

USE OF SCHOOL FACILITIES

The use of buildings, grounds, and facilities of the Patchogue-Medford School District as community centers, for legitimate and appropriate activities by district staff and the people of the community, is encouraged by the Board of Education. Such use shall be subject to CDC, DOH, Executive Order, appropriate sections of New York State Education Law, decisions by the New York State Commissioner of Education, and regulations of the Board of Education. Priority for the use of these facilities shall always be given to the various aspects of the educational program for which they were primarily provided, including activities relating to the regular school program, intramural and other extracurricular activities, adult education, summer school, and in-service education programs. Further, the Board of Education encourages the joint development of recreational facilities with municipal governmental agencies.

Permitted Uses

District facilities may be used for the purposes listed below, subject to the conditions and restrictions set forth in this policy.

- Instruction in any branch of education, learning or the arts.
- Public library purposes, subject to provisions of the Education Law, or as stations of public libraries.
- 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.
- Meetings, entertainment and occasions where admission fees are charged, when the proceeds are to be spent for an educational or charitable purpose.
- Polling places for holding primaries and elections, for the registration of voters and other legally permissible election purposes.
- Civic forums and community centers.
- Recreation, physical training and athletics, including competitive athletic contests of children attending a private, nonprofit school.
- Child-care programs when school is not in session, or when school is in session for the children of students attending schools of the district.
- Graduation exercises held by not-for-profit elementary and secondary schools, provided that no religious service is performed.

Prohibited Uses

Any use not permitted by this policy is prohibited. In addition, the following uses are specifically prohibited.

- Meetings sponsored by political organizations.

Use of School Facilities (Continued)
Prohibited Uses (Continued)

- Meetings, entertainments and occasions that are under the exclusive control of and the proceeds are to be applied for the benefit of a society, association or organization or a religious sect or denomination, or of a fraternal, secret or exclusive society or organization, other than veterans' organizations or volunteer fire fighters or volunteer ambulance workers.

Conditions of Use for District Facilities

- A) Use of District facilities may be permitted unless such facilities are in use for school purposes, or during educational programs. The District reserves exclusive and non-reviewable judgment to determine if a requested use would interfere with or disturb the District's educational programs.
- B) To ensure that District facilities are preserved for the benefit of the greater District community, only community-based groups and organizations (that is, groups which are located within the geographic area covered by the District) may be granted access to district facilities.
- C) In the event that an organization applies that is not located within the geographic area covered by the District, the information will be shared with the Superintendent and discussed with the Board of Education for review.
- D) Use of District facilities by the Boy Scouts or other patriotic youth groups listed as a patriotic society in Title 36 of the U.S. Code will be permitted to the same extent as other outside groups. The District shall not deny access to or otherwise discriminate against youth groups based solely on the group's membership or leadership criteria or oath of allegiance to God and country.
- E) United States military recruiters will be provided the same access to high school students on school grounds that is generally provided to colleges and universities or prospective employers.
- F) Use of District facilities will be permitted only where the applicant agrees to pay the District a user 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. Use is further conditioned upon the applicant's agreement to pay additional fees associated with the use of any additional services i.e., for security, audio-visual technicians, ~~or~~ food service workers, or use of any District owned equipment. The District retains the right to condition use upon an applicant depositing with the District a sum equaling the estimated costs and fees associated with the proposed use 10 days in advance of the requested use. The District retains the further right to waive or reduce user fees for groups that are associated with or sponsored by the District.
- G) Where, in the judgment of the District, the requested use of District facilities requires special equipment or supervision, the District reserves the right to deny such use, or in the alternative, to condition such use upon the applicant's payment of additional fees in accordance with paragraph F above. Only

Use of School Facilities (Continued)
Conditions of Use for District Facilities (Continued)

authorized personnel shall operate District equipment, including but not limited to the District's sound, lighting, and display equipment.

