

# **COMMUNITY RELATIONS COMMUNITY USE OF SCHOOL FACILITIES POLICY AND PROCEDURES**

## **PUBLIC USE OF SCHOOL FACILITIES**

The Board of Education (herein after referred to as “The Board”) recognizes that school facilities are an educational and community resource that can enhance personal growth of individuals and groups, as well as community pride and identification. Use of facilities will reflect our commitment to equity with priority given to school approved events and groups. Therefore, the Board of Education supports access to school facilities by a wide variety of groups and individuals. **Facility usage is a privilege and not a right!** With this privilege comes the responsibility to ensure protection of property from damage and liability, to maintain appropriate conduct and to ensure moral and ethical standards. It is the Board of Education’s intent to minimize costs to the taxpayers of the district by recovering direct, identifiable costs from for-profit organizations.

This policy is intended to identify the uses that organized community groups may make of those facilities and the procedures to be followed throughout their use.

### ***Permitted Uses***

District facilities may be used for the purposes listed below, subject to the conditions and restrictions set forth in this policy.

- A. Instruction in any branch of education, learning or the arts.
- B. Social, civic and recreational meetings and entertainment, or other uses pertaining to the welfare of the community so long as such uses are non-exclusive and open to the general public.
- C. Meetings, entertainment and occasions where admission fees are charged, when the proceeds are to be spent for an educational or charitable purpose.
- D. Polling places for holding primaries and elections, for the registration of voters.
- E. Civic forums and community centers.

### ***Prohibited Uses***

Any use not permitted by this policy is prohibited. In addition, the following uses are specifically prohibited.

- A. Meetings sponsored by political or religious organizations.
- B. Meetings, entertainment and occasions that are under the exclusive control of and the proceeds are to be applied for the benefit of a fraternal, secret or exclusive society or organization, other than veterans organizations, volunteer fire fighters or volunteer ambulance workers.

### ***Priority of Use***

1. **School and School Related Activities** - School activities are defined as activities directly conducted by school authorities, such as musicals, plays, class or club sponsored events, open house, athletics, intramural athletics and feeder programs. School related activities are defined as activities sponsored by organizations or groups/individuals directly related with the school, including parents groups, Board approved clubs, committees appointed by the Board, continuing education activities, school related athletic and curricular activities, and other educationally related enrichment activities.
2. **Community Youth Organizations and Groups** – Recreation department activities include those sponsored by any governmental or governmental sanctioned organization for the benefit/recreation of the youth of the governmental entity. It also includes community sponsored athletic activities (AYSO, Little Leagues, etc.)
3. **All other community organizations and groups** – This grouping includes all other organizations and groups legally entitled to use the facilities (fireman's organizations, etc.) as well as adult recreation groups who utilize the facilities on a casual basis.
4. **Non-community and for-profit organizations** – These may be scheduled on a space available basis, subject to the payment of fees, when, in the opinion of appropriate school authorities (the Superintendent or his/her designee) these organizations will have an enriching effect on the community. These may include cultural, entertainment, or other activities not prohibited by law of this policy.

## ***Definitions***

**Community** is defined as District Resident; however, this is not meant to exclude others from outside of the district from utilizing facilities. Non-community organizations and groups will have access to facilities based on established priorities.

Acceptable **tax-exempt/not-for-profit** organizations include those tax-exempt and not-for-profit organizations whose charter or focus includes serving the needs of district resident children. Such organizations may be favorably considered for use of facilities under priorities 2, 3, or 4. Not-for-profit organizations anticipating use of facilities should seek Board of Education approval of their status no later than 30 days prior to the event, but, preferably, making application for the use of facilities.

## ***Conditions of Use for District Facilities***

The Board reserves the right to make changes to this policy at any time.

- A. Use of district facilities may be permitted unless such facilities are in use for school purposes, or during educational programs. The District reserves exclusive and nonreviewable 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 when the applicant agrees to pay the district a user fee according to a schedule adopted by the District to cover costs including, but not limited to, heat, electricity, maintenance, security and parking services, custodial services and any other expenses associated with the requested use. Use is further conditioned on 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.
- C. When, 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. At the District's discretion, only authorized personnel shall operate district equipment.

D. Use of district facilities will only be permitted where the outside organization provides the district timely evidence of adequate insurance coverage to save the district harmless from all liability, property damage, and/or medical expenses. The District will exercise complete and unreviewable discretion regarding what constitutes adequate insurance coverage for each proposed use. The following guidance applies for insurance:

- Minimum adequate liability insurance for organizations are limits of \$1,000,000 per occurrence, \$2,000,000 aggregate, and \$5,000 medical payments.
- The Sandy Creek Central School District should be named as additional insured on the policy with further acknowledgement that the named insurance carrier is primary insurer.
- Provide for 30 days notice for cancellation.
- Each participant is responsible for providing adequate accident and/or medical coverage. The Sandy Creek Central School District assumes no responsibility for this coverage except for school related activities.

