

**SABER CENTER FOR THE PERFORMING ARTS FACILITY USE**

The Franklin Board of Education recognizes that the school facilities belong to the residents of the Franklin Public School District. Therefore, it is our policy to cooperate with community agencies and organizations to the fullest extent, consistent with appropriate use of Saber Center for the Performing Arts, in making it available to serve community needs, provided that such usage does not interfere with the regular academic pursuits, extra-curricular activities or maintenance functions of the schools.

The District retains the right to deny use of the Saber Center for the Performing Arts and shall be the final authority in all cases. All individuals, groups or organizations granted use of the Saber Center for the Performing Arts shall be given a copy of this policy and its Administrative Rules and will be expected to fully adhere to all expectations, rules and policies. Use of the Saber Center for Performing Arts can be denied and revoked because of building maintenance, operation, security, weather conditions, lack of staff availability, failure to pay previous use charges in full, or failure to follow all District policies.

The District encourages informal resolution of complaints under this policy. However, if any person believes that the District or any part of the school organization has failed to follow the law and rules of Wis. Stats. 118.13, and PI 9, Wis. Admin. Code, or in some way discriminates against persons on the bases listed above, he/she may bring or send a written complaint to the following address: District Administrator, Franklin Public Schools, 8255 W. Forest Hill Avenue, Franklin, WI 53132 (telephone number 414-529-8220).

ADOPTED: September 10, 2014

The Franklin Public School District prohibits discrimination or harassment against pupils on the basis of sex, race, religion, national origin, ethnicity ancestry, color, creed, pregnancy, marital or parental status, sexual orientation, arrest or conviction record, physical, mental, emotional, or learning disability or handicap or any other category protected by state, federal or local law in any curricular, extracurricular, pupil services, recreational or other programs or facets of the district's operations.

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## **Saber Center for the Performing Arts Usage Rules & Regulations**

### **A. Saber Center Use Application:**

All applicants must review and agree to adhere to this entire Saber Center for the Performing Arts Usage Policy document. The facility is only available to properly insured not-for-profit organizations that have documentation of IRS 501(c)(3) status in effect as of the date of the application/event, and business organizations with a federally issued employer identification number. The Fee Structure can be found in Appendix A of the Administrative Rules.

1. All applicants must contact the Saber Center Manager/Technical Director regarding your preferred booking date(s) and with any other application questions. The Saber Center Manager/Technical Director must approve all booking dates, activities, and equipment being used in the Saber Center.
2. Upon establishing a potential booking date, the applicant will be sent a Saber Center Application for Use Form. This form will be used to help determine rehearsal/performance details and technical requirements. It will also be used to determine group classifications and potential fees. Complete the form and return it to the Saber Center Manager/Technical Director.
3. A final rental contract will be created based upon the applicant's needs and booking requirements. The final contract will serve as confirmation of the booking and will include all rental costs and personnel estimates. A \$250.00 deposit is required with the contract and applies directly to the final rental billing. No deposit is required for events that are not assessed rental fees.
4. Franklin Public School District curricular and co-curricular groups are not assessed rental fees for the use of the facility but must follow the application steps and administrative rules of this policy if interested in a booking.
5. If the applicant cancels the event within six months of the event, Franklin Public School District will retain the rental deposit. If the facility use is canceled by the School District due to inclement weather, public emergencies, acts of God, or for other reasons the deposit will be applied to a new booking date if it is possible to re-schedule the event within twelve (12) months of the original booking. If the event is not re-scheduled, the School District will refund the deposit less expenses incurred specific to this rental.

### **B. General Saber Center Use Rules and Regulations:**

1. Alcoholic beverages and tobacco are not permitted on Franklin Public School District premises, (Wis. Stats.120.12(20); 125.09(2)). Food and drink will be permitted in the adjoining cafeteria only. Carry in of food or beverages (including water) is strictly prohibited.

