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| Book                | Policy Manual            |
| Section             | 700 Property             |
| Title               | Use of School Facilities |
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### **Purpose**

The Board recognizes that although the primary purpose of the school buildings, facilities and property is to provide students with an appropriate learning environment, the Board may make school facilities available to individuals and community groups without discrimination and in accordance with this policy, provided the use does not interfere with the educational program of the schools. The use of facilities by students for school and school-sponsored programs shall take precedence over any other use set forth in this policy.

### **Authority**

The district shall, through this policy, make available to the community its various facilities when permission has been requested in writing and approved by the Superintendent or designee.

The Board directs that use of school facilities may be granted to individuals and community groups for the following types of activities:

1. Instruction in any branch of education, learning and the arts, 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.
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.

The Board shall establish a schedule of fees for the use of school facilities by approved groups.[\[1\]](#)

The fee schedule shall be published on the District's website and may be revised from time to time as the Board determines appropriate.

### **Definitions**

**School Organization** - An organization or organizations whose primary purpose and function is to support the educational activities of the Council Rock School District. School Organizations include, but may not be limited to PTA/PTO, Booster Clubs, Council Rock Education Foundation and SAGE.

**Facility (Facilities)** - Any building(s) and/or ground(s), or a portion thereof, owned, possessed, leases and/or operated by the Council Rock School District.

**Booster Club** - An organization that promotes, assists, or augments a co-curricular program sponsored by the Council Rock School District. Contact information for the organization and officers will be provided, each year, to the Superintendent's Office.

**School-Related, Community, Civic/Service Organization (Community Organization)** - A nonprofit organization with a physical address within the Community whose primary purpose is to provide services to residents for the betterment of the community.

**Community** - The geographical area comprised by the boundary of the Council Rock School District.

**Use** - An approved request to use or control a Facility for a single time period not to exceed four (4) hours in a day. Any request for a Facility that exceeds four (4) hours will be charged as a second use. No organization or individual will be permitted to request more than two (2) "uses" in a single weekday without written permission from the Superintendent or designee or more than three (3) "uses" on a single weekend without written permission from the Superintendent or designee..

**Individual** - Any Community resident who can otherwise meet the requirements for Facility Use as set forth in this policy.

**User** - Each organization or individual referenced in the above definitions who have received permission to use a Facility after complying with the guidelines in this policy.

### **Delegation of Responsibility**

The Superintendent or designee shall implement administrative regulations or procedures for requesting and granting permission for use of school facilities and shall distribute the necessary information to individuals affected by them.

An application for use of school facilities may be denied because of noncompliance with established policy and procedures by the Superintendent or his designee.

1. Subject to the provisions of Paragraph 12, permission to use Facilities will be limited to School Organizations, Booster Clubs, and Community Organizations and Individuals. The Superintendent or designee reserves the right to refuse, with or without cause, any individual or organization use of District facilities.
2. This policy does not create or guarantee any right to use the Facilities. The permitted Use cannot exceed a period of one (1) year, unless approved by the Board.
3. No User receiving a Use of Facility permit shall assign their rights to another group or person. No User shall allow another entity, other than its invitees or licensees, to use any part of the facilities without written permission from the Superintendent or designee.

