

COMMUNITY USE OF SCHOOL FACILITIES

- I. While the district's school buildings and grounds are maintained primarily for the purpose of educating students within the district, the Board of Education recognizes that the buildings and grounds are a valuable community resource and believes that this resource should be available to the community for specific uses that will not interfere with educational activities. This policy is intended to identify the uses that community groups may make of those facilities.

Requests for the use of school facilities must be made in writing on the Community Use of School Facilities Request Form. Such requests must be made at least thirty (30) days in advance of the date of requested use. At its discretion, the school district may grant so much of the request as to allow the use of a school facility, but reserves the right to designate which school facility may be used. All uses must be non-exclusive and open to the general public.

- II. The Authority of the Board of Education

The authority of the Board of Education to permit the use of schoolhouses, grounds and facilities is subject to Article XI, Section 3, of the New York State Constitution and Sections 414 of the Education Law of New York.

The Board's authority to permit the use of school facilities by community groups is delegated to the Superintendent of Schools, who will seek counsel as necessary.

- A. Section 414: Use of Schoolhouse and Grounds Out-of-School Hours.

Schoolhouses and the ground connected therewith and all property belonging to the District shall be in the custody and under the control and supervision of the Board of Education of the district. The Board of Education may adopt reasonable regulations for the use of such schoolhouses, grounds or other property, when not in use for school purposes, for such other public purposes as herein provided. Such regulations shall provide for the safety and security of the pupils and shall not conflict with the provisions of this chapter and shall conform to the purposes and intent of this section, and shall be subject to review on appeal to the Commissioner of Education, as provided by law. The Board of Education of each district may, subject to regulations adopted as above provided, permit the use of the schoolhouse and rooms therein, and the grounds and other property of the district, when not in use for school purposes, if in the opinion of the board of education, use will not be disruptive of normal school operations, for any of the following purposes:

1. For instruction in any branch of education, learning or the arts;

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2. For public library purposes, subject to the provisions of the Education Law, or as stations of public libraries;
3. For social, civic and recreational meetings and entertainment, and other uses pertaining to the welfare of the community; but such meetings, entertainment and uses shall be non-exclusive and shall be open to the general public;
4. For meetings, entertainment and occasions where admission fees are charged, where the proceeds thereof are to be expended for an educational or charitable purpose; but such use shall not be permitted if such meetings, entertainment and occasions are under the exclusive control, and the said proceeds are to be applied for the benefit of a society, association or organization of a religious sect or denomination, or of a fraternal, secret or exclusive society or organization other than organizations of veterans of the military, naval and marine service of the United States and organizations of volunteer firemen and auxiliaries.
5. As polling places for holding primaries and elections, and for registration of voters.
6. For civic forums and community centers upon the petition of at least twenty-five (25) citizens residing within the district or city, the trustees or Board of Education in each school district or city shall organize and conduct community centers for civic purposes, and civic forums in the several school districts and cities, to promote and advance principles of Americanism among the residents of the state. The trustees or Board of Education in each school district or city, when organizing such community centers or civic forums, shall provide funds for the maintenance and support of such community centers and civic forums, and shall prescribe regulations for their conduct and supervision, providing that nothing herein contained shall prohibit the trustees of such school districts or the Board of Education to prescribe and adopt rules and regulations to make such community centers or civic forums self-supporting as far as practicable. Such community centers and civic forums shall be at all times under the control of the trustees or the Board of Education in each school district or city, and shall be nonexclusive and open to the general public.
7. For classes of instruction for disabled individuals operated by a private organization approved by the Commissioner of Education, rent for the use of such facilities may be demanded by said Board of Education.
8. For recreation, physical training and athletics, including competitive athletic contests of children attending a private nonprofit school.