- H) Use of District facilities will only be permitted where the organization provides the District timely evidence of adequate minimum insurance coverage ~~(\$1,000,000 per occurrence/\$2,000,000 aggregate)~~ to save the District its employees, agents, and volunteers 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 coverage for each proposed use. See exhibit A for complete listing of ~~proof~~ **Proof of insurance-Insurance requirementsRequirements.**
- I) Organizations must provide the District with a certificate of insurance meeting the above requirements.
- J) Prior to the start of the event, an announcement should be made to the group regarding emergency evacuation procedures. For example, point out posted procedures, directions for exiting, how to respond to a fire alarm, etc. Refer to Board of Education Policy No. 1339.1 for further information.
- K) In the event of an accident, the custodian on duty should be notified immediately by the organization designee and report the incident to the Director of Facilities. The Director of Facilities will notify the Superintendent and/or his/her designee.

The Board reserves the discretion to deny use of District facilities described above, or to terminate use of District facilities:

- i. by an applicant who has previously misused or abused District facilities or property or who has violated this policy;
- ii. for use which could have the effect of violating the Establishment Clause of the United States Constitution or other provisions of the United States or New York State Constitution, or which would impermissibly burden an individual's rights under the Establishment Clause to engage in private religious exercise.
- iii. for any use which, in the estimation of the Board, could reasonably be expected to or actually does give rise to a riot or public disturbance;
- iv. for any use which the Board deems inconsistent with this policy;
- v. 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;
- vi. in any instance where alcoholic beverages or unlawful drugs are sold, distributed, consumed, promoted or possessed;
- vii. for any use prohibited by law, regulation, or district policy.
- viii. by an applicant who uses any district facilities without first obtaining approval to do so.

Use of School Facilities (Continued)**Application Procedure**
Section 1330.1

1. All requests for the use of facilities by any outside organization wishing to use the buildings or facilities are to be initiated by filing a request on the District Website (see the department tab entitled “Business, Budgeting and Finance” and click on the link entitled “Building Use Information/Application”).
2. Register for an Account (**first-time users only**)
The first step needed to make an online facility use request is to create a user account. You can do so by clicking the Register icon on the aforementioned page. Be sure to complete all information fields and then click the submit button. There is a video tutorial and a “Quick Start Guide” available to assist you with the process. Once the user account has been completed, including the upload of the notarized Statement of Understanding and insurance documents, the request will be forwarded to the appropriate District administrators for approval. You will receive confirmation of request approval or denial via e-mail.
3. Login and Reserve
Once the user account is approved, user may start making facility reservations. There is a Login and Reserve icon on the website page which will direct you to the login screen. The availability of buildings or facilities can immediately be ascertained through the request process.
There is a video tutorial and a “Quick Start Guide” available to assist you with the reservation process.
If the user chooses to reserve space in our buildings, fees may be charged to offset costs for custodians, food service workers, audiovisual technicians, and/or security guards, in addition to any applicable field use costs (see Section 1330.2). Any organization using District facilities must meet insurance requirements and have a current Certificate of Insurance on file with the District.
4. Applications will be accepted no later than 30 days prior to the event.
For a series of events, applications will be accepted no later than 30 days prior to the first event in the series. Applications for a series of events will only be accepted for events that are similar in nature. Separate applications must be submitted for events that occur in each of the following periods according to the assigned classification as indicated in the chart below:

Use of School Facilities (Continued)
Application Procedure (Continued)

Season	Entry Dates	Classification
July 1 – June 30	Open System April 1 for school year	District Groups
Summer - July 1 – August 31	60 days prior to Season start	Level I, II, III
Fall - September 1 – November 30	60 days prior to Season start	Level I, II, III
Winter - December 1 - February 29	60 days prior to Season Start	Level I, II, III
Spring - March 1 – June 30	60 days prior to Season start	Level I, II, III

The application timelines set forth herein may be waived by the Superintendent of Schools or designee on a case-by-case basis upon the written request ~~of the outside organization~~. Requests should be sent via e-mail to buildinguse@pmschools.org, which will be monitored by the business office. Said request shall include, at a minimum, the cause for the delay, as well as the organization's proposed application.