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2. The Saber Center Manager/Technical Director has authority over the general facility, parking lot, control rooms, box office, lobby, dressing rooms, music rooms, studio rooms, and other areas.
3. Each group using the Saber Center will provide pre-approved adult supervision adequate to ensure proper and careful use of the facility. The Franklin Public School District and/or the Saber Center Manager/Technical Director reserve the right to judge the adequacy of such supervision. Failure to provide such supervision may result in the immediate discontinuation of the event and refusal of the group to use the facility in the future.
4. The user organization is required to inform all of their participants of the Saber Center house rules, particularly concerning food, drink, and housekeeping. This includes but is not limited to production company members, volunteers, parents and others observing rehearsals, and any other groups and/or individuals associated with or peripheral to the rehearsal and event.
5. If a user organization or any of their participants, audience, etc., does not adhere to the Saber Center house rules the event may be discontinued and the user organization may not be permitted to use the facility in the future.
6. Food and drink of any kind are prohibited in the Saber Center stage, house, lobby and seating areas.
7. Fundraising bake sales and the like must be arranged with the Food Service Assistant and conducted in the Cafeteria. All concession rules and guidelines must be followed.
8. The Saber Center lobby will be kept free of any obstructions and must conform to all fire code regulations. This includes but is not limited to all displays and decorations. The Saber Center Manager/Technical Director must approve any tables or displays placed in the lobby prior to setup.
9. Third party sponsors will not be allowed to distribute materials, place objects bearing sponsor's name, or highlight their product or service without prior approval of the Franklin Public School District and Saber Center Manager/Technical Director. If contemplated, please submit sample materials in advance to the Saber Center Manager/Technical Director.
10. Organizations or individuals may not use the Saber Center without having a custodian on duty. Custodial services may be subject to staff availability. Any overtime or additional costs incurred by the Franklin Public School District as a result of the event will be billed to the user organization. The Saber Center Manager/Technical Director will provide a reasonable estimate of anticipated costs.

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11. Only Franklin Public School District may pay its employees for services rendered. The District will bill the user organization for all salaries and fringe benefit payments. At no time will any payment be made directly to the employee.
12. Tripods and any other form of potential aisle, seating area, and/or fire exit obstructions are strictly prohibited in the Saber Center house.
13. Saber Center house ADA seating spaces are exclusively reserved for the use of patrons with wheelchairs and other forms of mobility impairment aid devices. No other items will be permitted in these spaces. Prohibited items include but are not limited to backpacks, baby strollers, cases, infant carriers, etc.
14. Saber Center house ADA Companion Chairs (single chairs immediately adjoining each ADA seating space) are exclusively reserved for the companion of a patron using a wheelchair or other mobility impairment aid device.
15. Only local calls are permitted from Saber Center phones.
16. Any broadcasts, telecasts, recordings, etc., require prior written consent of the Franklin Public School District. The user organization is responsible for any associated fees and/or licensing issues.
17. The user organization is responsible for securing and providing all licensing rights for performance royalties, copyrighted materials, and novelty concessions sales.
18. The user organization is responsible for the licensing rights to all music and sound bites. The user organization is responsible for retaining rights from ASCAP, BMI, or any other organization holding the rights to copyrighted material. The Franklin Public School District and/or Saber Center are not responsible for violations of licensing rights.
19. The user organization is responsible for all applicable sales tax and other potential sales fees associated with their event.
20. Any problems including loss, damage, or injury must be immediately reported to the Saber Center Manager/Technical Director. The user organization will be responsible for reimbursing the Franklin Public School District for any damage to the property of the Saber Center within thirty (30) days.
21. Franklin Public School District will provide a clean and unobstructed area for the event. It will be the responsibility of the user organization to maintain and restore the area to such condition. If Franklin Public School District incurs custodial or technical costs associated with restoring the area to its original condition, these costs will be billed to the group.

