

Use of Facilities

While the district's school building and grounds are maintained primarily for the purpose of educating students within the district, the Board of Education recognizes that the buildings and grounds are a valuable community resource and believes that this resource should be available to the community for specific uses that will not interfere with educational activities.

The regulations to this policy shall identify the uses that community groups may make of the school district's buildings and grounds along with any insurance requirements and/or possible compensation for said use.

Reference ed law 414

Adopted: December 6, 2006

REGULATIONS FOR PUBLIC USE OF DISTRICT-OWNED FACILITIES

In conformity with the Education Law, the following regulations for the use of school buildings and facilities have been established by the Board of Education:

1. The District schools, and other facilities, when not in use for school purposes, may be used for other purposes only if a written permit for such other use shall have been issued by or under the authority of the Board.
2. State Education Law prohibits the use of school buildings and property for any purpose that will in any way interfere with the use of school buildings, grounds, or other school property by the school.

Uses Encouraged for District Residents

In accordance with State Education Law, the following uses of school buildings and grounds are acceptable and encouraged for:

1. Instruction in curriculum-related courses, including the Arts;
2. Recreation, physical training and athletics, including competitive athletic contests for children attending a private, not-for-profit school;
3. Meetings, entertainment, and occasions where admission fees are charged, when the proceeds are to be spent for an educational or charitable purpose;
4. Polling places for holding primaries and elections and for the registration of voters;
5. Civic forums and community centers;
6. Graduation exercises held by not-for-profit elementary and secondary schools, provided that no religious service is performed during these exercises;
7. Child-care services during non-school hours, provided that the cost of such care shall not be a School District charge, and shall be paid by the person responsible for the support of such child; the local social services agency as authorized by law, or any other public or private voluntary agency;
8. Worthy, educational, civic or charitable purposes that will support the welfare of the district's community.

Prohibited Uses of District-Owned School Buildings and Property

State Education Law and the Constitution of New York State specifically prohibit the following uses of district-owned school buildings and properties:

1. Purposes that will in any way interfere with the use of school buildings, grounds, or other school property by the school;
2. Meetings sponsored by political organizations;
3. Use by individuals or groups for profit or personal gain; financial or otherwise;
4. Social, civic or recreational meetings, or other uses pertaining to the welfare of the community, unless such meeting, entertainment or use shall be non-exclusive and open to the general public;
5. Meetings, entertainment, or occasions where admission fees are charged, unless the proceeds thereof are to be expended for educational or charitable purposes prior approved by the Board;

6. Meetings, entertainment, or occasions where admission fees are charged, where such meetings, entertainment or occasions are under exclusive control and the proceeds are to be applied for the benefit of a said society, association, or organization of religious sects or denominations, or a fraternal, secret or exclusive society or organization, other than any organization of veterans or of volunteer firemen or volunteer ambulance services;
7. Groups or organizations, which include animals as a normal and essential part of their activities;
8. Groups whose activities may be deemed to endanger the health and safety of those attending the function, or to cause damage to any of the district-owned facilities;
9. Any use that is contrary to the provisions of Section 414 of the Education Law.
10. FIREWORKS ARE PROHIBITED
11. Open fires, barbecues and cooking of any type

Under Title IX the school district is responsible to insure that any outside organization using district-owned facilities adhere to the rules and regulations of **Title IX***

***Title IX of the Education Amendments of 1972 prohibits discrimination against students and employees of education institutions on the basis of gender.**

Priority of Assignment

District-owned facilities will be assigned as follows:

Group I – First priority is reserved for SOCSO school-related activities as defined below, subject to the following conditions:

1. No charge for facilities or personnel
2. Activities scheduled within regular staff hours whenever possible, Middle and High School buildings will close at 9:00 p.m. and the Elementary School buildings will close at 7:45, except Board Meetings
3. Use of TZHS athletic field bathrooms will require maintenance staff to be on duty.
4. Security will be provided by the district

Eligibility:

