

EASTON AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: USE OF DISTRICT FACILITIES

ADOPTED: AUGUST 27, 2007

REVISED: November 9, 2011

| 707. USE OF DISTRICT FACILITIES | |
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| <p>1. Purpose</p> | <p>The Board recognizes that although the primary purpose of the buildings, facilities and property of the district is to provide students with an appropriate learning environment, district facilities may be used by district residents, community organizations and organizations providing a benefit to the school and community on a space available basis outside of normal school hours. District activities shall have priority in the use of facilities and may preempt requests for use by non-district individuals and groups.</p> |
| <p>2. Authority</p> <p>SC 511 Title 22 SEC. 12.9</p> <p>10 P.S. 311 et seq</p> <p>SC 775</p> | <p>The Board will not consider waiver of any of the requirements set forth in this policy unless specifically permitted herein.</p> <p><u>General Statement</u></p> <p>The following shall be the policy of the Board, cognizant of the special needs and interests of the school program and community groups. The Board directs that the use of facilities may be granted to individuals and community groups subject to policies and regulations as adopted by the Board and the school laws of Pennsylvania for the following types of activities:</p> <ol style="list-style-type: none"> 1. Instruction in any branch of education, learning and the arts that is consistent with the school district's mission. 2. Social, civic and recreational meetings and entertainment, and other uses pertaining to the welfare of the community; but such use shall be non-exclusive and open to the public. 3. Polling places for holding primaries, elections and special elections as permitted or required by state law. 4. Recreation, physical training and athletics, including competitive athletic contests for children and adults. <p>The Board reserves the right to set forth additional requirements, including specific</p> |

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| <p>3. Delegation of Responsibility</p> | <p>Board approval and/or modified fee schedules for entities who seek exclusive, repeated, regular and/or long-term use of facilities.</p> <p>The Board shall establish a schedule of fees for the use of school facilities by approved groups.</p> <p>The Superintendent and/or designee shall design and implement procedures, as necessary, for requesting and granting permission for use of district facilities.</p> |
| <p>4. Guidelines</p> | <p>Individuals and groups requesting use of any district facilities must submit an application at least 21 calendar days prior to the event to the school principal. An application for use of district facilities may be disapproved by the Superintendent and/or designee because of noncompliance with established policy and procedures. Failure to submit a fully completed application for permit at least 21 calendar days prior to the date requested may result in the denial of the permit application.</p> <p><u>Classifications</u></p> <p>The classification scheme established in this policy will be used in determining fees or other requirements.</p> <p><u>Class I – District-Sponsored Activities</u></p> <p>Class I activities are those that are directly sponsored by the district. They include activities such as school programs (open houses, concerts, etc.), college fairs, science fairs, interscholastic and intramural athletic events, approved clubs, and Odyssey of the Mind. As district-sponsored activities, building, custodial, security, and site manager fees will not be charged and no insurance certificate will be necessary. A list of any non-district individuals acting in a volunteer capacity must be submitted to the building principal with the Use of Facilities permit request.</p> <p><u>Class II – District Recognized Groups Acting In Direct Support Of District</u></p> <p><u>Activities</u></p> <p>Groups in this classification are those that are directly supporting district activities and include alumni organizations, PTA's, and formally recognized booster groups. Building use, custodial, security, and site manager fees will not be charged to these groups. In addition, the district will extend its property and liability insurance coverage to groups designated in Class II. To be considered as a Class II organization, booster groups must receive formal designation by the Board by submitting current operating by-laws and annually a list of officers with authority to sign the permit application.</p> |

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| <p>20 U.S.C. Sec. 7181 et seq 35 P.S. 1223.5</p> | <p>has been expressly authorized by the Board or administration.</p> <p>6. Use of tobacco products. Appropriate signs to this effect shall be placed in clearly visible locations. Whenever practical, public address announcements shall inform the public of the district's tobacco use policy.</p> <p><u>Violations</u></p> <p>The school district reserves the right to remove from school district premises any individual or community group who fails to comply with the terms and conditions of this policy and established procedures.</p> <p>In the event an individual or community group violates this policy or the terms under which permission was granted to use district facilities, that individual or community group forfeits the right to submit future written requests to use school district property, unless otherwise decided by the Board.</p> <p><u>Conflict With Regular School Program</u></p> <p>The Board permits the use of school properties by community organizations and groups subject to such restrictions as are necessary to expedite efficient utilization and to avoid conflicting schedules.</p> <p>Any scheduled school activity, whether taking place during the school day or otherwise, shall have priority over any other activity for the use of such facility. In the event of school activity is postponed due to inclement weather, etc., and the make-up day conflicts with a planned community or other activity, the school program shall have priority and the community activity and/or other activity shall be postponed and may be rescheduled. Scheduled activities that are cancelled due to inclement weather, which are not rescheduled, are eligible for a refund of fees paid.</p> <p>All areas of a building requested must be kept in such condition that there will be no interference with normal school operations.</p> <p>Any equipment, scenery, decorations, furniture, etc., to be used by the requesting organization shall be delivered to the facility involved at a time as determined by the building principal that will not interfere with normal school operations prior to the event. It must then be removed at a time determined by the school principal, Superintendent and/or designee, but no later than the day following the activity or program.</p> <p>Special requirements must be complied with and may depend upon the facility and conditions at the time permission is granted.</p> <p><u>Application Process for Approval of Usage of Facilities</u></p> |
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1. Classes III and IV

