



Book	Policy Manual
Section	700 Property
Title	Use of School Facilities
Code	707
Status	Active
Adopted	November 14, 2017
Last Revised	October 10, 2023

Purpose

School facilities of this District (District Facilities) should be made available for community purposes, provided that such use does not interfere with the educational program of the schools.

Definitions

For purposes of this policy, the term **District Facilities** shall include all buildings and any areas therein, structures, athletic fields, lawns or other areas of any kind owned or leased by the Chambersburg Area School District (District).

For purposes of this policy, the term **community based nonprofit organizations** shall mean those nonprofit organizations with at least sixty percent (60%) of the members of the group being residents of the District.

Authority

It is the position of the District that while the District and the community's best interests are served when the District Facilities are responsibly used by community groups, the use of District Facilities for personal or private financial gain is not to be encouraged.

Delegation of Responsibility

The Superintendent shall ensure that this policy is posted on the District's publicly accessible website.
[1]

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.

To the extent otherwise allowable and consistent with the remainder of this policy, the administration may approve use of District Facilities by community based nonprofit groups without prior approval by the Chambersburg Area School Board (Board). To this end, the administration may not approve the use of District Facilities by or for the benefit of for-profit applicants or applicants that are nonprofit groups that are not community based.

Further, unless good cause is shown, it is not the policy of the Board to approve the use of District Facilities by for-profit groups or by nonprofit groups that are not community based.

Guidelines

Categories of Applicants/Administrative Approval

Applicants requesting the use of District Facilities shall fall into the following categories:

CATEGORY A -

1. School District-sponsored programs (e.g. curriculum, educational events).
2. School District-sponsored clubs and activities (e.g. SADD, athletics, school plays, dances, Boosters, PTA/O's, PAGs, FFA, JROTC, and Special Olympics).

CATEGORY B -

1. Local non-profit civic and service organizations such as Fire Companies, Church groups, and Scouts.
2. Nonprofit (501 C-3) youth recreation organizations located in the Chambersburg Area School District.
3. Coach Clinics/Camps: Clinics or camps provided by District coaches for students residing in the District and a fee for participation is charged.

CATEGORY C -

1. Activities sponsored by a municipality lying within the geographic confines of the Chambersburg Area School District.
2. Other nonprofit (501 C-3) organizations with a physical address within the boundaries located in the Chambersburg Area School District.
3. Nonprofit youth recreation organizations from outside the Chambersburg Area School District that are serving at least sixty percent (60%) Chambersburg Area School District resident participants.
4. Other nonprofit organizations, colleges and universities.
5. Other organizations (e.g. for-profit enterprises, government, non-residential groups, individuals, etc.).

The administration shall have the authority to approve District Facilities use by all groups in Categories A and B, with priority of use given to Category A. The administration shall also have the authority, without prior Board approval, to approve District Facility use for Category C applicants if one (1) of the following criteria are met:

1. The organization requesting the use is a nonprofit (501 C-3), its services shall benefit the children and residents of the District and at least sixty percent (60%) of the membership in the organization that sponsors the event shall be District residents. When applying for the usage, such an applicant will certify on an attached document that at least sixty percent (60%) of the membership in the organization that sponsors the event are District residents. The Board and administration reserve the right to require the applicant to verify this fact at any time.
2. The applicant is a college or university and the use is for an educational purpose.

Requests for use of District Facilities by all applicants not included in Categories A and B or the two (2) exemptions to Category C as noted above shall be made in accordance with the application process, but acted upon by the Board, not the administration.

Requests for reconsideration by any applicant denied use of District Facilities by the administration may be presented to the Board for consideration at the request of the applicant.

Usage Fees and Associated Costs

The usage fee for the various District Facilities shall be as listed on Schedule A attached hereto, as amended.

In addition to the usage fees, each applicant shall be responsible for payment of the associated costs for the respective use also set forth in Schedule A. No credit will be given to one applicant for associated costs paid by another applicant that may be using another portion of the District Facilities at the same time. The total amount of the associated costs will be determined by the District, in its sole discretion, based upon the personnel costs incurred, the amount of consumable supplies used, overhead necessary and related items.