Only completed applications will be accepted. This includes a fully executed online Facility Use Request, as well as a signed Statement of Understanding and Proof of Insurance requirements (see exhibit A for copies of these forms). All applicable fees must be received no later than 10 days prior to the first event on the application.

5. Building use may not commence until approval is given by the Superintendent of Schools. Failure to obtain such approval prior to use of a facility may result in the denial of all future requests of any district locations.
6. The applicant must clearly and completely describe the intended use of the district facility space in the application.
7. All applicants must review this policy prior to submitting the application. All applicants must agree to the terms and conditions as part of the application process. The applicant's consent to these terms on the application shall attest to the group or organization's intent to comply with all Patchogue-Medford Board of Education policies and regulations and to use District facilities strictly in accordance with the use described in the application.

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8. All applicants must agree to assume responsibility for all damages resulting from its use of District facilities.

1330

Use of School Facilities (Continued)
Application Procedure (Continued)

9. Permits shall be valid only for the facility, use, dates and time specified in the permit. No adjustment to the permit is allowed except with the prior written approval of the Superintendent of Schools or designee. Requests should be sent via e-mail to building use@pmschools.org. Permits shall not be transferable.
10. The Superintendent of Schools is authorized to alter or cancel any permit if it becomes necessary to use the facility for school purposes or for other justifiable reason.
11. With regard to scheduling activities, the District retains the right to give preference to groups and organizations which are associated with or sponsored by the district.

While the Superintendent of Schools is authorized to approve requests by outside agencies for use of school District facilities in the name of the Board of Education within the provisions of New York State Education Law and established regulations, the Superintendent of Schools shall refer to the Board of Education for final approval those requests which may be deemed questionable by the Superintendent of Schools.

Charges and Fees
Section 1330.2

The sponsors of the activity for which permission is granted shall pay all fees and charges to the District in accordance with a schedule established by the Board of Education. Fees must be received by the Business Office no later than 10 days prior to the event or first event in a series. The fee structure will be based upon the relationship of the organization to the Patchogue-Medford School District, the community at large, and the nature of the organization.

This schedule shall be based upon the expenses incurred by the District in making the buildings and personnel available.

Level I Users: School or community-based organizations that provide direct services to students such as PTA, scouting, and athletic programs, or organizations involved in a partnership program with a school or District club or organization. Fees to be assessed when school is not in session.

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Level II Users: Not-for-profit community-based organizations such as local fire departments, hospitals, service clubs, and government agencies. Fees to be assessed when school is not in session.

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Level III Users: For-profit organizations. Fees will be assessed in accordance with the schedule of charges shown in exhibit B.

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Use of School Facilities (Continued)**Use of Equipment**
Subsection 1330.3

Use of District owned, movable equipment is prohibited by outside organizations. This prohibition is extended to include but not limited to, musical instruments, business equipment, audiovisual equipment, athletic equipment, as well as school buses and other district-owned vehicles. In addition, any organization that wishes to use the District's kitchen(s) and/or associated equipment must hire a Senior Food Service Worker to supervise the use of facilities and/or the equipment. Use of District equipment is only permissible by District employees. (Refer to subsection 1330.2 and Appendix B)

Liability
Subsection 1330.4

Because it is in the public interest for the Board of Education to protect the District against substantial financial loss, liability insurance will be required for individuals or groups who use school facilities or school district sites. Individuals and organizations shall attach a certificate of insurance to the application requesting the use of a school district-owned facility or an outdoor site. The face amount of the insurance certificate must be, at a minimum, equal to \$1,000,000 per occurrence/\$2,000,000 aggregate to save the District, its employees, agents, and volunteers harmless from all liability, property damage, personal injuries and/or medical expenses. See exhibit A for complete listing of proof of insurance requirements.

The District will exercise complete and unreviewable discretion regarding what constitutes adequate insurance coverage for each proposed use.