- a. An individual or community group requesting permission to use school district buildings, facilities or property must submit a written application to the principal of the school or the administrator of the facility at least 21 days in advance of the proposed event.
- b. Applications for such usage may be obtained in any school office.
- c. The application must specify the location of the school facilities requested for use; proposed activities; number of individuals participating; and the date, time and duration of the proposed event.
- d. Completed applications shall be reviewed by the school principal or administrator of the facility for confirmation of availability and preliminary approval. At such time, the form will be sent to the Superintendent and/or designee for processing (determination of fees, need for security, etc.) and final approval. The applicant shall agree to exercise proper care in the use of the property and facilities to indemnify and hold harmless the school district for any and all damages to school or other property by any person or persons attending the affair and to indemnify and hold harmless the school district against liability for any and all damage to any person or person for injuries including death. A certificate of insurance shall be attached to the application. The minimum limits of liability are: a minimum of \$100,000 for all damages arising out of bodily injury/person/accident; \$300,000 aggregate for all damages sustained by two (2) or more persons/accidents and \$500,000 Property Damage Liability. In such event, the applicant shall furnish the Superintendent and/or designee with a certificate showing that such insurance has been obtained. The Certificate of Insurance MUST list Easton Area School District as a certificate holder and as an additional insured. The insurance certificate must be submitted with the application at least 21 days prior to the event.
- e. Documentation must provide evidence that the school district shall be held harmless by the user for any liability that arises from use of school facilities by the individual or group.

2. Classes I and II

- a. Requests to use building/facilities by school-related organizations are conditionally approved or disapproved by the school principal and sent to the Superintendent and/or designee for final consideration. Completed applications must be received by the school principal at least twenty one

(21) calendar days prior to the date for which a facility is requested.

- b. In cases whereby events hosted by such groups are anticipated to draw public participants and/or spectators, security will be required.

Fees

All fees due to the school district for the use of a facility are due and must be paid prior to the event. If fees are not paid, approval shall be automatically withdrawn.

The Board reserves the right to waive or reduce fees on a case-by-case basis. Requests for waiver/reduction in fees must be submitted to the Board at least one week prior to the use. The Board additionally reserves the right to charge an interest rate of 15% for all facilities usage fees that are past due more than ninety (90) days.

Regulations for Use

1. Individuals and community group members must vacate school premises Monday through Friday by 10:30 p.m. and Saturday by 3:00 p.m. unless otherwise authorized by the building principal or the Superintendent and/or designee. Equipment and materials provided by the organization must be removed at a time determined by the school principal, Superintendent and/or designee; no later than twenty-four (24) hours after the meeting or performance. Exceptions or additions to this requirement will be evaluated on an individual basis and must be set forth in the application form.
2. Facilities may not be filled beyond rated capacity. The total number of participants and spectators in that activity must be supplied on the application form.
3. Individuals and community groups shall refrain from any conduct or activities not specifically identified in the approved written request/application.
4. When advertising or promoting activities held at school facilities, individuals and community groups shall clearly communicate that the activities are not being sponsored by the school district.
5. Sponsors or supervisors of an activity must remain on the premises until all participants have left the facility.
6. Accidents involving persons and /or property should be promptly reported to school officials.
7. Site managers may be required during use of auditoriums and gymnasiums.

A fee will be charged to facilitate the presence of such employee(s).