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**C. Saber Center Production Logistics Rules and Regulations**

1. All technicians must be certified by the Saber Center Manager/Technical Director. The user organization may not provide their own technicians and will not be allowed to operate any Saber Center systems or equipment.
  - a. Call times for technicians will be made for a time suitably prior to a rehearsal/performance to allow for setup and preparation.
  - b. All labor charges (when applicable) will be for a two-hour minimum.
  - c. All student technicians will receive overtime pay for any time above 40 hours per week or 8 hours per day.
  - d. Unscheduled labor may not be available.
  - e. One ten minute break will be provided approximately every 2 - 2.5 hours. Meal breaks must be given at least every five hours.
  - f. Extra charges may be assessed for additional technicians, custodial overtime, security personnel, and other supervision staff as determined by the Franklin Public School District and/or Saber Center Manager/Technical Director.
2. All facility time, labor, and equipment required for the event must be identified on the application for use agreement and rental contract. Meeting last minute requests for additional time and labor may not be possible nor will Franklin Public School District guarantee that additional equipment will be available.
3. Any special technical requirements (including scenery load-ins, lighting plots, advance setup, etc.) will be at the cost of the user organization and prearranged in a timely fashion.
4. Any equipment required for load-in for a scheduled event must arrive well in advance as determined by the Saber Center Manager/Technical Director.
5. Any changes that have been made to the standard Saber Center house setup must be restored by the organization. Failure to do so may result in the organization incurring the cost of restoring the house setup.
6. All staging, lighting, and sound plots must have the prior approval of the Saber Center Manager/Technical Director. Any potential or active setup deemed unsafe will be modified to the satisfaction of the Saber Center Manager/Technical Director. Refusal to comply will result in the discontinuation the of the setup and event. The cost of any necessary modifications may be borne by the user organization.

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7. Any use of open flame, pyrotechnics, smoke or chemical fog, hazers, etc. is strictly prohibited unless the user receives prior approval from the Saber Center Manager/Technical Director. If any of the aforementioned items are used without prior approval, the event will be discontinued.
8. All scenery, props, wagons, scenic shift elements, and/or other items (lighting, sound, special effects, etc.) must be approved by the Saber Center Manager/Technical Director before they may be used in the facility. All items will arrive intact and ready for a prescheduled load-in. No construction or painting will be permitted in the Saber Center or its adjoining areas. The Scene Shop may only be used on a limited basis with the direct approval of the Saber Center Manager/Technical Director.
9. No hardware or other items may be affixed to and no holes may be drilled into the stage floor. No hardware or other items may be affixed to and no holes may be drilled into any other area of the Saber Center facility.
10. The user organization will follow all fire code regulations and be required to use flame resistant materials for scenic, costume, or other production purposes. Any necessary flame retarding treatment of materials will be the responsibility of the user organization.
11. The user organization will be responsible for the strike and removal of all scenery, props, and other items as well as the rental of necessary dumpsters and their removal immediately after the event.
12. The user organization will be responsible for the removal of all other equipment, costumes, etc. immediately following facility usage, cleaning the dressing rooms, and checking the facility to secure all property belonging to the user.
13. No modification of the rigging system will be allowed. Any items to be flown or to otherwise utilize the rigging system must be approved by the Saber Center Manager/Technical Director. Absolutely no unsafe or questionable items will be hung or flown in the facility.
14. No removal, relocation or alteration of the stage curtains is permitted. Requests regarding curtain hang changes must be made in advance to the Saber Center Manager/Technical Director who will determine the feasibility of the request.
15. Glitter and/or glitter-like materials are strictly prohibited in all areas of the Saber Center. This includes but is not limited to glitter from scenery and costume items, as well as hair and body glitter. Any cleanup labor charges created by glitter will be billed directly to the user organization. Violation of the no glitter policy will result in the refusal of future facility usage.
16. The use of any significant special effects will be indicated in a performance program statement, lobby display, and/or preshow audience announcement. This includes but is

