

COMMUNITY USE OF SCHOOL BUILDINGS/FIELDS AND GROUNDS

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District buildings and facilities are built and maintained through community support. For this reason, school facilities should be made available to community members when not in use for school-sponsored activities, and where the use is consistent with the district's interest in protecting its property and operating its programs efficiently.

The Superintendent or designee shall establish procedures for the use of school facilities and grounds, including priority and preference for use, rental rates, supervisory requirements, restrictions, security, and other matters pertinent to community use.

Community use of school buildings shall be based upon the following principles:

- A. School buildings were built and are operated specifically for use in the normal educational program of school-aged children. All other uses shall be subordinate.
- B. Subject to the prior rights of use and occupancy by the school educational program and by school-sponsored and district-sponsored activities, school facilities shall be available for use by the public in accordance with such rules, regulations, and rental schedules as will best protect the interests of the district.
- C. Authorization for use of school facilities shall not be considered as an endorsement of or approval of the activity, group, or organization or of the message(s) conveyed by same.
- D. The district reserves the right to deny use of school facilities to any applicant when, in the sole judgment of the Superintendent or designee, the intended use would be substantially disruptive to the operations of the district or any of its programs, or otherwise detrimental to the best interests of the district.
- E. Each activity authorized to use district facilities will be financially responsible for damage to facilities and/or equipment. The district reserves the right to require a performance bond and/or a deposit for protection of the building/facility and equipment and to guarantee expenses. The applicant, by signing the building use application, agrees to defend, indemnify and hold harmless the district and any persons whose property may be within that building, for any financial loss or expense, and for any loss or damage to such property caused by any persons attending said activity, or any damage or injury arising from such use.

AURORA PUBLIC SCHOOLS
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KFB/KFC

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- F. Use of buildings/facilities will be denied if intended to advance any doctrine subversive to the constitution or laws of the United States or the state of Colorado or to advocate social or political change by violent means.

CROSS REFS: ACE, Nondiscrimination on the Basis of Disability
 ADC, Tobacco-Free Schools
 EDCA*, Authorized Use of District-Owned Materials and Equipment
 KFD*, Community Use of Kitchen Facilities

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District residents and community patrons who wish to schedule use of school buildings, fields or grounds must submit a signed application form to the District Facilities Rental office or school administrator/designee. Those who are not district residents or community patrons may submit an application, but preference will be given to residents and patrons. The application will be considered in accordance with the procedures outlined within this regulation.

I. Application for Use of District Buildings/Facilities

A. Application Form

Applications for building/facility use may be submitted to the school administrator in the building being requested or to the Facilities Rental office. If the requested space is available on the date requested, the administrator will schedule the facility, providing a copy of the document to the requestor, and forward the entire application to the Facilities Rental office for review.

B. Approval and Authorization

The signature of an authorized school district administrator on the application form constitutes approval for the requester to use the specified school district facility in accordance with terms listed on the application form. The requester must maintain a copy of the approved form in his/her possession during the period of the activity. The school administrator will coordinate for appropriate support to the scheduled activity and ensure compliance with district regulations. The school administrator or building custodian may deny use of the building or facility unless a properly approved application is presented.

C. Time of Application

Applications will not be accepted more than three months or less than two weeks in advance of the date of use, except in the case of special events where schedule publication requires a longer lead time.

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Organizations such as Scouts, which are formed on a school year basis, need apply only once during each school year.

Applications will generally be handled on a first-come, first-served basis within each priority category described below. The building administrator or Facilities Rental office may adopt a schedule for the submission of applications and then apply the priority of use described below to the pool of applicants.

D. Cancellation

The user must give at least 72 hours notice to the school administrator prior to cancellation. If this notice is not given, the Facilities Rental office may assess fees reflecting all costs incurred by the district (including lost rental fees where applicable).

The district may cancel approved use of facilities with cause (cause may include prior damage to facilities or failure to remit payment). However, when it is necessary to cancel use through no fault of the user, the district will inform the applicant on a timely basis and may attempt to provide a suitable alternative building/facility.

E. Denial of Request

In the event of energy shortages or conservation programs, or where staff members necessary to support such use are unavailable, some or all buildings/facilities may not be available for other than school activities.

Building/facilities may be unavailable at certain times during weekends, holidays, summer vacation, or when they are scheduled for maintenance or custodial programs.

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Misuse or abuse of buildings, facilities, equipment or grounds may be cause for a future denial of request as well as the immediate revocation of use and surrender of the premises.

Violation of federal, state or municipal laws or district policies or procedures may be grounds for a future denial of request, as well as the immediate revocation of use and surrender of the premises.