Usage fees and associated costs may be adjusted annually at the discretion of the School Board.[2]

Waiver of Rental Fee or Associated Costs

If the applicant is a nonprofit, community-based organization as defined above or a college or university, the usage fees as set forth on Schedule A for Category C applicants may be reduced to the usage fees set forth for Category B applicants.

Associated costs as set forth in Schedule A may be waived for Category A applicants only. All other applicants will be required to pay the appropriate associated costs as determined by the District.

Application for Use

Guidelines for the use of District Facilities, which have been adopted by Board action, including the procedure for the application process to use District Facilities, are kept on file in the District office.

1. *Where to Submit and When* - All facility use requests must be submitted to the Superintendent's designee. To assure timely processing, all applications should be submitted sixty (60) days in advance of requested usage date.
2. *Availability* - All applications for use of District Facilities are dependent upon the availability of the facilities. School programs and school organizations have priority.
3. *Insurance* - The applicant agrees to assume all responsibility for damage claims or liability of any kind arising out of or by reason of its use of the District Facilities and further agrees to save and hold the District harmless from any claims, liability, expense, or cost, including reasonable attorney's fees, in connection with that use of the District Facilities. The District will require the applicant to furnish a bond or a certificate of insurance in the amount of \$1,000,000 to guarantee or assure performance of this assumption of liability and indemnification agreement but failure to so require shall not be deemed a waiver thereof. While the District is insured for liability damage hazards, this insurance may not cover the applicant.
4. *Subletting* - After the application has been approved and signed by or on behalf of the District and by the applicant, it becomes binding upon the applicant. The applicant may not assign, sublet, or transfer its privileges to any other individual, group, or organization, without prior written consent of the appropriate District representative.
5. *Blanket Use Request/Special Event* - Applicants holding regular meetings throughout the year need file only one (1) application at the beginning of each school year. Special events for the purpose of raising funds by such applicant, however, must be covered by separate applications whenever they occur. Applications may not be for a use exceeding one (1) academic year, without prior Board approval.
6. *Taxes* - Any taxes to local, state, or federal government are to be paid by the applicant using the District Facilities.
7. *Responsibility* - The applicant will assign one (1) person over the age of twenty-one (21) to be responsible for overseeing the use of the facility during occupancy. The assigned person must be present during the time the District Facility is being used. If the assigned person is other than the applicant, the District shall receive notification in writing prior to use.
8. *Expiration* - The permission extended to any applicant to use District Facilities within any school year shall expire automatically at the end of that school year (June 30).
9. *Payment of Usage Fee or Associated Costs* - A statement for use of District Facilities and services rendered by the School District will be forwarded to the applicant in a timely fashion, based upon the rental fee and associated costs schedule attached hereto as Schedule A. Payment will be due within thirty (30) days of the receipt of the invoice. Any invoice not paid within the thirty (30) day period shall be the basis of a denial of facility use for a period of one (1) year.

All checks should be made payable to the Chambersburg Area School District, 435 Stanley Ave, Chambersburg, Pennsylvania.

No payments are to be made directly to District employees. All District employees will be paid through District payroll and the costs billed to the applicant. Failure to follow this rule shall result in the applicant being precluded from any future use of District Facilities.

10. *Approvals/Denials/Appeals* - Administrative approval of all requests will be approved/denied by the Superintendent's designee. The School Board will review written requests for an appeal. Sunday building use requests not conforming to the policy or requests that cannot be administratively approved shall be presented to the Board at the applicant's request.

Limitation on Use

Use of District Facilities shall have the following conditions on use by any applicant:[3]

