

Georgia Magnet Charter Schools Foundation, Corp.

dba: Hapeville Charter School and Career Academy 3535 South Fulton Avenue Hapeville, GA 30354 Cell Phone: 678-576-0342

Tax I.D. #72-1552418

Georgia Secretary of State Control #0309121

Community Use of Hapeville Charter Career Academy Facilities

I. Community Connection

Hapeville Charter Career Academy, located at 6045 Buffington Road, Atlanta, GA 30349-3602, is applying for LEED designation, recognized by the U.S. Green Building Council.

LEED is an internationally recognized green building certification system, providing third-party verification that a building or community was designed and built using strategies aimed at improving performance across all the metrics that matter most: energy savings, water efficiency, CO₂ emissions reduction, improved indoor environmental quality, and stewardship of resources and sensitivity to their impacts.

Developed by the U.S. Green Building Council (USGBC), LEED provides building owners and operators a concise framework for identifying and implementing practical and measurable green building design, construction, operations and maintenance solutions.

http://www.usgbc.org/DisplayPage.aspx?CMSPageID=1988

One of the recommended criteria for achieving LEED certification includes community shared use of the facilities. "Schools should foster greater connections to their local communities to improve social relationships both within and around schools. Often, schools are "centers of community" and serve important and multiple civic and social purposes. Schools should be located and designed to facilitate community connections, including incorporating shared or "joint-use" spaces, access to community and public amenities nearby, and indoor and outdoor spaces for community use, particularly during nonschool hours. Most important is that school planning and design processes should intimately involve community members."

http://www.cde.ca.gov/ls/fa/sf/documents/roundtablereport.pdf

The Hapeville Charter Career Academy governing board, filed through the Georgia Secretary of State's Office as the Georgia Magnet/Charter Schools Foundation, Corp., has determined that non-profit organizations within the community may register to use one or more of the following community use areas of the facilities:

Building	Location	Square Feet	Occupancy
A	Cafeteria (no kitchen)	3,000	240
В	Cafeteria (no kitchen)	1,500	96
A	Cafeteria AND	4,000	240
	kitchen		
В	Cafeteria AND	1,800	96
	kitchen		
A	Basketball Courts		2 Courts
A	Classroom #1	700	25
A	Classroom #2	700	25
A	Classroom #3	700	25
A	Classroom #4	700	25
A	Classroom #5	700	25

There is no reservation fee required for non-profit organizations. However, a monetary deposit to hold the reservation is required at least three weeks prior to the requested use date. The amount of the monetary deposit required is explained in Section VI. The refund of deposits is explained in Section VI. Non-refundable fees include:

Fee	Amount due with Deposit	Notes:
Use of Kitchen	\$75.00 non-refundable	Due with deposit
Utilities	\$100.00 hourly	Due with deposit

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II. Qualifications

The Foundation Board has determined that, in order for an organization to be able to register for the community use areas of the Hapeville Charter Career Academy, it must be a non-profit corporation (i) registered through the Office of the Georgia Secretary of State, and (ii) have a tax-exempt letter from the IRS demonstrating that it has been granted non-profit status which includes its EIN (unless exempt from such requirement by law).

III. Reservation Procedures and Application Packet

To register for one of the community use areas of the building, a non-profit organization must:

(1) Submit a letter of request (on letterhead) for the non-profit to have access to one or more of the community use areas. The letter must be to the attention of Mr. Jannard Rainey, Principal of Hapeville Charter Career Academy and Ms. Judi Grubbs, Director of Communications. The letter must be signed by the non-profit's Executive Director, President or CEO. It is recommended that the letter include an email address for confirmation purposes.

(A) The letter of request and required enclosures may be mailed to:

Mr. Jannard Rainey, Principal Ms. Judi Grubbs, Director of Communications Hapeville Charter Career Academy 6045 Buffington Road, Building A Union City, GA 30349

or:

- (B) The letter of request and required enclosures may be submitted directly to the front desk of the Hapeville Charter Career Academy. Phone 404-766-0101 to advise if the request will be hand delivered.
- (C) Hapeville Charter Career Academy will not accept letters of request that are sent via facsimile.
- (2) Required enclosures to the letter of request:
 - (A) A copy of IRS Letter granting non-profit status (unless exempt from such requirement by law);
 - (B) Proof of current registration as a non-profit corporation with the Georgia Secretary of State; and
 - (C) Deposit check (see chart in Section V. below) made out to "Georgia Magnet/Charter Schools Foundation, Corp."*
 - *There is a \$35.00 service charge for all returned checks.

