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| Book          | Policy Manual     |
| Section       | 700 Property      |
| Title         | Use of Facilities |
| Code          | 707               |
| Status        | Active            |
| Adopted       | August 22, 1989   |
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### **Purpose**

The Board of Directors subscribes to the notion that the public schools are owned and operated by and for its patrons and that the schools become an integral part of the community in terms of its intellectual and social expression and development. To this end, the Board encourages the public use of school facilities.

### **Authority**

Authorization for use of school facilities shall not be considered as endorsement of our approval of the activity, group or organization, nor the purposes they represent. School-sponsored activities shall have first priority. The right to authorize use of school facilities shall be retained by the Board and/or Superintendent through the appointed school personnel. Such use will be determined by the district policy and will be only at such times as the facilities required are free from district curricular and extracurricular activities.[\[1\]](#)

### **Guidelines**

Applications to use the school facilities shall be made online. The link for Use of Facilities request is located on the district website. Users are required to have an account and will need to register. Applications for the use of school facilities shall normally be made at least fourteen (14) days in advance. Forty-eight (48) hours' notice of cancellation shall be given. If reservations are not cancelled and facility is not used, a minimum charge will be made.[\[2\]](#)

Applications for the use of school facilities will not be considered more than one (1) year in advance of the start of the activity.

In considering requests for use of district facilities, priorities shall be as follows:

1. Activities and programs of the Mifflinburg Area School District directly related to the instructional and educational programs of the district.
2. Events or activities of district-recognized programs of the Mifflinburg Area School District. The list of district-recognized programs will be approved annually by the School Board.

Examples include: booster clubs, student activity clubs and Home and School Associations.

3. Events or activities of community civic or service groups that are designed to improve the general welfare of the community.

Examples include: Boy/Girl Scouts, Little League, AYSO, Rotary, Lions Club, Kiwanis, and local public libraries.

4. Events or activities of other recognized groups.

### Security Clearances

Effective July 1, 2007, all coaches, group leaders, sponsors, facilitators, etc. from community organizations working with children in the school district buildings and/or on the school district grounds must obtain and present to the Superintendent of Schools all of the following background clearances prior to becoming active in his/her position: [\[3\]](#)[\[4\]](#)

1. Act 34 – Criminal Background Clearance.
2. Act 151 – Child Abuse Clearance.

Any coach, group leader, sponsor, facilitator, etc. from community organizations working with children in school district buildings or on school district grounds who has not been a resident of Pennsylvania for at least four (4) years immediately preceding the date of appointment to the aforementioned positions must secure and provide to the Superintendent of Schools the following additional clearance:

1. FBI – Criminal Background Check.

All clearances must be current and all coaches, group leaders, sponsors, facilitators, etc. who have an infraction listed on any of the previously stated clearances will have their records reviewed by the Mifflinburg Area School Board or its designee. All decisions on whether or not a person with an infraction listed on any of the clearances can serve in the capacity of coach, group leader, sponsor, facilitator, etc. can work with children on school district property will be made by the Mifflinburg Area School District or its designee.

### Insurance Requirement

The use of school facilities will require a certificate of insurance with a liability limit minimum in the amount of \$1,000,000.00. Additionally, the Mifflinburg Area School District must be named as an "Additional Insured" on the policy for the time(s) of usage. No application will be processed without the certificate of insurance requirements as listed.

### Supervision

All activities must be conducted under competent adult supervision and approved by the building principal.

Any activity that requires access to secure locations must include provisions for supervision by a district custodian and/or assigned district employee. Access to specialized areas (i.e., kitchen, etc.) will only be granted with additional supervision from a regular district employee from that specialized department.

Supervision rates will be based on the number of district employees assigned to the event. These hourly rates will be established by the Board annually, and will be based on current averages for: overtime and/or double time wages, required employee costs, prorated supplies and prorated equipment. Custodians and special service times include set-up, duty and clean-up times.

The Superintendent may require the presence of security personnel at events and activities. The costs of security will be based on the Board-approved hourly rates. Custodian fees shall be waived when custodial staff is normally present to public agencies, or to other organizations, clubs, or associations. When facilities are used without the services of the custodian staff, the principal or designee will be responsible for the care and security of the building.

Utilization fees shall be waived for events of district-recognized programs that are conducted during normal custodial times.

All groups using school facilities must have a copy of the approved facility use request in their possession at all times during their use of the facility.

### Restrictions

Approval for usage of facilities shall not be restrictive by reason of sex, race, color, handicap, or age. The district does, however, reserve the right to deny permission to use any of its facilities when such action is deemed to be in the best interests of the school system.

No facility will be used for any money-raising activity unless the proceeds are approved charitable, educational, character building, or other community welfare purposes. No out-of-school group will begin with its activities until school is dismissed in the afternoon and the pupils have left the building, unless special arrangements have been made.

On days when school is closed because of snow or other calamity, all activities scheduled for that day will be canceled or postponed, unless other arrangements are made with the Superintendent or designated person.

There will be no smoking or use of controlled substances in the building or on school grounds. The agent or representative of an outside organization shall be held responsible for ensuring compliance with this policy. Violations will be taken into consideration in determining whether future requests for use by the organization should be granted. [5][6][7][8]

Private individuals or family affairs will not be permitted.

Use of athletic fields must have prior approval. Activity on fields may be suspended or cancelled at the discretion of the administration when conditions have rendered the field unsuitable for use.

The Superintendent may grant permission for the use of district buildings and grounds in all instances not covered by this policy.

Lack of respect for school property will constitute sufficient cause for revoking use and refusing to permit future use to any group or organization.

Saturday, Sunday, and holiday use is pending availability of custodial and food service employees.

### Utilization Fees

When school facilities are used for purposes other than regular district operations, additional expenses are incurred, including heating/cooling, lighting and electricity, water consumption and other operating expenses (wear and tear). Therefore, an hourly fee structure will be approved annually by the Board for common areas in the attempt to cover costs. Hourly fees will be assessed for activities based on the primary area(s) of use. Specific facility rates will be approved annually by the School Board and published. Requests for areas not specified in this table may include a fee to be determined by the business office. The Superintendent or designee may attach additional fees to cover extraordinary costs as determined by the district. [1]

Required fees will be determined by the administration, and invoiced at the conclusion of the activity. All payments are to be made payable to the Mifflinburg Area School District. In no instance shall a group directly compensate an employee of the school district.

\*Use of a kitchen requires the presence of an official MASD food staff employee. Cost for this service is included in this rate.

\*\*Tennis Courts are deemed open to the public from dawn to dusk only, with no utilization fee. Tennis courts may not be used for public purposes when official school programs are present. Specific activities or tournaments should be reserved through the application process.

Legal

- [1. 24 P.S. 775](#)
- [2. 24 P.S. 510.2](#)
- [3. 24 P.S. 111](#)
- [4. 23 Pa. C.S.A. 6301 et seq](#)
- [5. 18 Pa. C.S.A. 6306.1](#)
- [6. 20 U.S.C. 7972](#)
- [7. 20 U.S.C. 7973](#)
8. Pol. 904
- [10 P.S. 328.101 et seq](#)
- [20 U.S.C. 7905](#)
- [20 U.S.C. 7971 et seq](#)
- [22 PA Code 403.1](#)
- [24 P.S. 511](#)
- [24 P.S. 779](#)
- [61 PA Code 901.1](#)
- [61 PA Code 901.701](#)