

RED HOOK CENTRAL SCHOOL DISTRICT

POLICY # 1500

Policy Regarding the Public Use of School Facilities

Subject: Public Use of School Facilities

It is the intent and the policy of the Board of Education to balance the interests of preserving school buildings and school property for the primary purpose of educating students within the District and the desire to permit public use of certain school facilities when such use will not interfere with educational activities. This policy is intended to permit use of district facilities for programs of a social, civic, or educational nature for members of the public. This policy is intended to comply with Section 414 of the New York State Education Law which authorizes, but does not require, school districts to open school facilities for certain types of activities. This policy is intended to create and preserve a limited public forum within specific District facilities described below while creating and maintaining the closed nature of all other District facilities, which are not described below.

Rules and Regulations Governing the Use of Specific District Facilities Introduction

Since District facilities are the property of the District and are supported by the residents of the District, the Board wishes to make certain District facilities available for public use in a manner that is consistent with the educational goals of the District, the interests of the District community and federal and state laws governing access to public school buildings. This policy is intended to replace and supersede that portion of the Public Use of School Facilities and Public Use of School Facilities Regulations which governs public use of school facilities and any prior policies or regulations which are inconsistent with this policy.

Definitions

- A. "School District Resident" shall mean those persons who are qualified voters in the District, pay District taxes, or are eligible to attend District Schools.
- B. "Non-Resident" shall mean those persons who do not fall within the definition of "School District Resident."
- C. "School Sponsored" shall mean an event sponsored by: the students, teachers, administrators, or employee of the District; a union which represents District employees; a PTA or PTSA related to the District; or other organization whose primary mission is to serve the school, its students, teachers, administrators, or employees.
- D. "Outside Group" shall mean any group or organization whose event would not qualify as a "school-sponsored event," as defined above.

Policy Scope

All "public uses" of school facilities authorized by this policy shall be secondary to the use by the District for school-sponsored events. Accordingly, no public use authorized by this policy shall be approved, unless and until the District determines that such public use will not interfere with District operations or any school-sponsored event, immediately before, during or after the requested public use. This policy is not intended to regulate District uses of school facilities for school-sponsored events.

District Facilities Available for Use

- A. The following District facilities shall be made available to the public, subject to the conditions and limitations set forth in this policy:
The District's gymnasiums, classrooms, community rooms, cafeterias, outdoor grounds

and outdoor athletic facilities

- B.** All other District facilities, including but not limited to administrative offices, bulletin boards, signs and other secured portions of District building are not available for public 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. Public library purposes, subject to provisions the Education Law, or as stations of public libraries.
- C. Social, civic, and recreational meetings and entertainments, or other uses pertaining to the welfare of the community so long as such uses are non-exclusive and open to the general public (except in the case of veterans' organizations, volunteer firefighters, and volunteer ambulance workers).
- D. Meetings, entertainment and occasions where admission fees are charged, when the proceeds are to be spent for an educational or charitable purpose.
- E. Public voting, community forums, graduation exercises (provided the school is not for profit and no religious service is performed)
- F. Recreational sports, physical training and competitive athletics.
- G. Not for profit child-care programs.

The Board of Education retains the right to modify permitted uses, consistent with state and federal law, in the form of a resolution so long as the Board of Education amends the Policy 1500 to include such use within one calendar year.

Prohibited Uses

Any use not permitted by this policy is prohibited.

Conditions of Public Use

- A.** Public access to District facilities may only be permitted when such facilities are not in use for school purposes, or during educational programs. It is the exclusive and unreviewable judgment of the District to determine if the requested public access to school facilities would interfere with or disturb the District's educational programs.
- B.** Access to the above District facilities for theatrical presentations, musical presentations and Programs of a Social, Civic or Educational Nature will only be permitted where such activities are nonexclusive and open to the general public.
- C.** The District reserves the right to give preference in the public use of District facilities to school district residents, including community based groups and organizations, over non-residents.
- D.** Access to the above District facilities will be permitted only where the applicant agrees to pay the District a use fee according to a schedule adopted by the District to cover the costs of heat, electricity, maintenance, custodial services and any other expenses associated with the requested use. Access 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 access upon an applicant depositing with the District a sum equaling the estimated costs and fees associated with the proposed use ten (10) days in advance of the requested use. The District retains the further right to waive use fees for school-sponsored events, events sponsored by municipalities within the District, and events sponsored by the PTA, PTSA, and Red Hook Education Foundation.
- E.** Where the requested access to District facilities described above, in the estimation of the District, requires special equipment or supervision, the District reserves the right to deny such access, or in the alternative, to condition such access upon the applicant's payment of additional fees in

accordance with paragraph "E" above. Only authorized District personnel or those with express permission of the Superintendent of Schools shall be permitted to operate District equipment.

- F.** Access to school facilities by any outside group seeking to hold an event will only be permitted where such group 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 unreviewable discretion regarding what constitutes adequate insurance for each proposed use.
- G.** The District reserves the discretion to deny access to District facilities described above, or terminate access to 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 violates the establishment Clause of the United States Constitution or other provisions of the United States Constitution or New York Constitution;
 - 3. for any use which, in the estimation of the Board of Education, could reasonably be expected to, or actually does, give rise to a riot or public disturbance;
 - 4. for any use not authorized by Section 414 of the New York Education Law, or other applicable law;
 - 5. for any use which the Board of Education deems inconsistent with this policy or the District's mission;
 - 6. 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;
 - 7. in any instance where alcoholic beverages, tobacco or unlawful drugs are sold, distributed, consumed, promoted or possessed;
 - 8. in any instance where fire code regulations are not abided by;
 - 9. in any instance where the activity, in the estimation of the Board, may cause Damage to district facilities.
- H.** District resources will not be used to promote any particular group, religion, or organization.