4. User must, at all times, provide proper supervision of Facilities during their Use. Users shall be financially liable for damage to the Facilities resulting from the Use. If police are required, school resource officers from the local community shall be employed and the cost of such services shall be borne by the User.
5. All payments for facility use are to be made by check, payable to *Council Rock School District* presented or mailed to the facilities department of the District. Prepayment of fees is required for all Uses.
6. District equipment such as stage lighting, sound system boards, stage curtains, kitchen equipment, public address system, technology labs, and other specialized equipment must be operated by and under the direction of authorized school district personnel. The User must pay charges for these services to the District.
7. The Superintendent or designee reserves the right to deny the use of a facility if custodial service is not available.
8. A representative of the Facilities department in Council Rock must inspect any electrical equipment used that cannot be plugged into an existing receptacle. For purposes of this policy, generators and the location of the generator must be approved by the Superintendent or designee at the time of the facility use and may not be used within any school building.
9. The User is responsible for monitoring the admittance and supervising the conduct of participants and spectators. All Users shall have adult(s) assigned to maintain traffic flow, ensure supervision of the activity, and ensure that the Use is restricted to the part of the Facility approved for the Use.
10. Appropriate documentation evidencing compliance with this policy and financial information may be requested from any applicant at any time, including proof of non-profit status. Failure to provide this information in a timely manner may result in the denial of the Facility Use application or the withdrawal of an approved Use.
11. The Council Rock School District has an obligation to shield its students, personnel, and residents from unlawful harassment as well as vulgar or obscene speech, speech that advocates illegal drug or alcohol use and/or speech that substantially disrupts or materially interferes with school activities as well as other activities that are in violation of the policies of the Council Rock Board of School Directors.
12. Users must comply with all applicable policies promulgated by the Board of School Directors of the Council Rock School District as well as any administrative regulations deemed applicable by the Use by the Superintendent or designee.
13. Notwithstanding the definitions and provisions above, the Superintendent or designee reserves the right to grant Facility Use to a User that is located outside of our community or a *for profit* entity when the Use does not conflict with a School Organization, Booster Club or Community Organization Use.
14. The facility must be returned to the same or better condition than when it was initially occupied.

## **Guidelines**

### **ACTIVITY CLASSIFICATION - USE FEES, RENTAL CHARGES AND SERVICE FEES**

**Rental charges** are defined as additional charges for the use of specialized equipment.

**Service fees** are defined as labor costs for custodial and operator services. Fees charged for Facility use are non-refundable unless an unexpected District use preempts a paid and scheduled Use by a User. If schools are closed because of inclement weather or emergencies, the Use shall be automatically canceled for that day.

*The fees set forth in this policy shall not apply to any sharing and/or use agreements by and between **Council Rock School District** and any municipality. The fees do not apply to official meetings of **Council Rock School District** Directors and Administrators nor does it apply to any meetings permitted in or on Facilities pursuant to collective bargaining agreements. The District may waive Use fees in certain areas when the User provides services or other financial benefits that have a corresponding value to the school district. Such waiver will be reviewed with the User.*

**The fee schedule is defined by "Use"**

Facilities that are requested to be air-conditioned will be assessed a utility use fee.

**Insurance Requirements**

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|------------------|-----------------------|
| 1. Comprehensive | General Liability     |
| \$1,000,000      | Per Occurrence        |
| \$2,000,000      | General Aggregate     |
| \$1,000,000      | Products/Completed    |
|                  | Operations Aggregate  |
| \$1,000,000      | Personal/Advertising  |
| \$50,000         | Fire Damage Liability |
| \$5,000          | Medical Payments      |

2. Products Liability Insurance will be required if food will be sold and/or prepared and/or provided. Other provisions for product liability insurance may be required at the discretion of the Superintendent or designee. The terms, conditions, and amounts of this insurance will be set by the Superintendent or designee.

3. Motorcycle/Automobile Liability Insurance will be required if vehicles will be used as part of the event. The terms, conditions, and amounts of this insurance will be set by the Superintendent or designee.

4. Workers Compensation Insurance will be required if Users utilizing the facility have an employee(s). The terms, conditions, and amounts of this insurance will be set by the Superintendent or designee.

5. The User's Insurers Policies required hereunder shall be primary and shall be endorsed to name the District as an additional insured.

6. The District provides no insurance protection to organizations, entities, or individuals using school facilities under the terms of this Policy.

**Application Process**

An individual or community group requesting permission to use school buildings, facilities or school property must submit a written request on the Use of Facility application at least thirty (30) days prior to the event. Applications received less than thirty (30) days prior to the event may delay the start date of the event or may result in the denial of the application.

The application must specify the requested building and the portion of the school facilities requested for use; proposed activities; number of individuals participating and spectating; and the date, time and duration of the proposed event as well as execution of the hold harmless agreement.