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- not limited to strobe lights, strobe like effects, ultraviolet light effects, and potentially disturbing sound effects.
17. The user organization will not post signs or affix banners to any area without the prior consent of the Saber Center Manager/Technical Director.
  18. No painting is allowed in any area of Saber Center without the prior approval of the Saber Center Manager/Technical Director.
  19. Parking for trucks or vans at the Saber Center loading dock zone is limited to one vehicle at a time and must be coordinated prior to the event. No vehicle may stay in the loading zone unattended. Once the vehicle is unloaded it must move to a designated parking lot space or other predetermined area.
  20. While it is the user organization's responsibility to establish safe sound levels, the final sound output of any recorded or live source will be monitored by the Saber Center Manager/Technical Director who will have the authority to change the levels prior to and during the rehearsal and/or event. This includes any sound or AV equipment used in or around the Saber Center and adjoining areas. Refusal to comply may result in the discontinuation of the rehearsal and/or event.
  21. If the orchestra pit cover or orchestra shell is used for an event, the cost of removal and installation will be billed to the user organization.
  22. No one is permitted access to the catwalks, control booth, or other restricted areas without the approval of the Saber Center Manager/Technical Director.
  23. No costumes or makeup are allowed in the Saber Center house and seating areas without the prior approval of the Saber Center Manager/Technical Director. Any additional cleaning and/or custodial time made necessary by this or any other activity will be billed to the user organization.
  24. All groups performing tap dance will be required to provide an industry standard protective Marley type dance floor. The suitability of the dance floor will be subject to the approval of the Saber Center Manager/Technical Director before booking approval is given. Installation and removal of the floor will be the responsibility of the user group and subject to the approval of the Saber Center Manager/Technical Director.
  25. Tap dancing (performance and/or rehearsal) will be permitted only on the user provided installed dance floor and not in any other area of the facility. All tap shoes will be properly maintained and in good working order. Damage repairs made necessary by tap shoes in any area of the facility will be at the cost of the user organization.

#### D. Saber Center Front of House Rules and Regulations

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The front of house will be considered areas outside the actual stage area (i.e., box office, lobby, and house seating area).

1. House Management will be arranged by the Saber Center Manger/Technical Director.
2. Franklin Public School District reserves the right to hire security for any event. All charges for security will be billed to the user organization.
3. The posted Saber Center seating capacity (850) may not be exceeded in any circumstance as per fire code. The maximum number of event tickets available for sale and/or distribution will be at the discretion of the Saber Center Manager/Technical Director.
4. Franklin Public School District reserves the right to require the use of tickets for no fee general admission events that are anticipated to approach the Saber Center seating capacity.
5. Food and drink of any kind are prohibited in the front of the house and on stage at any time.
6. Appropriate behavior will be expected of all patrons at all times.

#### E. Saber Center User Fees

User fees are charged to Non-Franklin Public School District organizations based upon the following types of groups:

- Group A: In-District Not-for-Profit Groups
- Group B: Out-of-District Not-for-Profit **or** In-District For-Profit
- Group C: Out-of-District For-Profit

See **Appendix A** for Fee Structure and amounts.

Note: Any event that pays an artist or performance fee and/or charges an admission is considered For-Profit group and charged fees based accordingly. All Non-Profit groups must provide current 501(c)(3). documentation.

#### F. USER ORGANIZATION AGREEMENT

The applicant agrees to abide by the rules, regulations and policies formulated by the Franklin Public School District regarding the use of its facility, agrees to pay expenses incurred and billed by the School District, agrees to be responsible for careful and prudent use of the School District facility, and to be responsible for any damages which occur. Further, the applicant as lessee, will indemnify and save harmless the Franklin Public School District (lessor) from and against any and all loss, cost, (including attorney's fees) damages, expenses, and liability (including statutory and liability under worker compensation laws) in the connection with claims for the damages as a result of injury or death of any person or property damages to any property sustained by the lessee, its employees, and all other persons,

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which arise from or in any manner grow out of an act or neglect on or resulting from the use of lessor's facilities and equipment by lessee, lessee's agents, employees, and invitees, or any other person during the rental agreement. The School Board reserves the right to compel a showing of a financial responsibility or a policy of liability insurance for any given amount as it deems is advisable as a condition precedent to the leasing of the facility.

A Certificate of Insurance must be provided to the Franklin Public Schools prior to use of the facility. The Certificate of Insurance must list Franklin Public School District as an additional insured, and provide a minimum of \$1,000,000 of Commercial General Liability, a \$1,000,000 Umbrella, and \$300,000 of Fire Legal Liability. A Certificate of Insurance showing Auto and Worker Compensation coverage and limits acceptable to the Franklin Public School District may be required as a condition of this lease agreement. The cost of this coverage is to be paid by the lessee.

