# PUBLIC USE OF SCHOOL FACILITIES REGULATION
# MEMORIAL FIELD

While the District's school buildings 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 information below is intended to classify the community groups that may use Memorial Field and the fees that will be charged.

## I. Categorization of Users/Events

A. Categorization of New or First Time Users: New or first time users will be categorized by the Superintendent of School and/or his/her designee. This categorization is based on various criteria such as the profit/nonprofit status, age of participants, address of organization and intended use. See **First-Time Users Form**.

B. Users will fall into the following categories, per the **First-Time Users Form**; documentation will be required to confirm user category:

1. Community-based Organization: a) has its legal address within the Mamaroneck Union Free School District's boundaries; and b) provides services primarily (more than 50%) to children and/or adults who reside within the MUFSD.
    i. For-profit
    ii. Not-for-profit for children (18 years of age or younger)
    iii. Not-for-profit for adults
2. All other organizations are considered Outside Organizations.

C. In addition, the intended use, or type of event, will be considered. (See Fee Schedule for details.)
1. Not a fundraiser: no fee charged specifically for event, or fee charged only to cover cost of event
2. Fundraiser: fee charged specifically for event in excess of costs
3. Fundraiser: fee charged specifically for event in excess of costs, but net proceeds donated to MUFSD (projected budget needs to be submitted at time of application and proceeds received within 60 days of the event)

## II. Conditions of Use for Memorial Field

A. Use of Memorial Field 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 request use would interfere with or disturb the District's educational programs.

B. To ensure that Memorial Field is preserved for the benefit of the greater District, community groups will be granted priority access.

C. A District custodian or field supervisor may be in attendance during the use of the buildings. The custodian/supervisor on duty is to be regarded as the representative of the Board of Education. Where, in the requested use of District facilities, special equipment is requested, 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.

D. Proper supervision of participants and meticulous care of District facilities must be provided at all times. This includes adequate cleanup after all events. Any costs resulting from damage to school property and/or equipment will be charged to the person(s) and/or organization using the facility.

E. The space used shall be vacated not later than 9 pm, Sunday through Thursday, 10 p.m. Friday and Saturday, unless a specific exception is granted in the permit.

F. Whenever inclement weather or an emergency situation cause the closing of District schools, all after-school functions, including use of District facilities scheduled for that day, will be canceled.

G. It shall be understood that the Superintendent and/or his/her designee has final authority to grant or reject requests for the use of school facilities and equipment.

H. No smoking, consumption of alcoholic beverages or use of unlawful drugs are allowed on any school property.

I. All Board rules and regulations pertaining to Public Conduct on School Property (Policy 1520) shall be strictly observed.

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

1. by an applicant who has previously misused or abused District facilities or property or who has violated this policy;

2. for any use which could have the effect of violating the Establishment Clause of The United States Constitution or other provision of the United States or New York State Constitutions;

3. for any use which the District or Board of Education deems inconsistent with District policy;

4. in any instance where alcoholic beverages or unlawful drugs are sold, distributed, consumed, promoted or possessed; or

5. for any use prohibited by law.

## II. Application Procedure for Use of District Facilities

Outside organizations requesting use of Memorial Field shall be required to review District policy and regulation and submit an application. Applicants will need to follow the guidelines and restrictions below:

A. All applications for use of school facilities should be made at least 30 days prior to the date of the requested use in writing and submitted to the Athletic Director, and/or his/her designee, who will approve or deny the requested date(s). Permit applications are available in the Superintendent's office, Office of Buildings and Grounds and in individual District school buildings.

B. All applicants must clearly describe the intended use of the District facilities or services and identify the individuals responsible for supervising the use of facilities. An authorized agent of the group or organization requesting use of the facilities must sign the application and the applicant's signature on the application shall attest to the group or organization's intent to comply with all Board policies and regulations.