A group's failure to pay rental fees in a timely fashion, or failure to comply with the district's procedures for building utilization (for example by using a part of the building not specified on the building use application), may be cause for denial of future building use.

If, in the opinion of the school administrator, a proposed activity will cause excessive wear, will require extensive staff support, or presents too great a risk of damage to the facility or of danger to any person, the administrator may deny the request.

II. Types of occupancy and rates

Priority for use and charges for use of district facilities shall be determined based upon the type of organization and activity involved. School principals shall have the authority to determine priority of use when there are competing requests made by those in a single priority category. Table 1 summarizes this information.

Table 1
Priority of Use and Applicable Rate

<u>Category</u>	<u>Type of Organization</u>	<u>Applicable Rate</u>
1	School and school support groups	Free/no charge
2	COA youth activities	Admin charge + direct costs

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3	Volunteer youth activities	Admin charge + direct costs
4	COA adult activities	Admin charge + direct costs
5	Non-profit/not-for-profit organizations	Community rate
6	All other organizations	Commercial rate

Occupancy Definitions:

1. School and school support groups. Includes all activities of the school involved in carrying out its educational program and all school-sponsored and district-sponsored activities. These activities have priority consideration over all other uses of the school facilities. School activities may take precedence over previously scheduled use by other organizations and individuals where unforeseen events cause school activities to be re-assigned (e.g., inclement weather causing a sports team to require use of the gym for practice instead of practicing outside).

No fee shall be charged for Category 1 activities. These activities include:

- a) Users who are considered to be a part of the regular school curriculum or curriculum-related groups.
- b) Users who are participants in school-sponsored student activities, such as athletic and music groups, curriculum-related student clubs, plays, student council activities, or social events.
- c) School-affiliated users such as parent-teacher organizations, school-related parent and community groups, or recognized employee associations of the Aurora Public Schools. (This shall include fundraising events by such groups including officially sanctioned Booster Clubs.)
- d) Governmental elections.
- e) Precinct caucuses.

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- f) Forums for candidates for the Board of Education, where such forums are open to the public without charge, and all candidates are invited to participate.

Category 1 users may be charged for any personnel overtime when applicable.

Category 1 status shall not be extended to any group other than these stated. All Category 1 activities must be recorded on the computerized master school calendar.

2. City of Aurora (COA) youth activities. Includes youth programs sponsored by the city of Aurora whose purpose is, in the opinion of the school district, of direct relationship with the district's goals and programs. Such use may not constitute any profit/monetary benefit to any parties involved and may not displace district sponsored activities and programs. City activities must be supervised in person continuously during the activity by a city employee or representative and covered under the city's insurance. A nonrefundable administrative fee will be charged for each Facility Use Application. Additionally, direct costs incurred in the support and supervision (as required) of such activities will apply.
3. Volunteer youth activities. Includes non-profit programs for youth operating within the APS boundaries but not directly sponsored by APS; formally organized as a legal entity with bylaws, officers, and insurance, whose officers and organizers at the community level are non-paid volunteers. A nonrefundable administrative fee will be charged for each Facility Use Application. Additionally, direct costs incurred in the support and supervision (as required) of such activities will apply.
4. City of Aurora adult activities. Includes programs, which are sponsored by the city of Aurora, whose purpose is, in the opinion of the school district, directly related to the goals and programs of the APS. Adult programs are defined as activities whose primary participants are individuals 18 years and older. Such use may not constitute any profit/monetary benefit to any parties involved. City activities must be supervised by a city employee or representative and covered under the city's insurance. A nonrefundable

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administrative fee will be charged for each Facility Use Application. Additionally, direct costs incurred in the support and supervision (as required) of such activities will apply.

5. Non-profit/not-for-profit groups. Other groups, however organized or incorporated, which charge a fee, tuition, or “donation” for admission or participation and prove non-profit/not-for-profit tax exemption via Internal Revenue Service Code including section 501: A nonrefundable administrative fee will be charged for each Facility Use Application. Additionally, a rental charge per the community rental rates listed at Table II will be assessed in addition to any direct costs incurred in the support and supervision (as required) of such activities.
6. All other organizations. Groups or activities whose motive directly or indirectly is commercial gain or monetary benefit. Includes groups whose purpose is advertising or promoting the sale of use of products or service, when the motive is monetary gain to an individual or group of individuals. This includes all types of entertainment programs that yield any financial gain to the promoters of such programs whether such financial return is based on a fee, percentage of admissions, or other arrangement. A nonrefundable administrative fee will be charged for each Facility Use Application. Additionally, a rental charge per the commercial rental rates listed at Table II will be assessed in addition to any direct costs incurred in the support and supervision (as required) of such activities.

