

## **Use of ESD 123 Facilities/Equipment**

The buildings, grounds, and facilities of ESD 123 are intended primarily for educational service district uses. However, ESD 123 facilities have been acquired with public funds. Therefore, such facilities may be made available for use by outside organizations under limited circumstances.

First, ESD 123 facilities may be used, without charge, by organizations considered affiliated with ESD 123 or its statutory functions. Second, ESD 123 facilities may be used by outside groups and organizations (e.g. those unrelated to ESD 123 function) under one of three categories: no charge, cost-reimbursement, and payment of a use fee.

Non-commercial Washington State exempt non-profit organizations and community groups may utilize ESD 123 facilities on a reduced fee basis.

ESD 123 may make available its facilities on a limited basis in exchange for payment of a use fee for uses occurring when 1) admission is charged for an event, or 2) use of facilities is for non-education related activities of a commercial, entertainment, recreational or religious services nature.

The intent of this policy is to provide a service to the community, but not to compete with local business establishments. Therefore, ESD 123 reserves the right to reject any application for use of ESD 123 facilities when the ESD 123 administration believes a commercial facility should be patronized.

ESD 123 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. ESD 123 will provide copies of ESD 123's nondiscrimination policy to all third parties using ESD 123 facilities.

The Superintendent is authorized to establish regulations for the use of ESD 123 facilities, including use categories, fee schedules; supervisory requirements; use restrictions, and security requirements.

First Reading: 09/30/21

Second Reading: 10/28/21

Adoption: 10/28/21

### **Reference:**

[AGO 1973 No. 26 - School districts -- Use of school facilities for presentation of programs -- Legislature -- Elections](#)

[RCW 28A.310.180 ESD board—Compliance with rules and regulations—Depository and distribution center—Cooperative service programs, joint purchasing programs, and direct student service programs including pupil transportation.](#)

[RCW 28A.310.210 ESD board—Payment of member expenses—Payment of dues into statewide association of board members, restrictions.](#)

[RCW 28A.335.150 Permitting use and rental of playgrounds, athletic fields or athletic facilities.](#)

[RCW 28A.320.510 Night schools, summer schools, meetings, use of facilities for.](#)

[Chapter 316, Laws of 1999 School district facilities--liability immunity](#)