- Activity is an outgrowth of daytime instructional program
- Student Activity Program: Intramural, co-curricular, Interscholastic
- Parent-Teacher Organization or parent group of any public school within the School District or community-wide educational organization for school programs and meetings which are open to the public and for which no admission fee is charged.
- South Orangetown Central Booster Clubs and their related activities.
- After school childcare services.
- South Orangetown Central School District Continuing Education Program (Please refer to the attached list in Appendix A)
- South Orangetown Community Volunteer Ambulance, Fire, Police, active Military, and Veterans' organizations.
- Charitable events for the benefit of our resident students may have **some/all** rental fees **reduced or** waived.
 - Local 501(c)3 organizations, **not for profit**, upon request can obtain reduced fee of 50% upon providing the following:

- IRS determination letter
- Roster showing at least 50% of participants are SOCSO residents.
- Submit appropriate Fee Reduction Form
- There are no reductions to Personnel Fees or other direct costs incurred by the district

Group II – Second priority is reserved for all other groups and organizations not named above subject to the following conditions:

1. Building Space/Athletic Area Rental Fees after 6:00 p.m. will be charged for the areas specified (see fee schedule). In addition to these rental fees, charges for custodian or maintenance will be at a rate for a minimum of two hours, plus prep and clean-up time, in accordance with the attached fee schedule, as determined by the Director of Facilities on the permit.
2. The High School track/field lights will not be available for rental at any time
3. The High School Concession Stand will not be available for rental at any time
4. Use of the High School Athletic Field Bathrooms may require maintenance to be on duty in accordance with the attached fee schedule.

Application Procedures for Use of District-owned Facilities

1. All applications for use of school facilities shall be made in writing and submitted at **least two weeks prior to use**, to the Principal in the building in which the requested facilities are located. A permit application is available in the Facilities Office and the Main Office of each school building.
2. The applicant must clearly and completely describe the intended use of the district facility in the application.
3. All applicants must review this policy and the regulations prior to submitting the application. All applications must be signed by an authorized agent of the group, or organization requesting use. The applicant's signature on the application shall attest to the group or organizations' intent to comply with all Board policies and regulations and to use district facilities strictly in accordance with the use described in the application.
4. All applicants must agree to assume responsibility for all damages resulting from its use of district facilities. Proof of adequate insurance must be provided at the time of application along with proof that the organization is a charitable organization and not-for-profit.
5. The Director of Facilities is authorized to alter or cancel any permit if it becomes necessary to use the facility for school purposes or for other justifiable reason
6. Once approved by the Principal, the application is sent to the Facilities Department. The Facilities Department reviews the permit for completeness and then forwards it to the Director of Facilities for approval.
7. Once approved by the Director of Facilities, the permit is returned to the Facilities Department staff who notifies the applicant.
8. Applicants must pay all fees or charges imposed by the Board within thirty (30) days of the school system's invoice date. Failure to comply with this provision shall result in revocation of the permit for scheduled future uses of the facilities.
9. Applicants shall pay to the district, any taxes or fees required by federal, state or local government authority.