1. Since the law charges the Board with the responsibility for providing, maintaining, and protecting school facilities, the right to deny the use of school facilities must be reserved when deemed necessary in the public interest. The following guidelines will be used in interpreting "the public interest."
2. The sponsoring organizations will conduct orderly meetings and, further, such gatherings will not be of a nature to incite others to disorder.
3. The sponsoring organizations will conduct meetings which are not abusive of other groups by reason of race, creed, color or sex.
4. District Facilities shall not be used for any purpose that is unlawful.
5. District Facilities are not to be used for the financial gain of any individual, individuals or a private commercial enterprise, without prior Board approval upon good cause shown.
6. The use of alcoholic beverages in or on District Facilities is prohibited.
7. Use of tobacco/nicotine and nicotine delivery products is prohibited. This policy does not prohibit the use of a nicotine patch, gum or lozenge as a smoking cessation product by adults using the school facilities.[4][5][6][7]
8. Foods must be prepared and served in accordance with State Health Department regulations.
9. Food may be taken into cafeterias only.
10. School buildings shall not be used for parties or celebrations that are essentially private in nature; this exclusion includes birthday, anniversary, and other similar parties.
11. Unless prior written authorization is given by the District, there shall be no signs, banners, pennants, etc., placed in or on school buildings or on school grounds by any group except those sponsored by or related to the School District. Any signage must comply with local zoning ordinances.
12. The applicant agrees to assume responsibility for all attendees related to the event, including confining spectators and participants to the rooms or parts of the building or grounds specifically included in the agreement.
13. For outside field rentals, if inclement weather (i.e. rain or snow event) is occurring or occurs during the event, the event must be postponed to determine if weather will continue or stop. Playing during inclement weather is prohibited.
14. If using grass fields for games, the organizations are responsible for lining the fields as long as permission has been granted through the Buildings and Grounds Supervisor.
15. All District residents, regardless of township of residence, shall be charged the same fees for events held at District Facilities by any applicant.
16. Applicants shall not sponsor, host or otherwise reserve space for a third party in exchange for funds, other remuneration or gratis (See Applications for Use. 4. Subletting.) The organization receiving the primary benefit must apply.

17. Category B or C applicants shall not "Blanket Book" or schedule facilities for undetermined events. Reserving a facility to hold space open or block others from using it is prohibited.
18. Any refusal to follow policy will result in immediate suspension of facility use with no refund. The ability to use facilities for a period designated by the Superintendent or designee will be communicated to the renter.

Time of Use

The time of use and procedure for use shall be as follows:

1. During the school year, District Facilities usage will be limited to times when school is not in session. No event or setup is permitted to interfere with District scheduled school or events. Exceptions must be specially arranged with the District.
2. Buildings will be opened and closed on an agreed time schedule or one-half hour before the scheduled time of the program and closed one-quarter hour after the scheduled end of the program.
3. Sunday use:
 - a. Secondary buildings are available on Sundays from 8:00 a.m. to 5:00 p.m.
 - b. All other buildings on Sundays -- only the gymnasium is available for athletic activities from 12:00 p.m. to 5:00 p.m.
 - c. All outside areas (i.e., athletic fields, parking lots) are available by the regular application process. Use shall be restricted to daylight hours. Use will also be restricted to approved fields of use. Moving to another area for use is prohibited.
4. During the summer breaks, buildings will not be available for use during certain maintenance and custodial functions. Use for non-reoccurring events will be considered by the administration on a case-by-case basis.
5. In all cases, the District retains the right to deny use of any District Facility, depending upon the availability of staffing and necessary personnel; for failure to pay past-due invoices; for problematic past experiences. In select cases with anticipated high risk, the District reserves the right to charge a security deposit in advance of the rental.

Custodians/District Employees

1. A custodian or other District employee must be on duty at all times when a District Facility is in use, unless waived by the Board. In the event that the District is unable to provide adequate personnel, the District reserves the right to deny use of the facility.
2. District employees, at the expense of the applicant, shall operate all apparatus, equipment, and devices owned by the District.

Use of Equipment

1. Arrangements for the use of the dressing rooms, public address system, A.V. equipment, stage crew, etc., shall be made on the application for use. All arrangements shall be made well in advance of the function. Usage fees shall be charged as outlined on Schedule A.
2. If the District agrees to provide specialty services or equipment, technical/computer equipment or specialty sound/ lighting equipment, the respective Department (Technology, Facilities, Performing Arts, etc.) must be consulted well in advance. Charges for each type and amount of equipment or services will be negotiated based on applicant need plus the cost of a qualified employee to operate it as determined by the District.