The letter of request and proof of registration and non-profit status will be forwarded to the President of the Georgia Magnet/Charter Schools Foundation, Corp. for review. The letter of request for reservation of any community use space, including the required enclosures, must be received by the Hapeville Charter Career Academy at least three weeks prior to the requested use date.

IV. Reservation Confirmation

Confirmation of the reservation, and permission to use the space(s) requested, will be through written communication from Georgia Magnet/Charter Schools Foundation, Corp. to the non-profit organization via (1) email (if included in the letter of request), and/or (2) letter (if no email is provided).

V. Deposit Amounts

The Foundation Board has determined the following deposit amounts for the community use areas:

Building	Location	Deposit required
A	Cafeteria, no kitchen	\$250.00
В	Cafeteria, no kitchen	\$200.00
A	Cafeteria and kitchen	\$300.00
		+ \$75.00 *
В	Cafeteria and kitchen	\$250.00
		+ \$75.00 *
A	Basketball Courts	\$250.00
A	Classroom #1	\$100.00
A	Classroom #2	\$100.00
A	Classroom #3	\$100.00
A	Classroom #4	\$100.00
A	Classroom #5	\$100.00

^{*} The \$75.00 fee for the use of the kitchen is not refundable.

As an example, if a non-profit is registering to use the Building A Cafeteria (and not using the kitchen,) and two of the classrooms, the amount of deposit required would be:

Example:

Building	Location	Deposit required
A	Cafeteria	\$250.00
A	Classroom #1	\$100.00
A	Classroom #2	\$100.00
DEPOSIT		\$450.00

A check in the amount of \$450.00 would be included with the application package along with the letter of request and the proof of registration and non-profit status.

VI. Refund of Deposit

Deposits are refunded in part or whole determined by inspection of the facility at the conclusion of the event. Deposit refunds are issued by check from the Georgia Magnet/Charter Schools Foundation, Corp. and should be received within 30 days after the event date. If the deposit does not cover the cost of damages, a bill will be issued for the balance. Failure to pay the bill of damages incurred within thirty days of issuance of the bill will result in the ineligibility to use the facility in the future and referral of the delinquent payment for legal collection.

VII. Liability/Insurance

Georgia Magnet/Charter Schools Foundation, Corp. is not responsible for any damage, loss, or injury caused by the applicant's use of the Hapeville Charter Career Academy facility or any member of the applicant's group.

PLEASE NOTE ANY PROPERTY LEFT OVERNIGHT ON PREMISES SHALL BE AT NON-PROFIT'S OWN RISK. HAPEVILLE CHARTER CAREER ACADEMY DOES NOT GUARD OR ASSUME CARE, CUSTODY OR CONTROL OF PROPERTY AND IS NOT RESPONSIBLE FOR FIRE, THEFT, DAMAGE OR LOSS AND NO BAILMENT IS CREATED BY THIS AGREEMENT.

VIII. Rules and Regulations

1. Confirmation of community use - Confirm the reservation 24 hours prior to the scheduled event by emailing each of the following Hapeville Charter Career Academy personnel:

Mr. Jannard Rainey - jrainey@hapevillecharter.org
Ms. Judi Grubbs - jcgrubbs@bellsouth.net
Mr. Gary Martin - gtmartin@msn.com

2. Clean up and Recycling - Grounds and facilities are required to be cleaned and returned to their original condition. Hard surfaces are required to be wiped and cleaned of loose materials which should be placed in trash receptacles (trash, litter, food waste, etc.). Failure to clean up may result in denial of future reservations or all or part of the deposit not being refunded. Recycling and use of recyclable materials is strongly encouraged.

Georgia Magnet/Charter Schools Foundation, Corp. will bill the non-profit organization at the rate of \$75.00 hourly in situations where the Hapeville Charter Career Academy cleaning crew must be utilized to prepare the community use space for regularly enrolled students.

The non-profit may not make any additions or alterations to the premises or place, install or maintain any signs in any part of the premises without prior written approval from one of the persons listed in Section VIII. 1. above.

- 3. Damages to grounds and facilities, and any maintenance required after the reservation is completed will be deducted from the deposit. If the deposit does not cover the cost, an invoice will be issued from Georgia Magnet/Charter Schools Foundation, Corp. to the non-profit.
- 4. No alcohol will be allowed on the campus site at any time.
- 5. Hapeville Charter Career Academy is a total non-smoking facility at all times, including the parking lot areas. Georgia Magnet/Charter Schools Foundation, Corp. will bill the non-profit organization at the rate of \$75.00 hourly in situations requiring the pickup of debris in and around the school grounds.