10. 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 Director of Facilities. **Permits shall not be transferable.**
11. Cancellations must be received at least 48 hours in advance to avoid charges.
12. Normally the school buildings and grounds must be vacated by **9:00 p.m. in Middle and High School: 7:45pm in Elementary Schools**
13. Applicants are required to clean up after the use of the facilities.
14. As a rule, permits shall not be granted for use on Sundays, School holidays, custodial holidays, and Snow Emergency Days.
15. All organizations must provide proof that they are a charitable organization. Generally, this would mean documentation that they are incorporated as a 501(c)3, charter, by-laws or statement of general purpose.
16. 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.
17. **Due to great demand for use of the district's facilities and expenses experienced from same, priority will be given to district residents and organizations over all other applicants. The board of education/superintendent retains discretion to reject any application when, in the board's judgment, the facility requested has been overused or misused.**
18. Issuance of a permit shall not limit the right of access to the facility by district staff. However, district staff must schedule activities and events prior to use through the process.
19. The number of custodians, security or district personnel required to be on duty at any meeting or entertainment sponsored by an outside organization shall be determined by the Director of Facilities and shall depend on the nature of the use of the facility and the number of people attending.
20. No permit shall be valid unless signed by the Director of Facilities.
21. Facility Fee Reduction Requests:
 - a. Fees may be offset by using approved scholarship awards for resident students, donated services, and/or contributions; in-kind credit cannot be more than 50% of the total fees; approval is required by the Superintendent of Schools. **Submit appropriate Fee Reduction Form**
 - b. Local 501(c)3 organizations, **not for profit**, upon request can obtain reduced fee of 50% upon providing the following:
 - i. IRS determination letter
 - ii. Roster showing at least 50% of participants are SOCSO residents.
 - iii. Submit appropriate Fee Reduction Form
 - c. There are no reductions to Personnel Fees or other direct costs incurred by the district
22. The rental of the High School athletic field area for more than 2 hours requires access to bathroom facilities. The fee incurred will be for maintenance staff, as listed in Facility Rental Fees.
23. **Due to the heightened risk of injury, the district reserves the right to prohibit certain activities. The use of Inflatables (e.g., Astro Walk, Castle Bounce, Cosmo Walk, Moon Walk, Slides, Mazes) and Dunk Tanks are expressly prohibited.**

1500E**HANDBOOK OF REGULATIONS AND FEES
FOR USE OF DISTRICT-OWNED FACILITIES****General Conditions for Use of District-owned Facilities****Use of Facilities:**

1. To ensure that district facilities are preserved for the benefit of the greater district community, only community based groups and organizations which are located within the geographic area covered by the district may be granted access to district-owned facilities. Further, use of district facilities may be permitted unless such facilities are in use for school purposes, or during educational programs. The Board or designee, reserves exclusive and non-revocable decision to determine if a requested use would interfere with or disturb the district's educational programs.
2. The designated individual in charge of each group using district facilities will be present at the time the participants enter the building and remain until the last participant has departed from the building. Buildings will not be made available until the supervisor for the requesting organization has entered the building and presents an approved permit in good order. School staff is not responsible for supervision of participants.
3. The user shall not deny to any person participation in the use of school facilities on the grounds of race, color, creed, religion, national origin, sex, age, marital status, or disability;
4. While residents of the community are welcome to use outdoor facilities for athletic activities, they are cautioned to be sensitive to the fact that these facilities are for all the people and should not be dominated by a few. Special attention should be taken for the use of baseball diamonds, multi-purpose field and tennis courts. When outdoor facilities are to be used for an extended period, a permit is required. The TZHS Track and Tennis Courts will be available for District residents' use from March through November of each year, unless scheduled, subject to the following conditions and prohibitions:
 - a) Sneakers must be worn;
 - b) Bicycle riding is prohibited;
 - c) Roller skating is prohibited;
 - d) Skateboarding is prohibited;
 - e) Dog Walking is prohibited;
 - f) Fireworks are prohibited.

Insurance:

Any group using school facilities accepts, without reservation, responsibility for holding the school system, the Board of Education collectively and individually, and all employees of the school system harmless for any injury sustained by a member of such group and for any damage or loss of personal property owned,

leased or borrowed by such member. In addition, the Board requires the applicant to obtain insurance, in an amount of one million dollars **(\$1,000,000) single limit**, for bodily injury and property damage, and two million dollars **(\$2,000,000) in the aggregate**, which names the School District as additional insured. The Board or designee will exclusively determine what constitutes adequate insurance coverage for each proposed use.

Termination:

The Board reserves the discretion to deny use of district-owned facilities described above, or to terminate use of such facilities as follows:

- a. By an applicant who has previously misused or abused district facilities or property or who has violated this policy;
- b. For any 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 Constitutions;
- c. 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;
- d. For any use which the Board deems inconsistent with this policy;
- e. 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;
- f. In any instance where alcoholic beverages or unlawful drugs are sold, distributed, consumed, promoted or possessed;
- g. For any use prohibited by law.