Application Procedures

All request for use of District facilities must be submitted in writing using a Request for Use of School Facilities by Outside Groups form. Such forms are available in the main office of the High School, Middle School, Elementary School and District Administrative Offices. Request forms must be signed by an authorized agent or officer of the community-based group or organization, and submitted to the Principal of the school in which facilities are requested at least 14 calendar days in advance of the requested date(s). Proof of adequate insurance, where required, must be provided by the applicant at least ten (10) days before the proposed use. With regard to scheduling of activities, the District retains the right to give preference to groups which are associated with or sponsored by the District. The District further retains the right to deny any application which is not submitted 14 days in advance or fails to provide proof of insurance 10 days in advance of the requested date(s).

Adopt: 12/11/03
Revised 04/09/14

Forms must be submitted at least two (2) weeks before date of activity

Red Hook Central School District				
I. Application For Use of School Facilities				
Name of Group:		Date:		
School:	Facility Requested:			
Purpose:				
Date(s) Requested:				
Between the hours of:		a.m.	&	a.m.
		p.m.		p.m.
Operation Charge	Hours @ \$	/hour		\$
Custodial*	Varies @ \$	/hour		\$
Other Charges	\$		\$	
Estimated Total:		\$		
(check payable to: Red Hook Central School District)				
* Additional charges will be added if activity exceeds time schedule or requires additional custodial help.				
<p>We have received a copy of and have read the policy for the use of school facilities. We understand that violation of facility use regulations or the possession or use of alcoholic beverages and drugs on school district property will result in cancellation of permission to use school district facilities. The lessee shall indemnify and save harmless Red Hook Central School District and the Board, its Members, the Secretary, the Superintendent his/her Assistants and all others who may act for the Board or the school district from all suits and actions of every nature and description brought by the use and/or rental of school facilities agreement here proposed. We agree to comply with these terms and the terms listed to the right of this form.</p>				
Name of person in charge:				
Address:				
Town:				
Phone:		()		
Signature:				
Adult to Student Ratio:				
Special Needs: Custodial:				
Equipment:				
You have performed background checks on all members of your staff				
Yes		NO		
II. For Administrative		Use Only		
Group Category/Type		Group Usage		
Youth/Community/Staff		Initial Prior Use		
Non-School/Non-Profit		Re-application (prior cancel)		
V. Proof of Insurance		Attached		On file in Business Office
The above-named organization is hereby authorized to use the above facility at the time(s) indicated above				
Building Principal:				

Building Use Agreement

The user, upon receiving approval of this application, agrees to:

- 1) Provide proper supervision of activity participants and spectators on school property during the activity hours, including arrival and departure.
- 2) Adhere to applicable regulations specific to building/grounds usage as outlined in the Building Use Policy.
 - a) The group using school facilities shall be responsible for the behavior of those who may be admitted to the activity.
 - b) Building administrators in their official capacity shall be admitted to an activity at any time.
 - c) Users shall comply with all governmental codes and regulations.
 - d) There shall be no installation of equipment or alterations to existing facilities by the user without the prior written approval of the principal.
 - e) Any and all decorations to be used must be fireproof and subject to the prior approval of school principal or building administrator.
 - f) No open flame decoration shall be used anywhere in the building or on the ground.
 - g) No decorations shall be fastened to any walls, ceilings and/or floors except by approval of the principal.
 - h) Any and all decorations, furnishings and equipment shall be installed and removed by the user under the direction and supervision of the school staff, and such removal (along with debris) must be completed immediately upon termination of the activity.
 - i) No intoxicants of any kind shall be permitted on school property at any time.
 - j) Smoking is not permitted in any part of the building or on school grounds.
 - k) A school employee shall operate all apparatus, equipment and devices owned by the school unless otherwise designated by the principal. If the user or its agent, servant or employee operates school district apparatus, equipment or devices, the user assumes full responsibility for damages as a gratuitous bailee of school property in excellent condition, unless otherwise agreed in writing.
- 3) Reimburse District for damage, including vandalism, which occurs during the activity period, including arrival and departure time period. It is further understood that this responsibility includes the actions of spectators and/or participants.
- 4) Pay all applicable fees and charges in a timely manner and as specified in the Facility Use policy.
- 5) Understand that the rights for the use of this facility may not be transferred to another group or individual
- 6) Understand that at times a need may arise which might necessitate the adjustment of your facility permit.
- 7) Adhere to all regulations of the Facility Use Policy, and special provision established by the principal.
- 8) Adhere to all procedures, guidelines & policies pertaining to flyers and advertising.

NOTICE TO PARENTS AND DISCLAIMER

The Board of Education of the Red Hook Central School District routinely provides for use of its facilities by organizations and institutions which are not affiliated with or under the control of the Board of Education. Please be advised that all events which take place on school property and which are not officially sponsored, conducted or sanctioned by the Board of Education are conducted by such groups.

The Red Hook Central School District and The Board of Education shall not be responsible nor be liable for any injury or loss to persons or property which arises out of the use of school district property by organizations, institutions or groups other than the Board of Education, and which is not the result of any action or omission on the part of the Board of Education. Every outside group, organization or institution seeking to use school property shall be solely responsible for the actions and omissions of its own agents, employees and volunteers while conducting activities or business on school property. Board policy requires that any outside organizations and institutions to provide proof of liability insurance. However, the Board of Education does not, as part of the application process, investigate, verify, or otherwise inquire into the credentials, qualifications or background of the agents, employees and volunteers associated or affiliated with outside groups, organizations or institutions seeking to make use of school facilities. Parents are therefore encouraged to contact those listed on the application for use form to inquire into such measures which are taken by such groups, institutions and organizations with respect to their own agents, employees and volunteers.