III. User Responsibility and District Indemnity

- A. The signer of the application warrants that s/he is duly authorized to act as the legal agent of the organization using the building/facility, and as such, will be responsible for compliance with all conditions for use of district property and equipment. The applicant signing the "Request for Building Use" and the organization so represented will agree to defend, indemnify and hold harmless the district, its employees and officers, (and any persons whose property may be within that building), from any claim, financial loss or expense which may arise from the use of the facility by the applicant. In addition, by signing the request for building use form, the applicant agrees that all activities and events it holds on

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district property shall be open to all persons regardless of disability, and that it will comply with the requirements of state and federal laws relating to disabled persons, including the Americans with Disabilities Act.

- B. The applicant shall be responsible for the conduct and control of all participants and spectators and shall see that all federal, state, municipal and district regulations governing safety are followed. The applicant shall also be responsible for taking immediate steps to stop any activity that threatens damage to the facility or injury to any person attending the activity. There must be adequate adult supervision for all use. The district may require the user to provide a certificate of insurance with coverage and limits acceptable to the district and proof of adequate police and fire protection. The applicant must agree to be financially responsible to the district for any and all damage that occurs to the building and property during the period of use. Excessive wear to the district's equipment caused by non-school users will be charged to the user.

IV. General Regulations

- A. Any use of district buildings, facilities or property must be in good taste (as judged by the school district using community standards). In addition, no use may create a nuisance, an unreasonable risk of harm to participants or those in the neighborhood, an unreasonable risk of a disturbance to the neighborhood in which the school is located or a hazard to other persons.
- B. When any school building is occupied, a school custodian or other building representative must be present and the user must pay any necessary overtime pay.
- C. School buildings and facilities may not be used for private family use (i.e. wedding receptions, parties, recreation).
- D. Organizations using district buildings/facilities shall neither negotiate with nor pay any employee directly for services rendered.

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- E. Persons using district buildings/facilities must confine themselves to the room(s) and corridor(s) assigned for their use during the approved time. Areas must be vacated completely at the agreed upon ending time; otherwise, overtime charges may be assessed.
- F. All groups or organizations not directly affiliated with the school shall meet only after school hours.
- G. Keys to school buildings shall not be issued to any applicant.
- H. Groups using district buildings/facilities must not establish any type of concessions for the purpose of dispensing any food or beverage of any kind in school buildings or on school grounds, except at designated athletic facilities and as approved by the Building Rental office.
- I. Safety. All applicable fire and safety laws/regulations governing use of school facilities must be observed at all times, including without limitation:
 - 1) Auditorium exit lights must be used.
 - 2) Open flame (including candles) is prohibited.
 - 3) Room capacity is not to be exceeded.
 - 4) Temporary electrical or mechanical modifications are prohibited.
 - 5) Flammable holiday or other decorations are generally prohibited. Fireworks may be authorized with written permission from the chief operating officer of the Division of Support Services. Such authorization will only be granted when appropriate safeguards have been implemented and with the approval of the Aurora Fire Department.

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- 6) Stairways, corridors, and entrances/exits must be kept free of obstruction at all times.
- 7) No equipment, scenery, or decorations of any type shall be used within the building or on the premises except as specifically provided in the approved application. Such equipment, scenery, or decorations shall be of a slow burning nature and shall conform to all local and state regulations governing such equipment and shall not be attached to the walls, floors, or ceilings (except to anchors presently provided).
- J. The use and possession of alcoholic beverages or illegal drugs by any person or group on district property is strictly prohibited.
- K. Smoking in all district school buildings is prohibited, except in areas designated for smoking by the building principal or building manager.
- L. Neither gambling nor unlicensed games of chance (i.e. bingo, lotteries, raffles) shall be permitted in district buildings/facilities. Only generally accepted amusement games may be conducted at student-oriented or similar activities.
- M. No supplies or equipment will be stored in school buildings without prior approval of the school administrator or the Building Rental office.
- N. Community use of school facilities shall be available only outside the regular school day. The regular school day is generally one-half hour before classes commence in the morning to one-half hour after all classes have ended in the afternoon.
- O. No Assignment. No right to facility use shall not be transferred or assigned to any person or group without written authorization from the school district.