IX. Indemnifications

The applicant hereby agrees to defend, indemnify, and hold harmless the Georgia Magnet/Charter Schools Foundation, Corp. and the employees of Hapeville Charter

Career Academy from and against any and all liability, claims, damages, actions, losses, and expenditures, including reasonable attorneys' fees and costs of litigation, arising from the applicant's use of one or more of the community use areas.

The applicant further agrees to comply with all applicable Community Use policies and rules of the Georgia Magnet/Charter Schools Foundation, Corp. (located on the website at www.fultonschools.org/school/hapevillecharteracademy) as well as all state and local and federal laws, ordinances, regulations and rules. The applicant agrees to indemnify, defend, and hold harmless the Georgia Magnet/Charter Schools Foundation, Corp. and Hapeville Charter Career Academy from and against any all liability, claims, damages, actions, losses, and expenditures, including reasonable attorney's fees and costs of litigation, caused by breach or violation of any such policies, laws or rules by the applicant or any member of the applicant's group.

THE APPLICANT ACCEPTS RESPONSIBILITY FOR ANY DAMAGE, LOSS, OR INJURY CAUSED BY THE APPLICANT'S USE OF THE FACILITY BY THE APPLICANT OR ANY MEMBER OF THE APPLICANT'S GROUP.

X. Assignment

The non-profit may not assign, transfer, or pledge or in any way encumber any of its rights under this agreement without the prior written consent of Hapeville Charter Career Academy.

XI. Severability Clause

If any term or provision of this agreement or any application thereof shall be deemed invalid or unenforceable, the remainder of this agreement shall not be affected thereby.

XII. Insurance

Non Profit agrees, at its own cost and expense, to obtain and maintain the following in full force and effect during the term of this agreement:

Non Profit agrees to provide evidence of Commercial General Liability Insurance, to include Products and Completed Operations, in an amount of not less than \$1,000,000 for bodily injury, personal injury, and property damage. Georgia Magnet Charter Schools Foundation, Corp must be listed as additional insured.

Business automobile liability insurance coverage, to include hired and non-owned automobile coverage, in an amount of not less than \$1,000,000 for bodily injury and property damage.

Workers' Compensation insurance as required by applicable law.

Workers' Compensation Employers Liability and General Liability must contain a Waiver of Subrogation in favor of Georgia Magnet Charter Schools Foundation, Corp.

XIII. Extraordinary Services

The non-profit acknowledges and agrees that Hapeville Charter Career Academy is responsible for providing reasonable utilities and services to the premises, and that Hapeville Charter Career Academy shall have no obligation to provide any supplies, materials or personnel to the premises. However, extraordinary utilities and services shall not be provided and same shall be the responsibility of non-profit and permitted only if the non-profit obtains permission from Hapeville Charter Career Academy with respect thereto. "Extraordinary services" shall include, but shall not be limited to, hospitality services, sound systems and public announcement equipment, stereo equipment and any and all permits relating thereto.

XIV. Choice of Law/Venue

This agreement shall be governed by and construed in accordance with the laws of the state of Georgia.

I have read and und	erstand all	of the above term	ns and condit	ions and	agree to the same:	
Applicant Name		Da	Date			
Non-Profit Organiz	ation					
Address of Non-Pro	ofit Organiz	zation				
Specific purpose of	requested/	special needs:				
Determination of D	eposit and					
			art time:		d for community use and Time:	
Building	Location	on	Deposit requi	red	Mark (below) the Location(s) being requested	
A	Cafete	eria (no kitchen)	\$250.00			
В		eria (no kitchen)	\$200.00			
A	Cafete	eria and kitchen	\$300.00			
D	Cofat	eria and kitchen	\$ 75.00 * \$250.00 \$ 75.00 *			
В	Caret	eria and kitchen				
		etball Courts		* 00		
	Baske		\$ 75.0	00 * 00		
A	Baske Classi	etball Courts	\$ 75.0 \$250.	00 * 00 00		
A A	Baske Classi Classi	etball Courts room #1	\$ 75.0 \$250. \$100.	00 * 00 00 00		
A A A	Baske Classi Classi	etball Courts room #1 room #2	\$ 75.0 \$250. \$100. \$100.	00 * 00 00 00 00		
A A A A	Baske Classi Classi Classi	etball Courts room #1 room #2 room #3	\$ 75.0 \$250. \$100. \$100. \$100.	00 * 00 00 00 00 00		
A A A A	Baske Classi Classi Classi	room #1 room #2 room #3 room #4	\$ 75.0 \$250. \$100. \$100. \$100. \$100. \$100.	00 * 00 00 00 00 00 00 00	th deposit	

_(date)

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Agreement Approved by _____