Care of Facilities

1. Every organization, or group which may hold meetings, practices, or events shall be financially responsible and pay for any damage done to the building, contents and/or grounds while the

facility is being rented.

2. Use of School District dumpsters is limited to trash from custodial clean-up.
3. Facility usage is restricted to the area approved. Children should not be left unsupervised in any area and not permitted to be in areas not approved for use by the District.

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Damage and Theft

The applicant will be responsible for all thefts of school property, damage thereto or destruction thereof, and shall, upon demand, reimburse the District for such thefts, damage or destruction while using the facility. The applicant shall also be responsible for damage to athletic fields and playing fields, which resulted from usage during inclement weather. Reimbursements will be based on actual replacement costs plus labor.

Police Protection

Applicants receiving permission to use District Facilities will be held responsible for the conduct of participants and spectators. Adequate provisions should be made to properly handle anticipated crowds. The applicant shall reimburse the District for securing school police protection for an event.

Proper adult chaperones must be provided at all times where school-age children are concerned.

Parking of Automobiles on District Property

The applicant will assume responsibility for providing necessary personnel to assure the proper parking of automobiles surrounding the school. An open traffic lane must be maintained around the building at all times to provide adequate police and fire protection. School police will be provided if deemed necessary by the District. Any additional personnel costs will be charged to the applicant. No vehicle or trailer shall be parked on District property for an extended period of time. All parking must be on paved surfaces unless approved in advance by the District.

Auditorium/Stadium/Gymnasium Seating Capacity

1. Ticket sales shall not exceed the capacity of the facility being used.
2. Capacity seating will have been attained when all seats are occupied in the auditorium/stadium/gymnasium of the school involved in accordance with federal, state and local codes. Chairs must never be placed in the aisles. Standing in the aisles is prohibited.

Decorations

1. No equipment is to be brought into the school building without prior approval.
2. There shall be no installations of equipment or alterations to existing facilities or equipment by the applicant without prior approval of the Director of Facilities.
3. All decorations used within the buildings must be fireproof and are subject to the approval of Director of Facilities. No open flame decorations or equipment shall be permitted. No decorations shall be fastened to the walls or ceilings with nails, screws, tape, or other fastener that would damage the finish of the wall. Use of pyrotechnics, flash pots, or similar incendiary devices is prohibited. All usage will comply with IBC Code when applicable.
4. There shall be no installations of equipment or alterations to existing facilities or equipment by the applicant without prior approval of the Director of Facilities.
5. All decorations used within the buildings must be fireproof and are subject to the approval of Director of Facilities. No open flame decorations or equipment shall be permitted. No decorations shall be fastened to the walls or ceilings with nails, screws, tape, or other fastener that would damage the finish of the wall. Use of pyrotechnics, flash pots, or similar incendiary devices is

prohibited. All usage will comply with IBC Code when applicable.

6. The applicant, under the direction and supervision of the school custodian, shall remove all decorations, furnishings, and equipment provided and installed by the applicant immediately, following the terms of the agreement.

Emergency Closing of Schools

When schools are closed for inclement weather, other acts of God, physical breakdowns in the plant, or other emergencies, scheduled use of District Facilities will automatically be canceled.

Right to Refuse

These regulations do not create any contract rights in the applicant for the use of District Facilities. The Board and/or the administration reserve the right to refuse any individual or organization use of District Facilities at any time.

Review

The Board, in matters relating to use of District Facilities after hours, is empowered to review any action taken there under and its affirmation, modification, or reversal of that action shall be final.

Right to Alter

The Board or its designee reserves the right to alter any of the procedures governing the use of District Facilities.

Coordination of Event

Applicant shall be required to attend a coordination of event meeting if required by the District.

Legal

1. 24 P.S. 510.2

2. 24 P.S. 775

3. 24 P.S. 511

4. 18 Pa. C.S.A. 6306.1

5. 20 U.S.C. 7972

6. 20 U.S.C. 7973

7. Pol. 904

24 P.S. 779

61 PA Code 901.1

61 PA Code 901.701

10 P.S. 328.101 et seq

20 U.S.C. 7971 et seq

20 U.S.C. 7905

Rental Fee Schedule.pdf (421 KB)