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9. For graduation exercises held by not-for-profit elementary and secondary schools, provided that no religious service is performed; and,
10. To provide child care services during non-school hours, provided that the cost of such care shall not be a school district charge but shall be paid by the person responsible for the support of such child; the local social services district as authorized by law; or any other public or private voluntary source.
11. For licensed school-based health, dental or mental health clinics that is located in a school facility of the district, is operated by an entity other than the district or Board of Cooperative Educational Services and will provide health, dental or mental health services during school hours and/or non-school hours to school-age and preschool children.

B. Guidelines:

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

1. Sponsoring organizations must provide sufficient competent adult supervision throughout the use of any facilities.
2. An employee of the School District must be on duty whenever school facilities are used by an organization or group. The custodian on duty should be notified at the start and finish of the activity.
3. No out-of-school group will begin its activities until school is dismissed in the afternoon and the students have left the building.
4. On days when school is closed because of snow or other calamity, all activities scheduled for that day will be cancelled or postponed.
5. The school building will not be used for recreation by outside groups on legal holidays.
6. Private individuals or family affairs will not be permitted to use school facilities.
7. No group will, under any circumstances, tamper with any electrical or heating controls.

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8. Putting up decorations or scenery or moving pianos or other furniture is prohibited unless permission is granted.
9. Under no circumstances shall scenery or other property be stored in the auditorium.
10. Organizations wishing to use the kitchen facilities must employ a school lunch employee to be on duty during the time of building use.
11. Only the Board of Education may compensate employees for services involving the use of school facilities.
12. All forms of tobacco and nicotine use (smoking, inhaling, dipping and chewing, vaporizing, etc.) is prohibited on District facilities and on school property.
13. All facilities must be vacated in a reasonable time frame by all groups unless excused by prior approval of the Superintendent. This will allow ample opportunity for the custodian in charge to secure all facilities.
14. All facilities used must be left in the same condition as they were before the activity.
15. Organizations wishing to use the Roberts Street auditorium will be charged a fee for the services of a school district staff member who will operate the lights and sound system at the Roberts Street complex auditorium.
16. School-sponsored activities have priority in the use of school facilities.
17. There shall be no use, possession, sale or distribution of alcohol or controlled substances as defined in the Board Policy Drug and Alcohol Abuse, or of intoxicating beverages at any time in the school buildings or on school property.
18. Responsibility for preservation of order, loss and damage must be assumed by the applicant during the use of property. Any damage to school property shall be reimbursed by the organization using same.
19. Necessary police protection and security will be provided when deemed necessary.
20. The Board assumes no responsibility for any properties left in the building or on the grounds.

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21. Nothing shall be sold, given or exhibited or displayed without permission from the Superintendent.
22. The Board of Education or its representatives must have free access to all rooms at all times.
23. The right to revoke a permit at any time is reserved by school authorities.

C. Use of Equipment

School equipment may be loaned to responsible community groups for a worthy education, civic, or charitable purpose when:

1. The group borrowing the equipment agrees to accept responsibility for repairing or replacing any equipment damaged or lost while in its possession;
2. The equipment is not unusually expensive and subject to easy damage;
3. The equipment is in good condition;
4. The group will provide a competent operator for any equipment loaned;
5. The group borrowing the equipment shall reimburse the District for any costs incurred by the District because of such use;
6. The "Equipment Request" form must be submitted to the Superintendent of Schools no later than seven days prior to the requested use of equipment date.

III. Application for Use of School Facilities

- A. Applications for the use of facilities must be filed with the Superintendent at least thirty **30 calendar days** prior to the date when facilities are desired to be used.
- 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

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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. The individual or organization approved for use of facilities shall accept full responsibility for any damage done to school property and for compliance with all regulations.
- E. Any individual or organization requesting use of the school facilities for certain events must be required to produce a certificate of insurance naming the School District as an additional insured before being granted permission to use facilities. This determination will be made by the Superintendent after consultation with the School District Attorney and/or insurance agent.