Exemptions from this policy are authorized for school district-sponsored events or for events sponsored by school-related organizations such as student groups and parent organizations. No exemption, however, will be granted to any organization which intends to use school facilities for recreational, athletic, physical fitness, or similar activities. Organizations whose meetings are of a nature which require the participants to be sedentary are those to be considered for a waiver of liability insurance. Should such an organization wish to depart from its usual business meeting activity to sponsor a recreational, athletic, or physical fitness activity, the minimum insurance will be required and written evidence of same must be filed, in advance, pursuant to the established building use application procedure.

Exceptions
Subsection 1330.5

Exceptions to any aspect of this policy will be made only upon application to the Superintendent of Schools and/or his/her designee and subsequent approval by the Board of Education.

1330

Use of School Facilities (Continued)

Policy Adopted:

November 17, 1986

Supersedes Policies Adopted:

February 26, 1968

September 21, 1970

May 15, 1972

August 28, 1973

November 20, 1973

December 15, 1975

Policy Revised:

January 28, 1991

Policy Revised:

June 21, 1993

Policy Revised:

July 14, 1997

Policy Reviewed:

September 27, 1999

Policy Revised:

July 8, 2002

Policy Revised:

March 24, 2003

Policy Revised:

August 25, 2003

Policy Revised:

November 10, 2003

Policy Revised:

April 15, 2013

Policy Revised:

August 26, 2013

Policy Revised:

October 20, 2014

Policy Revised:

August 24, 2015

Policy Reviewed:

August 29, 2016

Policy Revised:

August 27, 2018

Policy Revised:

August 26, 2019

Policy Revised:

December 21, 2020

Policy Revised:

August 23, 2021

Policy Revised:

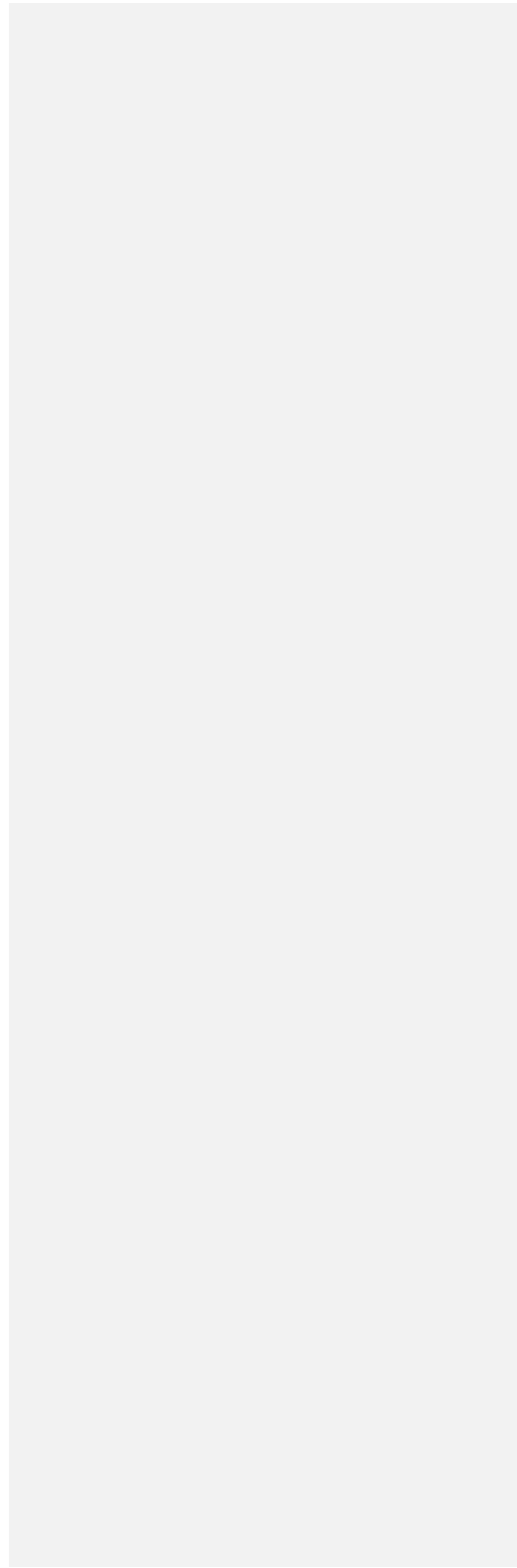
August 29, 2022

Policy Revised:

May 13, 2024

Policy Revised:

September 16, 2024
Policy Revised:



Policy 1330 – Exhibit A

Application Forms to Rent or Use Buildings and/or Grounds

- 1. Statement of Understanding**
- 2. Proof of Insurance Requirements**

PATCHOGUE-MEDFORD SCHOOLS
241 South Ocean Avenue
Patchogue, NY 11772
(631) 687-6480

STATEMENT OF UNDERSTANDING

(To be uploaded and attached to the Application for Use of School Buildings or School Grounds submission)

Date _____

The attached application for the use of _____
(Name of school facility requested)

is submitted in accordance with, and with full knowledge of, the rules of the Patchogue-Medford Board of Education with respect to the use of school buildings and grounds, and in accordance with, and with full knowledge of, Section 414 of the New York Education Law.

The applicant hereby undertakes complete responsibility for the supervision and welfare of all persons on school premises as the result of the event sponsored by the undersigned, and this liability and responsibility attach both with respect to persons arriving on school grounds or remaining on school grounds later than the actual time set aside for the use.

Applicant hereby agrees to save the school district harmless from any claims made by any persons for loss or damage allegedly occurring as the result of the activities planned. This means that the applicant will pay for the legal defense that the school district may be called upon to institute, and will reimburse the school district for any loss or damage occurring to it, with the result that the school district shall be free of any expense of any kind as the result of approving this application.

I certify that as the officially-designated officer of the applicant organization, I have the authority to sign all forms and agreements, including this one, and that my signature indicates a full understanding of all the obligations assumed when using school facilities or school grounds.

Signature (of person to whom a permit will be issued)

Name (printed)

Title

Subscribed and sworn to
Before me this

_____ day of _____

20____.

Name and address of organization:

Telephone Number: _____

PATCHOGUE-MEDFORD SCHOOLS
241 South Ocean Avenue
Patchogue, NY 11772
(631) 687-6480

PROOF OF INSURANCE REQUIREMENTS

(To be uploaded and attached to the Application for Use of School Buildings or School Grounds submission)