8. Requests for use of stage facilities, lighting and installation of scenery shall be clearly indicated on the application. Only school district staff may operate the stage lighting and sound systems. A fee will be charged for such a service.
9. Any group using the swimming pool must have the approval of the school principal. The requesting group must provide the school principal with the number of certified lifeguards dependent upon the number of participants. It is the responsibility of the requesting group to provide certified lifeguards based on the number of participants in accordance with the Pennsylvania Public Bathing Law.
10. The school principal and administrators responsible for approving applications may impose such additional reasonable restrictions or regulations as he/she shall determine according to the nature of the proposed use as set forth on the application and the nature of the group or organization requesting the use.
11. The use of athletic fields is limited to use of such fields for their designated purpose. All groups using such fields shall be prohibited from physically altering the fields.
12. The use of school facilities is subject to cancellation by the school district based upon emergency situations, including inclement weather, and when the use under such conditions may damage such facilities or pose a safety concern.
13. After the application has been approved, the applicant may **not** assign, sublet, or transfer its right of privileges to any other individual, group, or organization.
14. Upon determination of requested facility availability, the Superintendent and/or designee shall determine the required extent and nature of responsible supervision, site manager, custodial and cafeteria services, and security protection. Fees for the use of school district personnel will be billed directly, along with the rental fee to the sponsoring individual or organization.
15. A custodian/custodians and/or other school district personnel must be on duty at all times when a facility is in use.
16. The applicant will be responsible for all thefts of school property, damage thereto or destruction thereof, and shall make restitution to the school district

for such thefts, damage, or destruction. Restitution will be based on new replacement or repair costs including labor.

17. No special arrangements to the facility (decorations, scenery, furniture, and similar items) may occur prior to the time contracted for use.
18. The Superintendent and/or designee or school principal may require additional security staff, ambulance and/or medical service, and/or other requirements for some activities. Satisfying these requirements is the responsibility of the applicant.
19. The Superintendent and/or designee or school principal has the power to revoke permission if, in his/her judgment, the school facility is not being properly used.
20. For scheduling purposes, school activities take precedence over any other event.
21. The Superintendent and/or designee reserves the right to review pertinent documents and/or financial records with regard to nonprofit organizations.

Adult Supervision

Responsible adult supervision in adequate numbers must be provided by the sponsoring organization.

Conduct of Patrons

Persons attending meetings must confine themselves to the rooms, corridors, grounds or areas assigned to their use.

It shall be the responsibility of the organization using the facilities to control the conduct of persons attending the activity. Such control shall include the prevention of:

1. Disrespect to a school representative.
2. Disorder or misconduct inside or outside the building prior to, during, or after the time for which use was granted.
3. Permitting food and/or drink in the auditorium, gymnasium or other restricted area.
4. Parking vehicles on grass areas or any areas not designated as a parking area.

Use of Cafeteria

When school kitchens or dishwashing area are to be used, at least two (2) cafeteria

employees must be on duty in the kitchen and/or dishwashing areas. Those assignments are to be made by the Food Service Manager. Payment of the cafeteria employees will be the responsibility of the organization using the facilities.

Care of Property and Facilities

The use of a building or fields shall be restricted to the purposes and areas for which the application was submitted and approved. The Board reserves the right to restrict and supervise the use of the property in accordance with the intent of these rules and regulations.

Where large audiences are anticipated, the applicant shall be responsible for proper parking of cars on the paved parking areas and to provide the additional services needed to direct and control parking. If it is anticipated that the paved parking areas will not be adequate for parking all the cars, the applicant must make arrangements with the building administrator before parking on any grass area.

Any school equipment that is to be used in conjunction with requested facilities shall be identified at the time that the request for use of facilities is made. The users of school equipment must accept liability for any damage or loss to such equipment that occurs while it is in their use, and must save, hold harmless and indemnify the district for claims, injuries and damages to persons and property arising out of the use of district equipment. Where rules so specify, no item of equipment may be used except by a qualified operator.

Weekend Usage

Additional fees may apply to weekend usage of facilities after 3:00 on Saturdays and at any time on Sundays. Class I through Class III groups will be charged the fees listed on the fee schedule with the exception of the building use. Class IV will be required to pay additional fees on Saturdays and Sundays. Such fees shall consist of and be limited to actual costs related to weekend building use, custodial, security, and site manager fees.