IV. Insurance and Release from Liability are required as follows:

- A. The District shall assume no responsibility for the safety or welfare of any individual permitted access to school premises for any purpose, or for any program or activity sponsored or presented by any agency, organization, group or individual. Under appropriate circumstances, the District may require a release from any agency, organization, group or individual with respect to any liability to the District; may require an agreement from such agency, organization, group or individual to indemnify the District for any liability which may be incurred in connection with use of school premises; certification that the agency, organization, group or individual has the required insurance coverage; and/or may charge a rental at least in an amount to cover all resulting expenses to the District, consistent with the regulations listed below.
- B. The organization requesting use of the school facilities shall purchase and maintain required insurance coverage during the anticipated period of use. This insurance must be purchased from the New York State licensed A.M. Best Rated "A" or "A"+ carrier. The Canastota Central School District shall be named as additional insureds.
 - 1. For all coverages:

Any deductibles or self-insured retentions must be declared to and approved by the District. Any failure to comply with the reporting provisions of the policies shall not affect coverage provided to the District, its Board of Education, officers, employees or volunteers.
 - 2. Commercial General Liability Insurance:

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- a. “Occurrence” form, including Premises-Operations, Products-Completed Operations, Contractual, Personal Injury, Owner-Contractor Protective and Fire Damage Legal Liability. Coverage shall be in the amount of \$1,000,000 per occurrence, \$2,000,000 aggregate.
- b. With regard to Commercial General Liability coverage, the policies shall be endorsed to contain the following provisions.
 - (1) The organization’s insurance coverage shall be primary insurance as respects the District, its Board, officers, employees or volunteers.
 - (2) Any insurance or self-insurance maintained by the District, its Board, officers, employees and volunteers shall be in excess of the organization’s insurance and shall not contribute to it.
 - (3) The District and its Board shall enjoy all rights and privileges of the policy without the responsibility to pay premiums.
- c. A copy of the certificate shall be mailed to the School District Treasurer, with a provision that in the event the policies are either cancelled or diminished, at least thirty (30) days prior written notice by certified mail, return receipt requested, shall be given to the District.
- d. The organization shall not commence activities until they have met the insurance requirement and such insurance has been approved by the District.

C. Granting of Approval

- 1. The Superintendent or his/her designee is authorized to approve and schedule the use of school facilities by non-school organizations for whose activity no admission charge is made, in accordance with these rules.
- 2. The Board of Education has final authority to approve the use of school facilities by non-school organizations for whose activities an admission charge is made where the proceeds for such are to be expended for an educational or charitable purpose.

V. Use of School Facilities

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- A. Any use of school facilities for school-related activities will be scheduled through the Building Principal.
- B. Recognized collective bargaining units may use school facilities to conduct meetings as specified in the collective bargaining agreement(s).
- C. No students are allowed in a school building unless appropriate approved adult supervision is on duty. Scheduling in advance will ensure that the space requested is available and not given to outside groups.

VI. Use of Schoolhouse by News Media.

The Board of Education ~~of any school district~~ may permit, subject to terms and conditions satisfactory to such Board, the admission of persons and equipment of any news medium to school grounds, school houses, school buildings and other locations for the dissemination of information by print, broadcast recording or other means, of athletic events, concerts, lectures and similar activities taking place there at of interest to the general public; provided that nothing herein contained shall prevent the broadcasting or televising of any such events or activities with or without commercial sponsorship.

VII. Prohibited Uses of School Buildings and Property

State Education Law and the New York State Constitution specifically prohibit the following uses of school buildings and property:

- 1. For any purpose that will in any way interfere with the use of school buildings, grounds, or other school property by the school;
- 2. By any person or profit-making organization for personal or private gain, financial or otherwise;
- 3. For a meeting, entertainment, or occasion where admission fees are charged, unless the proceeds thereof are to be expended for an educational or charitable purpose approved by the Board.
- 4. Meetings sponsored by political organizations unless authorized by a vote of the Board of Education.
- 5. Any use not permitted by this policy is prohibited.

