

**MILFORD SCHOOL DISTRICT  
Milford, Delaware 19963**

**POLICY**

**3101**

**FACILITIES MANAGEMENT**

To assure and continue the positive and mutually supportive relationship between the Milford School District and the community it serves, the Milford Board of Education supports reasonable and practical utilization of all school facilities to responsible individuals, groups and organizations sponsoring activities in educational, cultural, civic, political or recreational areas as defined and limited in 14 Del. C. § 1056 relative to the use, control and management of public-school property.

The Superintendent or Designee will provide and maintain clear procedures to provide equal and consistent service regarding use of Milford School District facilities.

Milford School District buildings and grounds may be used for holding public gatherings of a character not detrimental to the civic welfare of community, State, or nation. The Superintendent through the operations department will maintain procedures to implement this Policy. These procedures shall include, but are not limited to, procedures for securing the use of a facility, charges for facility use, restrictions of use, cancellation of scheduled activities, use of playgrounds, and use of outside recreational areas.

**REVIEW AND REPORTING:** The Superintendent or Designee will report each year to the Board on the status of this policy.

**REFERENCES:** 14 Del. C. §1056 et al., Internal Revenue Service Certification of Section 501(c)(3) Exempt Status; Title 36 of the United States Code.

Adopted: 09/24/12

Amended: 11/24/14, 8/20/18, 11/18/24

## R-1.1

### **Operational Procedures and Guidelines for Facilities Use and Rentals Applications**

A. Use of school facilities is restricted to residents of the Milford School District. The district will not approve facilities use and rentals from organizations located outside the Milford School District unless the requesting organization can document at least 50% of the participants in their organization's programs or activities are students or residents of the Milford School District. In order for an outside organization's application to be considered, the organization must forward evidence of the number of Milford School District participants in their organization to the Superintendent or Designee. Any exceptions to this policy will be granted by the Superintendent or Designee.

B. Building Use/Rentals are not desirable during regular school day hours, and shall be limited, for the security, safety and welfare of all students and staff on campus. School day rentals for organizations may not interfere with regular school day classroom and facility use or disrupt regular school day instruction.

C. An "Application for Use of School Facilities" must be completed and on file 45 days prior to the rental date. A Certificate of Insurance, with the Milford School District, 906 Lakeview Ave, Milford, DE 19963 listed as an additional insured, must be on file with the application prior to initial approval being granted for Category I (as necessary), II and III activities.

D. Requests to use athletic facilities and/or equipment will require the additional approvals of the Principal and the Athletic Director. The utilization of the district's Carey-Simpson facility, weight-training facility, competition baseball and softball fields will be restricted to school district programs due to the expenses associated with field maintenance, specialized equipment, limited availability, and trained district staff availability. Athletic facilities at Milford Middle School, located on Lakeview Avenue, will be available on a first come, first served basis.

E. Alcoholic beverages, drugs, smoking, vaping, and gambling are prohibited on all school property. The use of improper and/or offensive language is cause for exclusion from the facilities.

F. The Milford School District prohibits the use of any Milford School District facilities by any person or for-profit organization for personal or private gain, financial or other matter compensation, without prior written permission of the Milford Board of Education.

G. It is understood by the Milford Board of Education that the requesting organization assumes full responsibility and liability for any organizational negligence which may result in any personal injuries, damage to equipment, furnishings, buildings, or grounds.

H. The Milford School District reserves the right to cancel or postpone any event based on, but not limited to, security concerns, weather conditions, availability of district personnel, school events, condition of the buildings and/or grounds.

I. Violations of the rules and regulations of the Milford School District in connection with the use of school facilities and equipment will result in immediate cancellation of the privilege granted to use facilities and/or equipment. Costs for repair or replacement of lost or damaged property and the cost of the extra services shall be charged to the responsible organization. School personnel shall have access to facilities as authorized.

J. Organizations must provide appropriate security measures as part of the rental agreement. Appropriate security is at the discretion of the Milford School District and may require the organization to secure police coverage, not covered within the rental fee and at the organization's expense, through the Milford Police Department. Any non-Milford School District organization approved to

utilize any part of a school's campus during regularly scheduled school hours must provide police coverage during their event or activity. The organization must designate one person who will be in charge of the event or activity and remain at the event, throughout the entirety, in a supervisory capacity.

#### **R-1.2**

K. For all non-school organizations, a copy or proof of an acceptable criminal background and child protection registry checks must be submitted for the person, within the supervisory role, with the application and prior to facility use approval being granted. The organization also must indicate within their building use form request whether staff utilizing the facilities have had acceptable background checks. If the organization is not able to provide proof of background checks for an adult staff member or volunteer, individuals serving in either of these capacities must be cleared by the Milford School District through the Raptor Visitor Management System or other district-used background electronic screener prior to working the event. Violation of this part of the policy will result in immediate termination of the organization's facility use.

