PUBLIC USE OF SCHOOL FACILITIES REGULATION
(Please see 1500-R-M for 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. However, use of school facilities by outside groups results in increased costs to maintain and operate the facilities, including but not limited to the costs and expense of providing heat, electricity and/or custodial services, as well as additional wear and tear of the facilities. Reasonable fees shall be imposed to offset such costs. The information below is intended to classify the community groups that may use District facilities and set forth fees for each group.

1. Group 1 <u>Users Who Generally Are Exempt from Paying Facilities Use Fees but Do Pay Personnel Costs During Times when the School is not in Operation</u>

Certain organizations that are closely aligned with the District's purpose and mission and would not exist in the absence of the District generally will be exempt from paying fees for facilities use when they are providing educational or extracurricular programs for students and parents, or planning for same, except as set forth below.

a. Group 1 users will pay fees for use of Memorial Field in accordance with Regulation 1500-R-M.

b. Group 1 users who use District facilities when regular personnel services are <u>not</u> being provided by the District in the normal course of maintaining District facilities <u>must pay</u> all additional charges for personnel required to support the use at the rate of pay defined in the **Facilities Use Fee Schedule**. If additional staff is needed to cover an activity of a Group 1 user, the associated cost will be charged to the user pursuant to the **Facilities Use Fee Schedule**.

c. Group 1 users include, but are not limited to, the following:

- PT Council
- Mamaroneck High School PTSA
- PTAs for Hommocks Middle School, Central School, Chatsworth Avenue School, Mamaroneck Avenue School and Murray Avenue School
- SEPTA
- Mamaroneck Schools Foundation
- Parent groups such as Music Parents, PACE Parents, OSR Parents, Padres Unidos, STEM Alliance
- Larchmont-Mamaroneck RADAR (Responsible Action Drug and Alcohol Resource)
- Student Aid Fund

- Kemper Memorial Park Preservation Fund/Veterans groups who use the facilities for the purpose of providing educational programs and ceremonies in recognition of Veterans Day and Memorial Day

2. **Group 2: Users Who Will Pay Fees for the Cost of Facilities Use**

Group 2 users are Mamaroneck and Larchmont based, non-profit 501(c)(3) organizations serving the students and adults of the Mamaroneck UFSD and whose participants are made up of more than 70 percent of Mamaroneck UFSD residents.

a. Group 2 users will pay fees for use of Memorial Field in accordance with Regulation 1500-R-M (please see website)

b. Group 2 users will pay fees attributable to the cost of use as set forth in the **Facilities Use Fee Schedule** for Policy 1500 (see pages 7 & 8).

c. Group 2 users who use District facilities when regular personnel services are <u>not</u> being provided by the District in the normal course of maintaining District facilities <u>must pay</u> all additional charges for personnel required to support the use at the rate of pay defined in the **Facilities Use Fee Schedule**.

d. Group 2 users include, but are not limited to, the following:

- Mamaroneck and Larchmont Girl Scouts, Boy Scouts, Cub Scouts, and Brownies
- Larchmont Volunteer Ambulance
- Mamaroneck Sports Clinics
- Tiger Paws
- South East Consortium (Recreation program)
- Larchmont/Mamaroneck Little League
- Sound Shore Stars
- Mamaroneck Football
- Mamaroneck Junior Soccer League
- MHS Athletic Dept/Special Olympics
- Larchmont Junior Soccer League
- Westchester Board of Elections
- LMBA
- L'il Tigers Basketball
- Larchmont Badminton Club
- Larchmont Newcomers Club
- French American School
- Mamaroneck and Larchmont Libraries
- League of Women voters
- Larchmont-Mamaroneck Center for Continuing Education
- Larchmont-Mamaroneck Babe Ruth League

3. Group 3 Users: Users Who Will Pay Fees for the Fair Market Value of Facilities

Group 3 users will pay fees for use of Memorial Field in accordance with Regulation 1500-R-M.

All other facilities use by individual or organization not listed in Group 1 or 2 above requires payment of rental fees and regular and excess personnel costs per hour, per day or per occasion. Hourly rates and overtime rates for personnel costs for the number of hours personnel services are provided are calculated at the rates contained in the **Facilities Use Fee Schedule** for Policy 1500 (see pages 7 & 8).