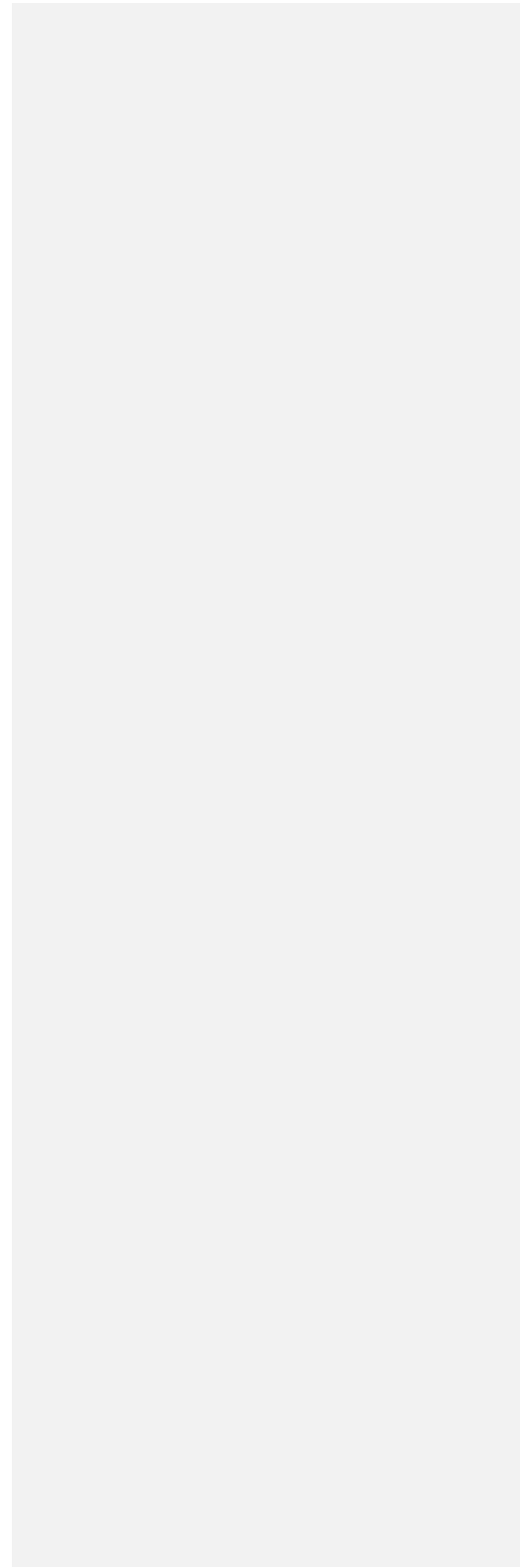
1. Notwithstanding any terms, conditions or provisions, in any other writing between the parties, the permittee hereby agrees to effectuate the naming of the Patchogue-Medford School District as an additional insured on the permittee's insurance policies.
2. The policy naming the Patchogue-Medford School District as an additional insured shall:
 - a. Be an insurance policy from an A.M. Best rated "Secure" or better insurer, licensed in New York State.
 - b. State that the organization's coverage shall be primary and non-contributory coverage for the District its Board, employees and volunteers.
 - c. The Patchogue-Medford School District shall be listed as an additional insured by using an endorsement providing additional insured coverage for accidents and claims arising out of their use of facilities such as ISO endorsement CG 2026 or equivalent. The decision to accept an alternative endorsement rests solely with the Patchogue-Medford School District. A completed copy of the endorsement must be attached to the certificate of insurance.
 - d. At Patchogue-Medford School District's request, the organization shall provide a copy of the declaration page of the liability and umbrella policies with a list of endorsements and forms. If so requested, the organization will provide a copy of the policy endorsements and forms.
3. The permittee agrees to indemnify Patchogue-Medford School District for any applicable deductibles and self-insured retentions.
4. Required Insurance:
 - a. **Minimum Required Insurance:**
 - i. **Commercial General Liability Insurance** \$1,000,000 per Occurrence/\$2,000,000 Aggregate, with no exclusions for Athletic Participants
 - ii. **\$2,000,000 Products and Completed Operations**
 - iii. **\$1,000,000 Personal and Advertising Injury**
 - iv. **\$100,000 Fire Damage**
 - v. **\$10,000 Medical expense**
 - b. **Required Umbrella/Excess Insurance**
 - i. General Use \$1,000,000 each Occurrence and aggregate.
 - ii. Fun Days with Inflatables/Other Inflatable Use Events: \$2,000,000 each Occurrence and Aggregate
 - iii. Organized Athletic Leagues (including Dance Studios) \$3,000,000 each Occurrence and Aggregate.
 - iv. Athletic/Recreational Camps \$5,000,000 each Occurrence and Aggregate
5. Permittee acknowledges that failure to obtain such insurance on behalf of the Patchogue-Medford School District constitutes a material breach of contract and subjects it to liability for damages, indemnification and all other legal remedies available to the Patchogue-Medford School District. The

permittee is to provide the Patchogue-Medford School District with a certificate of insurance, evidencing the above requirements have been met, prior to the commencement of work or use of facilities.

6. The Patchogue-Medford School District is a member/owner of the NY Schools Insurance Reciprocal (NYSIR).
 - a. The permittee further acknowledges that the procurement of such insurance as required herein is intended to benefit not only the Patchogue-Medford School District but also the NYSIR, as the District's insurer.

