for Non-School Purposes; provided, however that, Custodial Operational costs shall only be waived if SBBC employees volunteer their time and services as gym supervisors for the CITY affiliated youth basketball program during basketball practices and games, which volunteer services shall be subject to compliance with the Fair Labor Standard Act and the applicable collective bargaining agreement covering such SBBC employees. CITY shall be responsible for Energy Assessment costs.”

# FLSA Issues with Recommended Revision

- Employees cannot volunteer in a similar capacity as their non-exempt position
- Employee cannot waive considerations of FLSA



# Alternative Revision

- Provision 4.2

- “...The SBBC agrees to waive any and all rental fees. SBBC will seek reimbursement for any costs not otherwise incurred by the District for the CITY’s use of Broward County School Facilities. This includes custodial costs to address the operational impact of the event, energy assessment costs, and personnel costs for providing access to the facility during non-operational hours. No personnel costs will be assessed for providing access to the facility during non-operational hours when an authorized SBBC employee volunteers to provide such access. (excluding any Custodial Operational costs. In addition, Energy Assessments costs, when applicable) associated with the CITY’s use of School Board Licensed Facilities in accordance with All costs will be in accordance to those rates established in the Fee Schedule of Policy 1341, Use of Broward County School Facilities for Non-School Purposes





# Considerations of Revision

- Uniform application of RUA for all municipalities
  - Revise all RUAs
  - Identified volunteer /No volunteer
- Lack of SBBC agent during “events”
  - Maintenance issues
  - Emergency situation
  - Safeguarding of assets
- Equity with other partners