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- P. Locations. When signed by a duly authorized school administrator, the Building Use Application form constitutes permission to use the school facility as specified. This form, or permit, will be issued for specific rooms or fields. It shall be the responsibility of the permit holder to restrict the activities of the group to that specific area except for necessary hallways and restrooms. Noncompliance could result in revocation of the permit.
- Q. Personal Property. The Board of Education shall not be held responsible for any damage or loss that may occur to non-school property brought on the premises. Such property (as well as rubbish) must be removed from the facility immediately after the use or before such time, as the materials will interfere with school activities.
- R. Times. Facility use times will be specified on the approved Facility Use Application form. All groups are expected to vacate the premises by the time specified in the permit. An additional hour rental may be charged for early arrival or late exit. All rights to use the facility will terminate by 10:00 p.m. The building principal or District Facilities Rental office may approve exceptions to this.
- S. Government entities located in Adams or Arapahoe counties which have entered into joint use agreements approved by the Board of Education may use facilities on the terms and for such charges as are set forth in each agreement.

Where, in the opinion of the Superintendent or the chief operating officer for the Division of Support Services, because of the nature of the use, a contract separate from the request for building use is necessary for the protection of the district's interests, such a contract shall be entered into in addition to, or instead of, the typical application form.

V. Cost Categories

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Costs for building/facility use will be assigned by the Facilities Rental office in terms of the following categories: Free, Administrative charge plus direct costs, Community Rate and Commercial Rate. These costs do not apply to swimming pools. Cost categories are described below.

- A. Free:** Category 1 activities will not be charged an administrative scheduling fee or a rental rate for school facility use. When applicable, these groups may be charged for any personnel overtime necessary to support the activity.
- B. Administrative Charge plus Direct Costs:** Category 2, 3, and 4 activities will be assessed the administrative charge plus direct costs. The administrative charge will be levied as a fee for the processing of each application form, at the rate of \$20 per application. Organizations may schedule recurring activities on multiple dates on one scheduling form. Direct costs generally consist of custodial fees when a custodian is on regular duty but spends some or all of her/his time working for the user or when the custodian is assigned duty during other than regular hours in order to make a building/facility available to the user. Organizations assessed charges under this cost category are also responsible for any overtime charges incurred in direct support of their activity.
- C. Community Rate:** Category 5 activities will be assessed the community rate. The community rental rates are in addition to the administrative charge and direct costs incurred as described in IV-B above. Community rental rates are listed in Table II.
- D. Commercial Rate:** Category 6 activities will be assessed the commercial rate. The commercial rate is twice the community rate. This rate will be charged to any organization that uses district buildings/facilities for the purpose of generating revenue by charging for admission or requesting donations from spectators and/or participants. The commercial rental rate is in addition to the administrative charge and direct costs incurred as described in IV-B above. Commercial rental rates are listed in Table II.

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VI. Fee Regulations

- A. Rental fees may, at the option of the school district administrator, be made payable in advance for dates specified on the application. All checks or money orders shall be made payable to "Aurora Public Schools." Additional charges accrued by the user are due within five days after receipt of invoice. The district reserves the right to require a security or damage deposit.
- B. Rental charges, as per rate schedule, will be based on the length of time the facility is used, inclusive of that period preceding the opening or beginning of the activity which is used for rehearsals, decoration or preparation, as well as that period following the closing of the activity necessary for the removal of property, dismissal of personnel and return to normal school use. Rental charges will be assigned by the school administrator in accordance with this regulation and verified by the Facilities Rental office.
- C. All buildings normally will be vacated one hour before the regularly scheduled custodian's departing time; otherwise, overtime charges will be assessed.
- D. Charges for use of district equipment may be assessed.

VII. Grounds/Parking Lots

- A. Placement of buildings, structures or equipment by outside organizations will not be allowed on district property without prior approval of the Facilities Rental office. Such approval must be in writing and must accompany the building/facility use application. Additional charges may apply in such cases.
- B. Organizations or activities involving vehicles or horses will not normally be authorized. In such cases, the activities shall be restricted to established roadways and parking lots and are not to be driven or ridden on grassed areas. Written

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approval from the chief operating officer of the Division of Support Services is required for these cases.

- C. Playgrounds, playground equipment and tennis courts are available to the community during non-school hours when not in use by the district. Individual use of these facilities does not require district approval, but such use is at the risk of the user. A scheduled activity will have priority over unscheduled use.

VIII. District Special Facilities

- A. The director, nutrition services, shall be consulted regarding all use of the kitchen facilities. At least one person from the nutrition services department must be present when the kitchen is used.
- B. The following district facilities are not available for use as described in this procedure, unless they are under the direct supervision of the regular classroom teacher normally assigned to the facility, or an individual approved by the building principal:
 - 1. Business Education Facilities;
 - 2. Photo Labs;
 - 3. Industrial Arts Areas;
 - 4. Science Labs;
 - 5. Home Economics Facilities and
 - 6. Computer Labs.
- C. This procedure shall also apply to the use of district special facilities by the city of Aurora, except as may be modified by written agreement between the city of Aurora and the Aurora Public Schools.