Applicants who meet the criteria of this policy are eligible to receive facility use under the following conditions:

1. The Facility Use Form is completed and submitted in advance of the start of the event. The Form is available in all school buildings, district office, and the Director of Athletics' office. This form is available on-line at the district website: [www.crsd.org](http://www.crsd.org)
2. A current insurance certificate and an executed hold harmless, both of which comply with the provisions of this policy, must be provided with the application.
3. The facility requested is available.
4. All applicable fees are paid a minimum of ten (10) days in advance of the event or activity. Any additional fees are due and payable ten (10) days upon receipt of the invoice.

### **Application Evaluation**

No application to use school facilities shall be approved without the expressed permission of the Superintendent or designee if the proposed activity would result in any of the following:

1. Conflict with any school-sponsored activity.
2. Access to school facilities closed due to renovations, maintenance, cleaning, the school calendar, or Board action.
3. Access to school facilities containing equipment or furnishings which would be detrimental to the operation of a district program if damaged or operated by an unqualified operator.
4. The proposed use would prevent or encumber district personnel from preparing school facilities for their primary purpose, because of the nature or duration of the activity.

### **Limitations**

When individuals and community groups receive written permission to use school facilities under this policy, such use shall be conditioned upon strict compliance with the following:

1. Individuals shall not use, access or enter upon any portions of the school facilities or their contents not specified in the approved written request form.
2. Individuals shall refrain from any conduct or activities not specifically identified in the approved written request form.
3. All activities must conclude on or before 10:00 PM, unless special approval is obtained, in writing, from the Superintendent or designee. All outside facility use, except for the use of the illuminated courts or athletic fields, shall end at dusk.
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. School equipment used in conjunction with requested facilities shall be identified when the application is submitted. Users of school equipment must accept liability for any damage to or loss of equipment that occurs while in their use. Where rules so specify, no equipment may be used except by a qualified operator, provided by the school.
6. All safety rules and regulations of the Department of Labor and Industry shall be observed.

### **Prohibited Activities**

The following activities are strictly prohibited in school facilities when individuals and community groups are granted written permission to use said school facilities. Violators will be reported to the local police for prosecution under the PA crime code:[\[2\]](#)

1. Possession, use or distribution of illegal drugs and/or alcoholic beverages.
2. Possession of weapons or replica weapons.
3. Conduct that would alter, damage or be injurious to any district property, equipment or furnishings.
4. Conduct that would constitute a violation of the Pennsylvania Crimes Code, and/or state and federal laws and regulations.
5. Gambling, games of chance, lotteries, raffles or other activities requiring a license under the Local Option Small Games of Chance Act, unless such activity has been expressly authorized by the Board or administration.[\[3\]](#)[\[4\]](#)
6. Smoking, vaping, and any use of tobacco products.[\[5\]](#)[\[6\]](#)[\[7\]](#)

The availability of Facilities shall, at all times, be subject to the needs, requirements, and activities of the schools and school district. Users may not schedule any event that includes animal rides, mechanical rides, petting zoos, hot air balloons, moon bounce rides, fire works, bon fires, or any other activity that may create a danger or risk because of the inherent nature of the activity without the permission of the Superintendent or designee and proof of appropriate insurance that covers this particular event. Individual schools may ban other materials like latex or peanut butter.

### **Violations**

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.[\[2\]](#)

In the event an individual or community group violates this policy or the terms under which permission was granted to use school 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.

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| Legal | <a href="#">1. 24 P.S. 775</a>            |
|       | <a href="#">2. 24 P.S. 511</a>            |
|       | <a href="#">3. 10 P.S. 328.101 et seq</a> |
|       | <a href="#">4. 61 PA Code 901.701</a>     |
|       | <a href="#">5. 35 P.S. 1223.5</a>         |
|       | <a href="#">6. 20 U.S.C. 7182</a>         |
|       | <a href="#">7. 20 U.S.C. 7183</a>         |
|       | <a href="#">24 P.S. 779</a>               |
|       | <a href="#">22 PA Code 403.1</a>          |
|       | <a href="#">61 PA Code 901.1</a>          |
|       | <a href="#">20 U.S.C. 7181 et seq</a>     |
|       | <a href="#">20 U.S.C. 7905</a>            |

