

**Tripp-Delmont School / Community Fitness Center
Usage Agreement / Policy Waiver and Release**

The Tripp-Delmont School District grants the use of the school/community fitness center to residents of the Tripp-Delmont School District under the terms and guidelines of this agreement. The Board of Education considers this usage to be advisable as a community service dedicated to the wellness of the patrons of the district. During those times when the school/community fitness center is open for public use, the activities within the center are not under the direct or indirect supervision of the District, its officers or employees. Any officer or employee of the District who may be on the premises or participating in activities is not in the capacity of officer or employee during such time and is not responsible for supervision. All persons using the school/community fitness center are responsible for providing their own supervision during such activities.

1. All persons requesting to use the school/community fitness center shall sign a copy of this policy and release form before participating in any activity at the school/community fitness center during those times the center is open to the public. A parent or legal guardian shall sign the form on behalf of any child under the age of 18 who will be using the center during the time that it is open to the public. The parent/legal guardian must be in the center to provide direct supervision of his/her child during such times as the child may be using the facility. To allow for greater access, the parent/legal guardian may delegate direct supervision of his/her child to another member of the fitness center if that member is age 21 or older. The delegated member then acts in place of the student's or students' parent and assumes the same responsibility for appropriate supervision.
2. Included in the activities which are available to the public under this policy is weight training. The district is not responsible for the training in proper use of the equipment or supervision of persons using the weight training equipment. The district strongly encourages any person using the weight training equipment to do so only when one or more other individuals are present so that in the event of an injury there is someone to contact emergency services as needed.
3. Pursuant to SDCL 13-24-20, persons using the school/community fitness center during the times is open for public use shall be responsible for any and all damages that may be caused by reason of the use or occupancy, and the District shall not be liable for any suit for damages which might arise as the result of such use or occupancy. The person signing this document consents by signing this document that he/she assumes all and exclusive responsibility and liability for any injury to persons, damages to school facilities or school personal property that may result from use of said facility, that he/she waives any and all right to assert any and all claims, demands, losses, injuries or damage to persons or property which may be sustained by reason of the use of the center against the district arising out of the use of the center pursuant to the District's Center Use Policy, and agrees to indemnify and hold the Tripp-Delmont School District, its agents and servants, and employees harmless from and against all claims and expenses for it, including attorney fees, arising out of the use.
4. The Superintendent of Schools may prohibit the use of the school/community fitness center by any person for legitimate reasons, including but not limited to fighting, threatening to fight, disrespect shown toward other people, failure to follow guidelines for access and supervision, misuse or abuse of equipment, and damage to the center.

All users of the school/community fitness center, prior to use, must read and sign the following. Parents shall read and sign on behalf of children under the age of 18

I have read the above policy and the attached policies and rules for use of the fitness center. I understand the school district will not be providing supervision during such time as the center is open for public use. I understand that I am responsible for all damage caused by me or any guest that I may bring into the center and that neither the District, its Board of Education, its officers or employees shall be liable for any suit for damages arising out of such use. I hereby waive any and all rights I may have to seek damages from the District, its Board of Education, its officers and employees arising out of my use of the school/community fitness center during such times as the District makes the facilities open for public use and indemnify the District for any costs incurred by the District arising out the use.

If as a parent/guardian, you plan to have your child or children utilize the school/community fitness center, you need to identify those children on the lines provided below. Parents must either directly supervise their child or children's use of the facility or may have another member age 21 or older willing to assume that responsibility provide the appropriate supervision.. Allowing children to use the fitness center without supervision will result in the termination of your membership.

Date Signature of Individual (Print)

My child or children are identified below for use of the center under my supervision.

Print Print Print

Print Print Print

This application for membership received on: ____/____/____

By: _____