VIII. Classification of School Groups:

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A. Use of Facilities by School Groups (including school staff members):

School facilities may be used without a rental charge and without a charge for custodial service by any regularly sponsored school activity.

This includes PTO and school booster club meetings and PTO-SPONSORED groups, organizations and activities when custodians are regularly on duty.

B. Civic, Cultural, Religious and Service Groups

School facilities may be used by civic groups, service clubs, music, religious organizations, dramatic and literary organizations or other nonexclusive groups, organizations or activities as provided by regulations established by the Board of Education providing the school district: is reimbursed as scheduled, when reimbursement is called for under these regulations. The Board of Education, at its sole discretion, reserves the right to waive the charges scheduled in favor of fees for custodial services only when the proceeds of activities sponsored by organizations in this classification are used exclusively for the benefit of the school or charitable purpose.

C. For Example:

1. Parent-Teacher Organizations, Boy Scouts or Girl Scouts, shall not be required to pay for services for their regular meetings.
2. If the organizations hold a fund-raising activity, no rental fee will be charged, but they must pay the necessary fee for school employees required to be on duty. However, if in the judgment of the Principal the activity will not necessitate additional payment to the employee on duty, this fee may also be waived.
3. These organizations must follow all other listed regulations for fund-raising activities.

D. Priority for usage will be granted in the following manner:

1. First Priority: Canastota School Student Activities. (This will include athletic practices, school tournaments, musicals and/or play practices.)
2. Second Priority: Canastota Community Groups. (This includes Village recreation department, Civic and social groups and senior citizen groups.)

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- 3. Third Priority: Non-Canastota Community Groups. (This involves groups from outside the community. USA Volleyball, Oneida YMCA, Mohawk Valley Wrestling Association, AAU Sanctioned, AYSO Sanctioned.)
- E. Facilities usage will be limited during the December, February and April recesses to allow for maintenance and cleaning.
- F. Cost Schedule for School District Buildings:

- 1. When no admission fee is charged and when the School District is not on contingency budget and no additional custodial services are required, fees shall be waived for student groups, P.T.A., educational and civic groups in the Canastota Central School District. However, when such events take place and school staff are not normally on duty, the above groups may be subject to a fee for the expenses incurred by the school for additional cleaning and/or custodial costs.
- 2. The cost for non-school related functions are as follows:

<u>Canastota Community Groups</u>	<u>RATE</u>
* Use of the facility	NO CHARGE
* Use of public address system, setup and teardown	CONTRACTUAL RATE
* Custodial charge if outside normal working hours	CONTRACTUAL RATE
* Use of football field lighting	CONTRACTUAL RATE
* Use of athletic fields without lights	NO CHARGE
* Cafeteria personnel	CONTRACTUAL RATE

<u>Non-Canastota Community Groups</u>	<u>RATE</u>
* Use of facility	\$20.00/hr.
* Use of public address system set-up and tear down	CONTRACTUAL RATE
* Custodial charge includes one hour after completion of use	CONTRACTUAL RATE
* Use of athletic fields	CONTRACTUAL RATE
* Use of football field lights	CONTRACTUAL RATE

- 3. The cost to both school related and non-school groups for regular cafeteria personnel shall be at the contractual hourly rate.

* There may also be additional custodial charges. If school district custodians have completed their normal weekly hours, they would be

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asked to work additional hours. The non-school organization would be charged an hourly cost of \$20.00 to cover these costs.

* All or part of the service fee may be waived if the organization is directly involved with the support of the community's youth at the time of such activity.

- IX. In the event that the district is operating under a contingent budget, the use of school facilities will be restricted in accordance with New York State Law and decisions of the Commissioner of Education.

Canastota Central School District

Legal Ref: Section 414, NYS Education law; Section 61.09 Arts and Cultural Affairs Law

Adopted: 01/14/69, 08/17/82

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