



Policy: 5.15

SUBJECT: **RENTALS AND CELL TOWER AGREEMENTS**

Supersedes: **5:15**
Effective: **March 12, 2009**
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Approved by: **Board of Education**

1.0 Policy

1.1 AUTHORITY FOR LEASES AND RENTALS

It is the preference of the Board of Education to sell rather than lease vacant school buildings. However, the Board of Education may authorize the lease of vacated school buildings, portions of buildings, office space unused by District offices, cell tower agreements or surplus property by another public agency, private individual or other legal entity. Any such arrangement is subject to approval by the Board of Education.

Such leases or rentals will be for a fixed term and subject to regulations and written agreements designed to protect the District from any expense, loss, or liability arising out of such use.

1.2 REVENUE FROM RENTALS, LEASES, CELL TOWER AGREEMENTS AND SERVICE CHARGES

Revenues from rentals, leases, or service charges shall be deposited into the general fund account, and/or invested pursuant to District policies and federal, state, and/or local laws and regulations.

With respect to cell tower agreements, the District shall dedicate 50% of revenues to the use of the school, if occupied and 50% of such revenues to the use of the Department of Facilities Management and Auxiliary Services. If a school is unoccupied or leased, 50% of such cell tower agreement revenues shall be credited to the General Fund without restriction.

1.3 **SCHEDULE OF FEES FOR USE OF SCHOOL FACILITIES**

See Community Use of Schools. Policy # _____

1.4 **RESTRICTIONS ON LEASES OR RENTALS**

If the District offers property for lease or rent, the District may not refuse to lease or rent the property to a person solely because the person intends to use the property for an educational purpose, if the intent of the persons is to use the property for a lawful educational purpose.

Attachments to Policy ____: None

See also: **5.11** Investment of Funds
 5.12 Depository of Funds
 12.03 Community Use of School Facilities

Legal References: **MCLA § 380.373(4)**
 MCLA § 380.431a

Labor Contract References: None