L. Milford School District does not engage in permanent rentals or agreements for use of District Facilities. District Facilities are not to be used as a permanent campus, throughout a school year or calendar year, for any non-affiliated Milford School District organization. Milford School District reserves the right to terminate a rental at any time.

M. Summer Time rentals or agreements for use of District Facilities are limited due to building maintenance schedules and building shutdowns relative to energy conservation during the summer months.

N. Any Delaware Interscholastic Athletic Association or Henlopen Athletic Conference events in which Milford is not a participant must be approved by the Athletic Director and Superintendent or Designee.

O. The fee system will cover operational costs of the facilities to be used and may be modified or waived at the discretion of the Superintendent or Designee for activities involving individuals and organizations which provide benefit to the educational process and activities of the governing bodies of the Milford School District and State of Delaware.

P. All pre-paid facilities/equipment rental fees and custodial charges will be refunded by the Milford School District Office if written notice is received of the cancellation within 72 hours in advance of the scheduled event. Custodial charges, but not the facilities/equipment rental fee, will be refunded by the Milford School District Office if written notice of the cancellation is received prior to the day of the event, but not before 72 hours.

#### **User Classifications:**

**Category I** – Milford School District sponsored events/activities or Milford School District-related organizations, civic or government organizations and events held by non-profit organizations located in the Milford School District. Event or activity scheduled at time when custodial staff normally on duty.

#### Organizations include:

1. MSD School Clubs and Student Organizations
2. MSD Parent-Teacher Organizations
3. MSD Education and Support Staff Association (MEA)
4. MSD Booster Organizations
5. MSD School Board Activities

6. Government (subject to personnel costs and liability provisions)
7. Local Police and Fire Departments (subject to personnel costs and liability provisions)

**Category II** – Events sponsored by Milford School District-related organizations and events held by non-profit organizations located in the Milford School District. Any group wishing to qualify for use of district school facilities as a Category II organization must apply through our facility rental system and submit their current 501(c)(3) <https://www.milfordschooldistrict.org/our-district/departments/buildings-and-grounds/facilities-request>. Custodial fees will be assessed unless the event occurs during normal custodial working hours. Category II Community Groups or Non-Profits organizations located in the Milford School District charging fees will be charged rental fees in accordance with the approved schedule. Superintendent or designee has ability to grant fee reduction or waive fees.

Non-Profit Organizations include:

1. Boy Scouts of America
2. Girl Scouts of America
3. Boys and Girls Club of Greater Milford
4. Milford Little League
5. City of Milford
6. Carlisle Fire Company
7. People's Place
8. Milford Elks Lodge
9. Milford Rotary Club
10. Milford Lions Club
11. Milford Pop Warner
12. American Cancer Society – Relay for Life
13. Auxiliary of BayHealth
14. National Multiple Sclerosis Society – Bike to Bay
15. 4-H Club
16. Milford American Legion Baseball
17. DIAA Officials' Organizations

**Category III** – All organizations and community groups that do not qualify for Category I or II and/or are a For-Profit Group. All such organizations will be charged rental fees in accordance with the approved schedule. Custodial fees for Category III groups will be at the overtime hourly rate and charged for the entire time school district custodian(s) are on duty to include preparation time, event, and the cleanup period. School facilities may not be used by District Staff for personal reasons without explicit written authorization by a District Office Administrator in accordance with these guidelines.

**R-1.3**

**Fee Requirements:**

**Category I** – No rental fees; additional insurance as required; personnel expenses as required.

**Category II** – No rental fees required unless fees are charged by sponsoring organization. Personnel expenses as required, and insurance certificate required.

**Category III** – Rental Fees per schedule with personnel expenses as required. Insurance certificate required.

**Application and Approval Procedures:**

Application for use of school facilities and/or equipment shall be made by a responsible representative from requesting organization. Internal requests should be submitted through "Data Service Center." External request must be made at <https://www.milfordschooldistrict.org/our-district/departments/buildings-and-grounds/facilities-request>. External organizations must first apply to be an approved organization and submit the required additional insurance requirement and 501(c)(3). Once approved all external request must be submitted through the facility rental system. The completed application shall first be submitted to the principal of the facility being requested. If the initial request is approved the application forwards to the Supervisor of Buildings and Grounds

for final fee assignments and insurance review. Final approval will be granted when the application is in order and the proposed use is compliant with Board Policy.

**Fees:**

Rental fees are applicable to all events according to their User Classification category. The rental fee schedule is established and attached. A 50% down payment will be required with the application payable to the "Milford School District." Applications will not be processed without down payment.

**Personnel Expenses:**

Organizations using district facilities will be charged fees to cover personnel expenses for the hours which staff are required to prepare for, monitor, and clean up after such events.