C. All Applicants must agree to use District facilities strictly in accordance with the use described in the application and assume responsibility for all damages resulting from its use of District facilities. The person(s) and/or organization using any school facilities must assume full responsibility for any injury or damage which occurs during the use, regardless of cause; such person(s) and/or organization must file a Certificate of Insurance. All users must provide the following insurance prior to using facilities

**FAILURE TO DO SO PRIOR TO USE WILL RESULT IN REVOCATION OF YOUR PERMIT:**

1. The user hereby agrees to name the District as an additional insured on the user's policy.
2. The policy naming the District as an additional insured shall:
   - Be an insurance policy from an A.M. Best A· rated insurer or better licensed to conduct business in New York State. A New York State licensed and admitted insurer is strongly preferred.
   - State that the organization's coverage shall be primary and non-contributory coverage for the District, its Board, employees and volunteers with a waiver of subrogation in favor of the District/BOCES for all coverages including workers compensation.
   - Additional insured status for General Liability coverage shall be provided with ISO endorsement CG 20 26 or its equivalent. A completed copy of the endorsements must be attached to the Certificate of Insurance.
3. The user agrees to indemnify the District for any applicable deductibles or self-insured retentions.

4. Required Insurance:

   **Commercial General Liability Insurance**

   $1,000,000 per Occurrence/$2,000,000 Aggregate, with no exclusions for athletic participants.

   $2,000,000 Products and Completed Operations

   $1,000,000 Personal and Advertising Injury

   $100,000 Fire Damage

   $10,000 Medical Expense

   **Automobile Liability (When an organization's vehicle is brought onsite)**

   $1,000,000 combined single limit for owned, hired, borrowed and non-owned motor vehicles.

   **Workers' Compensation and NYS Disability Insurance (For Organizations with Employees)**

   Statutory Workers' Compensation (C-105.2 or U-26.3); and NYS Disability Insurance (DB- 120.1) for all employees. Proof of coverage must be on the approved specific form, as required by the New York State Workers' Compensation Board. ACORD certificates are not acceptable. A person seeking an exemption must file a CE-200 Form with the state. The form can be completed and submitted directly to the WC Board online.

   **Umbrella/Excess Insurance**

   ***General Use***

   $1 million each Occurrence and Aggregate. Umbrella/Excess coverage shall be on a follow-form basis or provide broader coverage over the required General Liability coverages.

   ***Organized Athletic Leagues***

   $3 million each Occurrence and Aggregate. Umbrella/Excess coverage shall be on a follow-form basis or provide broader coverage over the required General Liability coverages.

   ***Athletic/Recreational Camps***

   $5 million each Occurrence and Aggregate. Umbrella/Excess coverage shall be on a follow-form basis or provide broader coverage over the required General Liability coverages.

   ***Carnivals and Firework Displays, etc.***

   $10 million each Occurrence and Aggregate. Umbrella/Excess coverage shall be on a follow-form basis or provide broader coverage over the required General Liability coverages.

5. User acknowledges that failure to obtain such insurance on behalf of the District constitutes a material breach of contract and subjects it to liability for damages, indemnification and all other legal remedies available to the District. The facility user is to provide the District with a certificate of insurance, evidencing the above requirements have been met before the event.

D. Prior to the start of the event, an announcement should be made to your group regarding emergency evacuation procedures. For example, pointing out posted procedures, directions for exiting, how to respond to a fire alarm, etc.

E. In the event of an accident, please notify the custodian on duty or call the business office the next morning.

F. The Director of Buildings and Grounds will check each application to ascertain that the applicant has provided required insurance certificate that names the Board of Education as an additional insured.

G. Use of District facilities will be permitted only where the applicant agrees to pay the applicable fees according to the **Memorial Field Facility Use Fee Schedule** referenced and the end of this regulation and which covers the costs of expenses associated with the requested use. The Business Office will ascertain whether fees are to be charged and if so, the total amount as per the **Memorial Field Facility Use Fee Schedule**. The Business Office will bill and collect such fees. Applicants shall be required to remit payment for use of District facilities or services within 30 days of invoicing by the District. Use is further conditioned upon the applicant's agreement to pay additional fees associated with the use of any additional services or equipment.