References:

School Code – 24 P.S. Sec. 511, 775, 779

State Board of Education Regulations – 22 PA Code Sec. 403.1

Department of Health Regulations – 18 PA Code Sec. 18.42

Department of Revenue Regulations – 61 PA Code Sec. 901.1, 901.701

707. USE OF DISTRICT FACILITIES - Pg. 10

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| | <p>Local Option Small Games of Chance Act – 10 P.S. Sec. 311 et seq.</p> <p>School Tobacco Control – 35 P.S. Sec. 1223.5</p> <p>Pro-Children Act of 2001 – 20 U.S.C. Sec. 7181 et seq.</p> <p>Boy Scouts of America Equal Access Act – 20 U.S.C. Sec. 7905</p> |
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FEE SCHEDULE FOR USE OF SCHOOL FACILITIES

Class 1 – District Sponsored Activities

Class 2 – District Recognized Groups Acting In Support Of District Activities (i.e. PTA, Formally Recognized Booster Clubs, Alumni Groups/Class Reunion Meetings, etc.)

Class 3 – Community Service Groups (i.e. Community Recreation Boards, Nonprofit Organizations)

Class 4 – All Other Groups (i.e. Private Individuals, For Profit Organizations)

| FACILITY | CLASS | BUILDING | DESCRIPTION (PER DAY) | RENTAL CHARGES | | |
|-------------|---------|----------------------------|-----------------------|----------------|----------|--------|
| | | | | Flat Fee | Hourly | |
| Gymnasium | Class 1 | High School | | N/C | N/C | |
| | | Middle School Campus | | N/C | N/C | |
| | | Elementary | | N/C | N/C | |
| | Class 2 | High School | | N/C | N/C | |
| | | Middle School Campus | | N/C | N/C | |
| | | Elementary | | N/C | N/C | |
| | Class 3 | High School | | N/C | N/C | |
| | | Middle School Campus | | N/C | N/C | |
| | | Elementary | | N/C | N/C | |
| | Class 4 | High School | | | *\$1,000 | *\$150 |
| | | Middle School Campus 7/8 | Events/games | | *\$2,000 | *\$300 |
| | | Middle School Campus 5/6 | Events/games | | *\$1,000 | *\$150 |
| | | Paxinosa Elementary School | Events/games | | *\$500 | *\$150 |
| | | Seasonal (max. 3 mos.) | | *\$1,000 | N/A | |
| Elementary | | Events/games | | *\$500 | *\$150 | |
| | | Seasonal (max. 3 mos.) | | *\$500 | N/A | |
| Auditoriums | Class 1 | High School | | N/C | N/C | |
| | | Middle School Campus | | N/C | N/C | |
| | | Paxinosa Elementary School | | N/C | N/C | |
| | Class 2 | High School | | | N/C | N/C |
| | | Middle School Campus | | | N/C | N/C |
| | | Paxinosa Elementary School | | | N/C | N/C |
| | Class 3 | High School | | | N/C | N/C |
| | | Paxinosa Elementary School | | | N/C | N/C |
| | Class 4 | High School | Performance | | *\$1,000 | *\$150 |
| | | | Rehearsal | | *\$500 | *\$150 |
| | | Middle School Campus | Performance | | *\$2,000 | *\$300 |
| | | | Rehearsal | | *\$1,000 | *\$150 |
| | | Paxinosa Elementary School | Performance | | *\$1,000 | *\$150 |
| | | Rehearsal | | *\$500 | *\$150 | |

707. USE OF DISTRICT FACILITIES - Pg. 11

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| <u>Cafeteria</u> | <u>Class 1</u> <u>Class 2</u> <u>Class 3</u> <u>Class 4</u> | High School Middle School Campus Elementary High School Middle School Campus Elementary | | N/C N/C N/C N/C N/C *\$300 *\$400 *\$200 | N/C N/C N/C N/C N/C *\$100 *\$150 *\$100 |
| <u>Classrooms</u> | <u>Class 1</u> <u>Class 2</u> <u>Class 3</u> <u>Class 4</u> | | | N/C N/C N/C *\$100 per day | N/C N/C N/C *\$25 |
| <u>Cottingham Stadium</u> (Available at <u>Class 3</u> and <u>Class 4</u> only) | <u>Class 3</u> <u>Class 4</u> | | Lights | *\$1,500 *\$2,000 *\$500 | N/A N/A N/A |
| <u>Athletic Fields</u> | <u>Class 3 & 4</u> | High School | Baseball/Softball Limited (Daily) (Seasonal Rate-max. 3 mos.) | *\$50 *\$500 | N/A N/A |
| <u>Natorium</u> | <u>Class 4</u> | | Daily Rate Seasonal Rate (max. 3 mos.) | *\$500 *\$2,000 | N/A N/A |
| <u>Weekend Usage</u> | <u>All Class 1-4</u> <u>Groups &</u> <u>Individuals</u> | All Facilities | All Events | Current rental fees apply including custodial, security and site manager services | |

*Excludes other possible costs that include: custodial, security, and site manager services.