E-1

**Facility Pricing as of November 2024**

Elementary Charge Per Hour		
Area	Category II	Category III
Classroom	\$ 30.00	\$ 60.00
Library	\$ 75.00	\$ 150.00
Cafeteria	\$ 75.00	\$ 150.00
Kitchen (1)	\$ 75.00	\$ 150.00
Gym	\$ 75.00	\$ 250.00
Parking Lot	\$ 50.00	\$ 50.00
2 Hour Minimum for Rentals		

Secondary Charge Per hour		
Area	Category II	Category III
Classroom	\$ 30.00	\$ 60.00
Library	\$ 100.00	\$ 200.00
Auditorium	\$ 150.00	\$ 300.00
Cafeteria	\$ 100.00	\$ 200.00
Kitchen	\$ 150.00	\$ 200.00
Gym	\$ 150.00	\$ 250.00
Parking Lot	\$ 50.00	\$ 50.00
2 Hour Minimum for Rentals		

Additional Charges, If Necessary	Per Hour/Pers Staff Member
Custodian (2)	\$50 Non-Normal Hours & Holidays \$60
Food Service	\$50 Non-Normal Hours & Holidays \$60
Information Technology Specialist	\$60 Non-Normal Hours & Holidays \$75
Light/Sound Personnel (3)	\$50 Non-Normal Hours & Holidays \$60
3 Hour Minimum for Personnel	
Additional Trash Removal	\$120 Per Dump

- (1) MSD Child Nutrition employee(s) must be present.
- (2) Chief Custodian will determine if (and how many) custodians will be necessary.
- (3) Light/Sound Personnel may not be available through the district. When district Light/Sound Personnel are not available, the organization must provide a qualified person to operate the system and the district has final discretion as whether to approve the person.

## E-2.2

### **RULES AND REGULATIONS FOR RENTING MILFORD SCHOOL DISTRICT FACILITIES**

This application must be completed and estimated: 50% cost of usage is to be paid in full at time of the submission of usage request. Certificate of Insurance and Background Checks will be required for initial approval. Refunds will be made in accordance with the Milford School District Board of Education Policy 3101. It is understood by the Milford Board of Education the requesting organization named assumes full responsibility for any damage to equipment, furnishings, building, or grounds. Promotional or other events, as deemed necessary by the Supervisor of Buildings and Grounds will require Milford Board of Education approval prior to final authorization and may be subject to rental/usage fees in excess of the fees identified in Exhibit 1 of Milford School District Board of Education Policy 3101.

Alcoholic beverages, smoking, vaping, and gambling are not permitted in school facilities or on school grounds at any time. Falsification of information on application, rowdiness, and vandalism, abuse of property, inadequate supervision, and/or violations of Delaware Law, City of Milford ordinances, or district policies shall be grounds for eviction, cancellation of permit, and may impact continuance of future facilities/equipment usage.

Flags other than United States and State of Delaware are NOT to be displayed at any time on school buildings or grounds without the expressed written permission of the Milford School District. The Milford School District has the expressed authority to restrict the display of flags and/or promotional material as it deems necessary.

Lessee shall indemnify Milford School District against all claims and liability arising from any accident, injury, damage to person or property occurring on or about leased premises or on sidewalks or streets adjoining the leased premises and which arises out of or occurs in connection with use of leased premises by lessee, his or its agents, employees, members or guest. The word "Lessee" shall indicate person or organization leasing and requesting the use of Milford School District buildings, grounds, and facilities. The person signing this form represents that he or she has the full legal authority to act on behalf of and bind the party, parties, or organization requesting the use of property belonging to Milford School District. Lessee agrees to provide Milford School District with a Certificate of Insurance listing Milford School District as an "Additional Insured" prior to approval of this application.

Milford School District reserves the right to cancel or postpone this event based on, but not limited to, security concerns, weather conditions, availability of district personnel, school events, and/or condition of the buildings and/or grounds. The requesting organization is responsible to see that vehicles observe fire lane restrictions, handicapped parking, and for keeping all entrances and exits clear. We must be assured that emergency vehicles have clear access to and from the buildings and grounds.

The Responsible Person noted on the front of this application and signed by such person must be present at all times during the rental. If they will not be present, or if there are more than one responsible person(s), all those responsible must be listed and all must sign the application.

For all non-school organizations, a copy or proof of an acceptable criminal background and child protection registry checks must be submitted for the person, within the supervisory role, with the application and prior to facility use approval being granted. The organization also must indicate within their building use form request whether staff utilizing the facilities have had acceptable background checks. If the organization is not able to provide proof of background checks for an adult staff member or volunteer, individuals serving in either of these capacities must be cleared by the Milford School District through the Raptor Visitor Management System or other district-used background electronic screener prior to working the event. Violation of this part of the policy will result in immediate termination of the organization's facility use.

All pre-paid facilities/equipment rental fees and custodial charges will be refunded by the Milford School District Administrative Office if written notice is received of the cancellation at least 72 hours in advance of the scheduled event. Custodial charges, but not the facilities/equipment rental fee, will be refunded by the Milford School District Administrative Office if written notice of the cancellation is received prior to the day of the event, but not before 72 hours. The Application fee is not subject to refund under any circumstances.

NOTE: See Board Policy #3101. For rates: See Board Policy #3101, Exhibit #1