E. Regardless of the group, all activities will be supervised by a responsible individual is indicated on the application for use of school facilities. This individual may be in either a paid or unpaid (volunteer) status. Indirect supervision will be exercised by custodial or other personnel who check activities on a regular basis and make themselves available to users should questions arise. Direct supervision is the responsibility of the parent organization utilizing the facility.

F. The Board reserves the discretion to deny use of district facilities described above, or to terminate use of district facilities:

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 could have the effect of violating the United States Constitution or the New York State Constitution;
3. 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;
4. For any use which the Board deems inconsistent with this policy;
5. 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\*;
6. In any instance where alcoholic beverages or unlawful drugs are sold, distributed, consumed, promoted or possessed;
7. For any use prohibited by law;

8. In any instance where attendees gamble, smoke, or use tobacco products on the school premises;
  9. In any instance where the facility must be taken out of service for maintenance. In these instances, the Superintendent of Building and Grounds will coordinate timing with the Facilities Use Coordinator to minimize impact on any potential activities.
- G. Approved Application for Use of School Facilities/Grounds shall be valid only for the facility, use, dates and time specified in the permit. No adjustment to the approved application is allowed except with the prior written approval of the Superintendent/Designee. Approved applications shall not be transferable. One must be shown to school officials upon request.
- H. The applicant will not be admitted to the premises prior to the time stipulated on the permit. All users are responsible for abiding by times indicated on their approval application. Any deviation from this rule must be approved by the Superintendent/Designee. The Board reserves the right to attach an hourly fee for extra time granted.
- I. The custodial staff on duty or appropriate administrator has the Board's authority to request persons on the premises to leave in sufficient time so that the area might be cleared and the building secured by the times indicated above.
- J. Issuance of a permit shall not limit the right of access to the facility by district staff.
- \*Profit making organizations and individuals will be routinely denied use of facilities unless they secure sponsorship by a tax-exempt or not-for-profit organization whose charter or focus includes serving the needs of district resident children. As an example, a profit-oriented organization could arrange for an event in SC facilities provided that they secured a co-sponsor such as the senior class, booster club, drama club, or other such organization. Contracts for such a co-sponsorship will be reviewed by the Business Administrator before they are executed to ensure that an appropriate share of the proceeds from the event go to support the not-for-profit/tax-exempt entity.*
- K. The person in charge of a function must notify persons in attendance, at the beginning of the function, of the procedures to be followed in the case of an emergency.
- L. In the case of an accident resulting in injury to any person or damage to personal property, the incident must be reported in writing to the Superintendent or his/her designee within the next business day after the function.

### ***Delegation of Authority***

The Board of Education delegates authority to implement this policy and operate within its constraints to the Superintendent of Schools. The Superintendent may, at his/her discretion, further delegate operational authority to a staff member, herein after referred to as the Facilities Use Coordinator. No further delegation of authority is authorized.

### ***Application Procedure for Use of District Facilities***

- A. An application form requesting use of school facilities may be secured at the Building Principal's office in any of the district's school buildings. Completed application forms must be returned to the Facilities Use Coordinator at least three weeks prior to the date of requested use. Requests for facilities would be subject to filling on a "space available only" basis if submitted within 10 days from the event. Regular exceptions to this rule would include tournament or playoff games and league make-ups. Scheduling of events falling inside of the 10-day window would be at the discretion of the Facilities Use Coordinator. Upon determining availability of requested facilities, the Facilities Use Coordinator shall endorse the application, forwarding both copies to the Superintendent of Schools. Reservations for facilities shall not be taken earlier than 90 days prior to the event, with a confirmation provided 45 days prior to the event, subject to the following conditions:
- Unforeseen circumstances (e.g., emergency maintenance or weather) could cause a cancellation
  - Only a Priority 1 group could cause bumping. However, the Facilities Use Coordinator would be authorized to "negotiate" a reasonable accommodation to conflicts.
  - The auditorium is exempt from the 90-day rule because of the long lead-time involved in contracting with some organizations.
  - Contractual arrangements entered into by the District (theater presentations) would eliminate bumping by a higher priority but would be well researched with potential users before entering into the contract.
- B. The applicant must clearly and completely describe the intended use of the district facility in the application. If refreshments are to be served, such facts must be stated in the application, and the Building Principal reserves the right to designate the area to be used. Use of kitchen facilities, other than to make coffee or clean user-provided utensils, will require the organization to meet with the Food Service Manager prior to the event.

