

PUBLIC USE OF SCHOOL FACILITIES REGULATION

In order to promote uniform procedures/practices for the use of district facilities by community organizations and to assist the schools and users in developing a schedule of use, the following guidelines shall apply.

Schedule for Applications

Firm application date deadlines for “Tiers 3-5” are as follows:

Period	Deadline Date
September 1- February 28	No later than August 1
March 1-July 31	No later than January 15

Appropriate use of facilities at each school and the limitations imposed on the use of those facilities shall be determined at each location by the building principal. If necessary, the building principal will consult with other appropriate district supervisory personnel, e.g., Director of Facilities and Operations, School Lunch Director, Coordinator for Physical Education and Home and Careers or their designees, etc.

- A. School activities shall have first preference. The district reserves exclusive and non-reviewable judgment to determine if a requested use would interfere with or disturb the district's educational programs.
- B. Use of district facilities will be permitted only where the applicant agrees to pay the district a user fee according to a schedule adopted by the district to cover the costs of building rental, custodial services, cafeteria services, and any other expenses associated with the requested use. Use is further conditioned upon the applicant's agreement to pay additional fees associated with the use of any additional services or equipment. The district retains the right to condition use upon an applicant depositing with the district a sum equaling the estimated costs and fees associated with the proposed use 10 days in advance of the requested use. The district retains the further right to waive user fees for groups that are associated with or sponsored by the district (see sections on Fees and Waivers of Fees below).
- C. Where, in the judgment of the district, the requested use of district facilities requires special equipment or supervision, the district reserves the right to deny such use, or in the alternative, to condition such use upon the applicant's payment of additional fees in accordance with paragraph B above. Only authorized personnel shall operate district equipment.
- D. Use of district facilities will only be permitted where the organization provides the district timely evidence of adequate insurance coverage (\$1,000,000 minimum) to save the district harmless from all liability, property damage, personal injuries and/or medical

expenses. The district will exercise complete and un-reviewable discretion regarding what constitutes adequate insurance coverage for each proposed use.

The certificate of insurance must name the district as "additional insured". (All insurance agencies know what this is and how to report it on the certificate.) In lieu of an endorsement, the organization may provide a statement from the insurance representative that he/she is an agent of the carrier and the district has been named as an additional insured under the policy.

- E. The custodian on duty is to be regarded as the representative of the Board of Education in the absence of the building principal.
- F. The school reserves the right to limit or deny the use of any facility in order to protect that facility from overuse or damage caused by premature use (e.g., in the case of turf renovation).
- G. A detailed financial statement showing total receipts and expenses for each use of building(s) or grounds for which admission is charged must be available upon request.
- H. Children's activities must be under the strict supervision of adult sponsors at all times.
- I. Responsibility for order and safety must be assured by the applicant. Any damage to school property shall be reimbursed by the organization using same.
- J. The Board reserves the discretion to deny use of district facilities described above, or to terminate use of district facilities after three violations district-wide or fewer depending on the severity of the violations and at the district's discretion:
 - 1. By an applicant who has previously misused or abused district facilities or property or who has violated this policy;
 - 2. For any use which, in the estimation of the Board, could reasonably be expected to or actually does give rise to a riot or public disturbance;
 - 3. For any use which the Board deems inconsistent with this policy;
 - 4. For any use by a private for-profit entity that has the direct or indirect effect of promoting the products or services of such entity;
 - 5. In any instance where alcoholic beverages or unlawful drugs are sold, distributed, consumed, promoted or possessed; or
 - 6. any use prohibited by law.
- K. Users will be restricted to only those building areas covered by the application.
- L. The district will impose an hourly charge (amount to be revised annually) for security officers depending upon type of activity & group size.
- M. A cutoff time of 8:30 p.m. for the actual use of a district facility with a curfew of 9:00 p.m. when individuals would be required to vacate district facilities.

Application Procedure

- A. All applications for use of school facilities shall be made in writing and submitted to the office of the Superintendent of Schools as noted in the schedule for applications but in no case less than 30 days prior to the date of the requested use. A use permit application is available in the Superintendent's and principal's offices.