In the event any fault or neglect by Franklin Public School District or its failure to satisfy any obligations under the Use Agreement, the liability of Franklin Public School District will be exclusively limited to the refund of any amounts paid by the user organization or due under the agreement.

Authorization for use of the school facilities will not be considered as an endorsement of or approval of the activity, group, or organization nor the purpose they represent.

The Franklin Public School District is an equal opportunity employer and does not discriminate on the basis of race, national origin, religion, age, sex, handicap, disability or other basis prohibited by applicable fair employment laws or regulations.

REVISED: February 8, 2016

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## Appendix A

### SABER CENTER FOR THE PERFORMING ARTS FEE STRUCTURE

Groups wishing non-profit status must provide a valid 501(c)(3) certification at the time of application.

**All users must pay a \$0.30 per ticket or \$0.30 per person fee (non-ticketed events) to the Saber Center Long Term Maintenance and Replacement Fund.**

**All users must submit a Certificate of Insurance** as per the Saber Center Usage Policy with the signed contract. Failure to do so will render the contract null and void.

Facility	Group A In-District Not-for-Profit	Group B Out-of-District Not-for-Profit In-District For-Profit	Group C Out-of-District For-Profit
Theatre – Performance Two per day limit Does not include rehearsal fees	\$250.00/1 <sup>st</sup> performance/day \$50.00/additional perf./day	\$500.00/1 <sup>st</sup> performance/day \$75.00/additional perf./day	\$1000.00/1 <sup>st</sup> performance/day \$100.00/additional perf./day
Theatre - Rehearsal	\$100.00/first five hours/day \$20.00/additional hour/day	\$125.00/first five hours/day \$25.00/additional hour/day	\$250.00/first five hours/day \$50.00/additional hour/day
Band Room	\$20.00/hour	\$30.00/hour	\$40.00/hour
Choir Room	\$20.00/hour	\$30.00/hour	\$40.00/hour
Orchestra Room	\$20.00/hour	\$30.00/hour	\$40.00/hour
<b>Equipment</b>			
Orchestra Shell Technician load-in/strike labor charge will apply	\$200.00	\$300.00	\$400.00
House Large Screen Projection System	\$50.00/rehearsal \$50.00/performance	\$100.00/rehearsal \$100.00/performance	\$200.00/rehearsal \$200.00/performance
Five Foot Grand Piano	\$100.00 (plus tuning)	\$150.00 (plus tuning)	\$300.00 (plus tuning)
Digital Piano	\$50.00	\$75.00	\$100.00
Conventional microphone	\$5.00	\$10.00	\$20.00
Wireless Hand-held Microphone	\$10.00	\$15.00	\$30.00
Podium	\$10.00	\$15.00	\$20.00
Choral Risers Technician load-in/strike labor charge will apply	\$10.00/unit	\$20.00/unit	\$30.00/unit
StageTek Platform Decks Technician load-in/strike labor charge will apply	\$20.00/unit	\$30.00/unit	\$40.00/unit
Marley Dance Floor (Technician load-in/strike labor charges will apply)	\$75.00	\$100.00	\$200.00
Other Equipment (Subject to availability)	Estimate will be provided	Estimate will be provided	Estimate will be provided
<b>Labor Charges</b>			
Technical Director	\$30.00/hour	\$30.00/hour	\$30.00/hour
Technician	\$20.00/hour	\$20.00/hour	\$20.00/hour
Custodial	Estimate will be provided	Estimate will be provided	Estimate will be provided
Potential Additional Staff	Estimate will be provided	Estimate will be provided	Estimate will be provided
<b>Percentage Fee</b>			
	No charge	3% of net income assessed on all income derived from event, including but not limited to admission fees, donations, concessions, and novelty sales. Net is defined as gross income less state and county taxes.	6% of net income assessed on all income derived from event, including but not limited to admission fees donations, concessions, and novelty sales. Net is defined as gross income less state and county taxes.

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