- 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, including in those on Public Conduct on School Property, and to use district facilities strictly in accordance with the use described in the application.
- D. If the Superintendent/Designee grants approval, one copy of the authorized application will be returned to the applicant, another will be retained on file in the District, other copies will be distributed as needed.
- E. All applicants must agree to assume responsibility for all damages (to persons and property) 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.
- F. The Superintendent is authorized to alter or cancel any approved application if it becomes necessary to use the facility for school purposes or for other justifiable reasons. This includes the authority to override the established priority system for justifiable cause.
- 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.

## **Rules for Use of Facilities**

### ***General (applicable to all venues)***

- A. All applicants are responsible for maintaining adequate supervision.
- B. There shall be no smoking, use of tobacco products, and other substance use/abuse on the premises. There shall be no use, possession of, selling, or distribution of alcohol, tobacco, and/or other substances.
- C. Applicants are responsible for any breakage or damage to school property.
- D. The number of persons admitted for a function must not exceed room capacity limits.
- E. Whenever inclement weather or an emergency situation cause the closing of district schools, all after-school functions scheduled for the day will be canceled.

- F. Phones are for emergency use only. All calls are to be limited to the local area. Abuse of this rule will result in the district billing the organization for toll calls, and possible revocation of approval application.
- G. As a general rule, organizations with a priority of use of 1 through 3 will be granted access to facilities free of charge during normal hours of operation while school is in session. Exceptions to this general rule are contained within specific area rules listed below.

H. **Weekend Use of Facilities**

Normally, staff is scheduled only for Priority 1 user events on weekends and holidays. However, if staff is scheduled for a Priority 1 event, Priority 2 and 3 users may be granted access/use free of charge provided no additional costs are incurred.

If no Priority 1 group is using the facility, Priority 2, 3, or 4 groups may be granted access/use of district facilities during the weekends/holidays subject to the following provisions:

- Staffing is subject to availability of personnel under existing collective bargaining arrangements.
- Priority 2, 3, or 4 groups will be required to pay the costs associated with the rates established by the Board.

***Fields***

- A. No students will be permitted in press boxes without adult supervision.
- B. Only trained personnel will be allowed to turn the field lights on.
- C. Fields will be rotated on an annual basis to permit the fields to rest. No fields may be used during a “rest” period. The Superintendent of Buildings and Grounds and Facilities Use Coordinator will determine the appropriate fields to be taken off line for rest and rehabilitation and the timing of such actions.
- D. Throughout the year, Priority 1 will be permitted to use available fields for free.
- E. Priority 4 organizations will pay for the use of fields any time unless the fee is waived by the Board of Education.
- F. No fields are to be designated for a specific sport except within the physical limitations of the layout of the field (e.g., a “football field” will not



be used as a substitute for a “baseball field” but may reasonably be substituted for soccer or lacrosse).

- G. All fields will be used by all sports in a manner that maintains the quality of the field.

### ***Classrooms***

- A. All classroom use will be reported to the Buildings and Grounds Department to arrange for programming for the heat in the affected buildings.
- B. Organizations may rearrange furniture in classrooms to fit their needs. However, before leaving the facility, all furnishings will be returned to their original position.
- C. The Facilities Use Coordinator will try to consolidate like classroom activities in one building to economize in terms of staffing and heating.
- D. Under normal circumstances, organizations with a priority of 1 through 3 will be granted the use of the classroom free of charge. Priority 4 organizations will be assessed the prevailing hourly rate for services rendered unless waived by the Board of Education.

### ***Gyms, Track and Weight Training Facilities***

- A. Use of gym, track, and weight training facilities will require strict adherence to the established rules as provided on the application for use of school facilities.
- B. Use of the weight training facility and all other indoor facilities will be supervised at all times.
- C. The Athletic Coordinator will establish the schedule for the weight training facility. There will be open hours dedicated for community and family use when the district will provide supervision with an associated charge.

### ***Costs***

Costs associated with organizations/individuals listed in Priority 1 will be borne by the District, except as noted specifically above. The District reserves the right to impose charges on all organizations/individuals listed in priorities 2, 3, and 4 and listed in Appendix 1, Costs, in order to recover the excess costs associated with staging events for non-community organizations. The District Business

Administrator will annually update the charges for the upcoming school year and will seek Board approval of the charges.

### ***Applications***

Application forms are attached as information appendices to this policy. Application forms may be updated from time to time without formal approval of the Board of Education.

Appendix 1 – Costs

Appendix 2 – Application for Use of Facilities

Adopted: 12/20/01

Revised: 8/14/03

## **Appendix 1 – Costs**

As a starting point the fees will be: (Work in Progress: Subject to change)

Custodial Costs to Priority 2 & 3 groups when custodial coverage is not already scheduled will be \$20/hr.

Custodial Costs to Priority 4 groups regardless of scheduled custodial coverage will be \$30/hr. plus a \$50 facility use charge.