Policy 1330 – Exhibit B

Schedule of Charges



Schedule of Charges
Subsection 1330.2

Charges for use of buildings and athletic fields shall be assessed according to the criteria outlined below and will be established each year by the Board of Education.

Level I and Level II Users:

1. For an event that requires one (1) custodian and when the event is limited to less than three (3) hours:

	Weekdays	Saturdays	Sundays
Elementary Schools	\$ 0	\$214 <u>220</u>	\$277 <u>285</u>
Eagle and Middle Schools	\$ 0	\$214 <u>220</u>	\$277 <u>285</u>
High School	\$ 0	\$257 <u>265</u>	\$340 <u>350</u>

2. Rate for each hour beyond the minimum of three (3) hours when one (1) custodian is needed:

	Weekdays	Saturdays	Sundays
Elementary Schools	\$ 0	\$69 <u>71</u>	\$97 <u>100</u>
Eagle and Middle Schools	\$ 0	\$69 <u>71</u>	\$97 <u>100</u>
High School	\$ 0	\$92 <u>95</u>	\$117 <u>121</u>

3. Rate for each hour for each additional custodian required for larger events. Additional custodians must be employed for a minimum of three (3) hours each.

	Weekdays	Saturdays	Sundays
All Buildings	\$ 0	\$55 <u>57</u>	\$70 <u>72</u>

4. A ~~\$45~~46 hourly rate for each food service worker required for events that utilize the kitchens. A minimum of three (3) hours will be required for each food service worker requested. The minimum cost will be ~~\$135~~138 for three (3) hours.
5. A ~~\$65~~67 hourly rate for an audiovisual technician. A minimum of three (3) hours will be required. The minimum cost will be ~~\$195~~201 for three (3) hours.
6. A ~~\$33~~34 hourly rate for each security guard required. A minimum of three (3) hours will be required. The minimum cost will be ~~\$99~~102 for three (3) hours.
7. A ~~\$45~~46 hourly rate for field use will apply. A minimum of three (3) hours will be required. The minimum cost will be ~~\$135~~138 for three (3) hours.

Use of School Facilities (Continued)
Schedule of Charges
Subsection 1330.2 (Continued)

Level III Users: For-profit organizations.

1. For an event that requires one (1) custodian and when the event is limited to less than three (3) hours:

	Weekdays	Saturdays	Sundays
Elementary Schools	\$ 477 491	\$ 708 729	\$ 934 959
Eagle and Middle Schools	\$ 1293 1332	\$ 1929 1987	\$ 2564 2641
High School	\$ 1475 1519	\$ 2200 2266	\$ 2926 3014

2. Rate for each hour beyond the minimum of three (3) hours when one (1) custodian is needed:

	Weekdays	Saturdays	Sundays
Elementary Schools	\$ 223 230	\$ 327 337	\$ 423 436
Eagle and Middle Schools	\$ 387 399	\$ 569 586	\$ 749 771
High School	\$ 508 523	\$ 749 771	\$ 994 1021

3. Rate for each hour for each additional custodian required for larger events. Additional custodians must be employed for a minimum of three (3) hours each.

	Weekdays	Saturdays	Sundays
All Buildings	\$ 148 152	\$ 208 214	\$ 267 275

4. A \$~~75~~77 hourly rate for each food service worker required for events that utilize the kitchens. A minimum of three (3) hours will be required for each food service worker requested. The minimum cost will be \$~~225~~231 for three (3) hours.
5. A \$~~103~~106 hourly rate for an audiovisual technician. A minimum of three (3) hours will be required. The minimum cost will be \$~~309~~318 for three (3) hours.
6. A \$~~65~~67 hourly rate for each security guard required. A minimum of (3) hours will be required. The minimum cost will be \$~~195~~201 for three (3) hours.
7. A \$~~45~~46 hourly rate for field use will apply. A minimum of three (3) hours will be required. The minimum cost will be \$~~135~~138 for three (3) hours.