Emergency:

1. Whenever inclement weather or an emergency situation causes the closing of all schools in the district, all after-school activities scheduled for that day will be canceled;
2. In case of an emergency, all buildings will be available to the American Red Cross, the Police Department, and the Fire Department, and any other authorized County, or Town responders;
3. In the case of an accident resulting in injury to any person or damage to personal property, the incident must be immediately reported to the Principal or his/her designee. All reports must be confirmed in writing from the Principal to the Business Office within 24 hours. Personal injury reports must be forwarded to the Business Office using the appropriate form, and include the following information:
 - a) Name, address and telephone number of the injured party;
 - b) Time of occurrence;
 - c) Place;
 - d) Nature of the injury sustained;
 - e) Names of persons witnessing the incident; and
 - f) Remedial steps taken.
4. All South Orangetown school buildings are equipped with Automated External Defibrillators (AED). Applicants will be provided with information regarding the location of AEDs. Individuals using the AEDs should have received both CPR and AED training in advance. Organizations are urged to have

members of their group trained in the use of the AED, and shall list the individual by name on the permit. Those using the school district's fields cannot expect to have access to the AEDs. If a member of an organization uses a district AED, the organization alone assumes any resulting liability and shall hold the district harmless from such usage;

5. It is incumbent upon the user to become familiar with the Building Evacuation Procedures as required by Chapter 9 of the laws of 1991. It is also incumbent upon the applicant to instruct all participants;

Prohibited Uses:

1. There shall be no gambling or use, possession, sale or distribution of alcohol or controlled substances as defined by Board Policy, Drug & Alcohol Abuse, at any time in the school buildings or on school property.
2. There shall be no smoking as defined by Board Policy.
3. Whether or not admission fees are charged, no contributions shall be solicited or collected on school premises, unless permission is stated in the permit.
4. Exhibits, posters, or materials shall not be displayed on school property without prior approval of the Building Principal.
5. Masking tape, scotch tape, and similar materials shall not be used to affix materials to painted surfaces or chalkboards.
6. School district grounds may not be used for practicing golf shots;
7. Unauthorized or unlicensed vehicles or equipment such as go-carts, motor bikes, power driven model airplanes, are not permitted on school grounds;
8. Screws, nails, bolts, or any other type of penetrating fasteners may not be used on any school property;
9. The use of fireworks is prohibited on school property.
10. Open fires, barbecues and cooking of any type

General:

- Sneakers/gym shoes must be worn when sports or games are conducted on the gymnasium floors.
- Special Arrangements for the use of school kitchens and equipment shall be made prior to the date of the function with the school's food management company. The cost of such service and facility equipment use shall be paid directly to the District's food management company.
- Applicants cannot use District equipment, unless authorized for the use of tables and chairs;
- The operation of a concession, or sale of anything on school property without the permission of the Superintendent is prohibited;
- When spectators are expected to be present at the activities, this should be noted in the application form. Supervision of the activity and spectators (if under 18 year of age) should be provided on the basis of one adult supervisor for each 30 youngsters or fraction thereof;
- All town, village and county ordinances affecting use of public buildings must be complied with;
- The preservation of order will be the responsibility of the applicant
- The number of persons admitted for a function must not exceed room capacity limits as posted for each facility;

- Any advertising for an event scheduled at a school building must clearly identify the sponsoring group;
- A certified lifeguard is required to be present when the swimming pool is in use.
The permit holder shall adhere to all the rules and regulations for the pool/natorium as governed by the Rockland County Health Department.
- There shall be no barbecues or open fires on any SOCSD school grounds for any reason without specific District approval.
- Gymnasium floors must be protected. Every effort should be made to prevent damage from paint, machinery, liquids, food, hard soled shoes etc.;
- Modifications may not be made to school property, electrical panels, emergency equipment including exit lights, fire alarms, and horns;