- B. The applicant must clearly and completely describe the intended use of the district facility in the application.
- C. All applicants must review this policy prior to submitting the application. All applications must be signed by an authorized agent of the group or organization requesting use. The applicant's signature on the application shall attest to the group or organization's intent to comply with all Board policies and regulations and to use district facilities strictly in accordance with the use described in the application.
- D. All applicants must agree to assume responsibility for all damages resulting from its use of district facilities. Proof of adequate insurance must be provided by the applicant at least 10 days before the date of the requested use.
- E. Permits shall be valid only for the facility, use, dates and time specified in the permit. No adjustment to the permit is allowed except with the prior written approval of the Superintendent. Permits shall not be transferable.
- F. The Superintendent is authorized to alter or cancel any permit if it becomes necessary to use the facility for school purposes or for other justifiable reason.
- G. With regard to scheduling activities, the district retains the right to give preference to groups and organizations which are associated with or sponsored by the district.
- H. Issuance of a permit shall not limit the right of access to the facility by district staff.

Fees

All charges for the community use of school buildings will be in accordance with the fee schedule established by the district. A building rental fee must be paid by any community organization which conducts a function on school property involving admission fees, the collection of donations, or the payment of tuition.

Non-school affiliated organizations are required to bear the full cost of any necessary district employee(s) overtime. All groups will be financially responsible for damages caused by use or misuse of facilities.

Waiver of Fees

Fees are waived for all activities sponsored by the PTA and other approved parent support groups. Any parent support group seeking such waiver of fee(s) shall do so by completing the required application. This application should be submitted to the building principal and/or appropriate department head. Final approval will rest with the Superintendent of Schools.

No building rental fee is charged for one-time usage for student benefit programs, i.e. drug awareness.

It is further understood that *no admission fee may be charged* in the instances cited here.

If, however, an unforeseen cost is incurred by the district as a result of that usage, it will be assumed by the user. Such cost(s) will be estimated at the time of application. Note: It is assumed that all groups using the building and grounds will assume the responsibility for

cleaning-up the area so that minimal custodial time will be required. In the event that such clean-up does not occur, the district staff will assume the responsibility and the organization involved will be billed for the custodial time involved at an overtime rate. If a school employee is not normally on duty at the times requested, or if there are special custodial need, a custodial overtime fee must be paid at the current rate.

School Kitchens

Whenever the use of a school kitchen is approved, a cafeteria worker must be present to provide direction and assistance during the use period (minimum hours at the prevailing rate for that worker, as indicated in the current labor agreement). Kitchen facilities *cannot be utilized without the written approval of the School Lunch Director.*

Athletic Fields/Facilities

Use of school athletic fields and facilities by approved groups will be allowed under the following conditions:

1. School teams/programs will have first priority. Approved users will be notified as soon as possible of any change in the school schedule which might impact their approved time.
2. Fields are to be used only when weather conditions are adequate to insure that the fields will not be damaged by such use.
3. The applicant must have applied for and been granted authorization for the use of a specific facility. Applications should be submitted to the appropriate building principal or his designee. Each time the facility is utilized, the individual in charge of the group must be in possession of a copy of the approved application.
4. The intended use for the facility must comply with those approved in the General Guidelines for Designated Use.
5. The school reserves the right to limit or deny the use of any facility in order to protect that facility from overuse or damage caused by premature use (in the case of turf renovation).
6. Before the commencement of each non-school use of facilities, the individual in charge of the group is required to conduct an inspection to determine whether any condition exists which might compromise the safe use or physical condition of that facility. Should such condition(s) be found, use of the facility is prohibited unless they can be corrected. The individual in charge is required to report immediately any unsafe conditional to a building custodian and, on the next school day, to the building administrator.

Use of School Facilities by School Personnel

Any use of school facilities for school-related activities will be scheduled through the office of the Superintendent of Schools.

Recognized collective bargaining units may use school facilities to conduct meetings as specified in the collective bargaining agreement(s).

No students are allowed in a school building unless a teacher or advisor is on duty. Scheduling in advance will ensure that the space requested is available and not given to outside groups.

Ref: Education Law §414