H. 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. Failure to pay the District in a timely manner may result in the suspension or revocation of applicant's privileges to use District facilities in the future.

I. If the District issues a permit, the permit shall be valid only for the facility, use, dates and time specified in the permit. Permits shall not be transferable and no modification to a permit is allowed except with the prior written approval of the District. In addition, the permit may be altered or canceled if it becomes necessary to use the facility for school purposes or for any other justifiable reason. Issuance of a permit shall not limit the right of access to the facility by District staff.

| **Personnel Services:** | **Per hour** |
|---|---|
| Custodians | $ 113.35 |
| Custodians Sunday, Holidays | $ 151.10 |
| Contracted Security | |
| • During school hours | $37.49 per hour |
| • After school hours M-F and all day Saturday | $56.23 per hour |
| • Sundays and holidays | $74.99 per hour |

Normal custodial needs are included in the above rates. When more than one custodian is required for any event an additional charge per custodian of their hourly rate will apply.

**Revisions may be made to these fees at any time at the discretion of the Superintendent of Schools.**

**MEMORIAL FIELD USER FEE SCHEDULE**

| USER CATEGORY | EVENT CATEGORY | FEE FOR FIELD | FEE FOR LIGHTS |
|---|---|---|---|
| Outside Organization | All | $328.13 per hour | $26.26 per hour |

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|---|---|---|---|
| Community Organization:<br>For Profit | All | $328.13 per hour | $26.26 per hour |
| Community Organization:<br>Not-for-profit, for children | 1. Not a fundraiser<br>2. Fundraiser, net proceeds to MUFSD<br>3. Fundraiser | $78.75 per hour<br>$78.75 per hour<br>$164.06 per hour | $26.26 per hour<br>$26.26 per hour<br>$26.26 per hour |
| Community Organization:<br>Not-for-profit, for adults | 1. Not a fundraiser<br>2. Fundraiser, net proceeds to MUFSD<br>3. Fundraiser | $164.06 per hour<br>$78.75 per hour<br>$328.13 per hour | $26.26 per hour<br>$26.26 per hour<br>$26.26 per hour |

*There will be an additional $74.99 per hour fee for supervision on weekends, holidays or when school is not in session

Contracted Security

- During school hours $37.49 per hour
- After school hours M-F and all day Saturday $56.23 per hour
- Sundays and holidays $74.99 per hour

**Hours of Operation**

Memorial Field will be available for use as listed below. Please note field lights will remain on for no more than 15 minutes at the end of an athletic contest/practice or 15 minutes at the end of operation hours for closure of field and to ensure the safe departure of participants from the playing field.

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|---|---|
| Monday – Thursday | 3:00 p.m. – 9:00 p.m. |
| Friday | 3:00 p.m. – 10:00 p.m. |
| Saturday | 8:00 a.m. – 10:00 p.m. |
| Sunday | 8:00 a.m. – 9:00 p.m. |

(Summer/vacation schedule TBD)

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| Adoption date: | October 21, 2008 |
| Readoption date: | December 13, 2010 |
| Revised: | June 27, 2011 |
| Revised: | January 13, 2014 |
| Revised: | July 12, 2018 |
| Revised: | July 3, 2019 |

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| Revised: | January 14, 2020 |
| Revised: | January 17, 2020 |
| Revised: | July 1, 2020 |
| Revised: | July 1, 2021 |
| Revised: | July 1, 2022 |
| Revised: | November 17, 2022 |
| Revised: | February 1, 2023 |
| Revised: | February 14, 2023 |
| Revised: | July 1, 2023 |
| Revised: | July 1, 2024 |
| Revised: | July 1, 2025 |
| Revised: | July 1, 2026 |