IX. District-Owned Equipment

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- A. Furniture and equipment located in district schools shall not be loaned or rented to any person or organization for use off of school premises.
- B. Any district-owned equipment may be used only with the specific permission of the building principal.
- C. Any equipment may be operated only by qualified personnel of the Aurora Public Schools.
- D. No equipment or fixed furniture shall be altered or moved by users.

X. Use of District Buildings by District Employees

- A. Individual employees of the district may not use school facilities such as shops, home economics rooms or special equipment for personal use.
- B. Principals may authorize building use by employee groups for recreational purposes under the following conditions:
 - 1. No costs will be incurred by the district for the use; and
 - 2. The building custodian is on duty or the administrator of that building is present.
- C. District employees must abide by all the rules governing the use of district facilities as outlined in this procedure. Such use must be scheduled using the district building use application.

XI. Use of District Buildings and Facilities by Aurora Parks and Recreation

- A. All applications and schedules for city Parks and Recreation Department activities, regardless of the time of year, shall be submitted to the Facilities Rental office for review and approval, at least 10 working days prior to the intended use.

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- B. All scheduled activities for city of Aurora youth activities will have second priority for the use of the athletic fields and playgrounds (subordinate to Category 1 activities only).

XII. Use of District Buildings and Facilities by Religious Organizations

Facilities may be used for religious activities under the following conditions:

1. Church services and religious activities must be conducted at times when school is not in session.
2. Religious objects and symbols must be removed after each use.

XIII. Swimming Pools

District swimming pools may be rented per guidelines established by the District Athletic and Activities office.

XIV. Apportionment of Proceeds

The Superintendent of Schools will designate procedures for the apportionment of funds. Proceeds from facilities use/rental funds should be shared between schools and the District Facilities Rental office as directed by the Superintendent.

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Facility Rental Fees Schedule
Table II

A minimum charge for 3 hours is required.

A minimum charge for 4 hours is required for athletic fields.

NC = no charge, only labor costs apply.

Admin. Fee = \$20.00 per application.

Category 1: School and school support groups

Category 2: City of Aurora (COA) youth activities

Category 3: Volunteer youth activities

Category 4: City of Aurora adult activities

Category 5: Non-profit/not-for-profit organizations

Category 6: All other organizations

Facility	Category 1	Category 2,3,4	Category 5 (Community) Rate Per Hour	Category 6 (Commercial) Rate Per Hour
Elementary School				
Classroom	NC	\$20.00 admin fee & labor costs	\$15.00	\$30.00
Gym/All Purpose	NC	\$20.00 admin fee & labor costs	20.00	40.00
Cafeteria	NC	\$20.00 admin fee & labor costs	20.00	40.00
Little Theatre	NC	\$20.00 admin fee & labor costs	15.00	30.00
Media Center	NC	\$20.00 admin fee & labor costs	15.00	20.00

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Facility	Category 1	Category 2,3,4	Category 5 (Community) Rate Per Hour	Category 6 (Commercial) Rate Per Hour
Middle School				
Auditorium	NC	\$20.00 admin fee & labor costs	20.00	40.00
Classroom	NC	\$20.00 admin fee & labor costs	15.00	30.00
Gymnasium	NC	\$20.00 admin fee & labor costs	30.00	60.00
Cafeteria/Commons	NC	\$20.00 admin fee & labor costs	20.00	40.00
High School				
Auditorium	NC	\$20.00 admin fee & labor costs	40.00	80.00
Classroom	NC	\$20.00 admin fee & labor costs	15.00	30.00
Gymnasium	NC	\$20.00 admin fee & labor costs	40.00	80.00
Cafeteria	NC	\$20.00 admin fee & labor costs	20.00	40.00
Lecture Hall	NC	\$20.00 admin fee & labor costs	20.00	40.00
Swimming Pool (Certified Life Guard must be present during usage)	NC	\$20.00 admin fee & labor costs	25.00	50.00
Athletic Fields				
Day Use	NC	\$20.00 admin fee & labor costs	40.00	80.00
Night Use	NC	\$20.00 admin fee & labor costs	120.00	240.00

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Facility	Category 1	Category 2,3,4	Category 5 (Community) Rate Per Hour	Category 6 (Commercial) Rate Per Hour
APS Stadium (Schedule through Athletics office)	NC	\$20.00 admin fee & labor costs Other fees as required (see Addendum to Athletic Field Usage application)	75.00	150.00
Kitchens (Nutrition Services staff member must be present during usage)	NC	\$20.00 admin fee & labor costs	20.00	40.00