Additionally, the District reserves the right to provide users who use the facilities on an annual or seasonal basis with a leasing or licensing agreement in accordance with Education Law 403-a and approved by the Board of Education.

4. Categorization of New or First Time Users

New or first time users will be categorized (Group 1, 2 or 3) by the Superintendent of Schools and/or his/her designee and will be listed as such within Regulation 1500 with notice to the Board of Education.

5. Municipal Users

Use of District facilities by local municipalities will be governed by separate agreement.

All use of school facilities by the public will be governed by the following:

I. 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 request 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, groups with membership of at least 70% of District residents located within the geographic area covered by the District, will be granted priority access to District facilities.

C. A District custodian must be in attendance during the use of the buildings. Use of school equipment, such as projectors, stage lighting equipment or cafeteria-kitchen equipment, may only be used when operated by staff-assigned personnel or trained personnel approved by the District.

D. 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 in accordance with the **Facilities Use Fee Schedule**. Only authorized personnel shall operate district equipment.

E. 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.

F. The number of persons admitted for a function must not exceed room capacity limits.

G. The space used shall be vacated not later than 11 pm at the middle and high school and 8:30 pm at the elementary schools, unless a specific exception is granted in the permit.

H. 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.

I. 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.

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

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

L. 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. 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;

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

6. for any use prohibited by law.

II. Application Procedure for Use of District Facilities

Outside organizations requesting use of District facilities 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 Building Principal, 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 Facilities Use Fee Schedule referenced on pages 7 & 8 of this regulation and which covers the costs of expenses associated with the requested use.

H. The Business Office will ascertain whether fees are to be charged and if so, the total amount as per the Facilities 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.

I. 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.

J. 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.

III: Facilities Use Fee Schedule for uses other than Memorial Field

Under provisions of the Board of Education Policy, the following fee schedule has been established. It is subject to change where increases in salaries and operational costs occur and where unusual circumstances exist which cause the District to charge fees above and beyond those listed within the Fee Schedule. Fees increase each July 1st

	Group 2 per hour	Group 3 per hour
MHS & HMX Auditorium***	$89.09	$349.90
Tiered Classroom	$89.09	$349.90
Elementary Auditorium	$47.97	$188.39
Cent LGI	$47.97	$188.39
MHS Gym*	$102.79	$403.74
HMX Gym (Full)	$116.50	$457.59
HMX Gym (Half)	$68.52	$269.16
HMX Pool	$227.12	$227.12
Large Elementary Gym	$41.12	$161.50
Small Elementary Gym (Central Small, Murray Small)	$27.39	$107.66
MHS & HMX Cafeteria**	$47.97	$188.39
Elementary Cafeteria	$20.54	$ 80.75
Library	$34.28	$134.58
Culinary Lab Classroom	$102.79	$403.74

Classrooms/Hallways	$9.60	$ 37.68
Manchester Field	$61.66	$242.25
Cent Softball Field	$34.28	$134.58
Track/Playgrounds	$30.04	$117.99
Other Fields	$20.54	$80.75

Custodial Fees per hour per custodian (minimum of 2 hours per custodian):

Regular	$66.76
Overtime (1.5x see below)	$100.17
Sun & Holidays (2x)	$133.56

Technicians

Regular	$78.43
Overtime (1.5x see below)	$117.65
Sun & Holidays (2x)	$156.92
Auditorium Manager	$152.26
Security Field Supervisors	$32.83

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

If the High School or Hommocks Auditorium Manager is required a fee of $152.26 per hour will apply.
If a lighting technician is required (as determined by the Auditorium Manager), the cost will be an additional $152.26 per hour.
High School and Hommocks Auditorium use requires two custodians unless other arrangements are made with the Director of Facilities

Elementary Auditorium use requires two custodians unless other arrangements are made with the Director of Facilities

Revised 9/3/13
Revised 9/3/14
Revised 9/2/15
Revised 7/12/18
Revised 11/9/18
Revised 7/2/19
Revised 1/14/20
Revised 1/17/20
Revised 7/1/20
Revised 7/1/21
Revised 8/26/22

Revised 11/17/22
Revised 2/1/23
Revised 2/14/23
Revised 7/1/23
Revised 7/1/24
Revised 7/1/25
Revised 7/1/26