

## COMMUNITY USE OF SCHOOL FACILITIES

Since school facilities are the property of the Babylon Union Free School District and supported by the citizens of the community, and that the schools become and integral part of the community in terms of its intellectual and social expression and development, the Board of Education wishes to do all that is possible, consistent with the provisions of the New York State Education Law, to make the schools available to the community for educational and recreational purposes. This policy is intended to identify the uses that community groups may make of district facilities.

### *Permitted Uses*

District facilities may be used at the discretion of the Board for the purposes listed below, subject to the conditions and restrictions set forth in this policy and state and federal law.

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

### *Prohibited Uses*

The following uses are specifically prohibited.

- A. Use of district facilities by any outside organization or group to conduct religious services or religious instruction.
- B. Meetings sponsored by political organizations.
- C. Fund raising 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 nonreviewable judgment to determine if a requested use would interfere with or disturb the district's educational programs. The building will be used only for the purpose requested on the request form.
- 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. Use is conditioned upon the applicant's agreement to pay additional fees associated with the use of any additional custodial services. The district retains the further right to waive use fees for groups that are associated with or sponsored by the district.
- D. 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 C above. Only authorized personnel shall operate district equipment.
- E. Any group using a kitchen may not use any school equipment or supplies such as dishes, silverware, pots, pans, etc. without specific authorization. If equipment is to be used, one or more cafeteria workers employed by the school district shall supervise the use of all equipment to see that it is carefully and properly used and shall make sure that the cafeteria is clean and ready for use the following morning. These workers will participate in the preparation and cleaning up process. These workers do not replace the necessary custodial help. The organizations must pay the fees as established by the Board for the workers. Checks shall be made out to the Babylon Union Free School District.
- F. Use of district facilities will only be permitted where the organization provides the district timely evidence of adequate insurance coverage (\$1,000,000 minimum) to save the district 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. Organizations must assume full responsibility for any damage to school property that may occur during their use of the building.
- G. The Board reserves the right to use their discretion to deny use of district facilities to any individual or organization.

*Application Procedure for Use of District Facilities*

- A. All applications for use of school facilities shall be made in writing and submitted to the Superintendent of Schools at least 10 days prior to the date of the requested use. A use permit application is available in the Business office.
- B. The applicant must clearly and completely described the intended use of the district facility in the application.
- C. All applicants must review this policy 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 organization's intent to comply with all Board policies and regulations and to use district facilities strictly in accordance with the use described in the application.
- D. All applicants must agree to assume responsibility for all damages resulting from its use of district facilities. Proof of adequate insurance must be provided by the applicant at least 10 days before the date of the requested use.
- E. 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. Permits shall not be transferable.
- F. The Superintendent is authorized to alter or cancel any permit if it becomes necessary to use the facility for school purposes or for other justifiable reason.
- G. 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.
- H. Issuance of a permit shall not limit the right of access to the facility by district staff.

*Athletic Facilities - Special Conditions*

- A. Applications are to be submitted in accordance with the following schedule:

<u>Season/Dates</u>	<u>Application Submission Period</u>
SPRING April 1-June 30	January 1 – January 31
SUMMER July 1-August 31	April 1 – April 31
FALL September 1-November 30	June 1 – June 30

Season/Dates

WINTER

December 1-March 31

Application Submission Period

September 1 – September 30

- B. In the event that multiple applications are submitted for the same facility and time, the applicants will be asked to resolve their differences independent of the District. If conflicts cannot be resolved, then the District will intervene.
- C. Applications will not be accepted prior to the application period and there will be no preference given to the date application is received for the use of the facilities. Schedules will be established and permits issued after the application period has ended.
- D. Applications need to be resubmitted for each season.
- E. Permits will not be issued for a period of time exceeding four hours per day. If time is available beyond four hours consideration will be given to modify the permit.
- F. No athletic equipment, maintenance equipment or storage facilities will be provided by the district.
- G. All facilities will be available in “as is” condition. No special maintenance or accommodations will be provided.

Ref: Education Law §414

Adoption date: April 2, 2001

Revised: March 8, 2004

**COMMUNITY USE OF SCHOOL FACILITIES EXHIBIT****Rules and Regulations**

1. The only cost to the sponsoring organization will be for custodial services (rate to be determined by the Board of Education). The number of custodians will be determined by the Superintendent of Schools.
2. If an admission charge is made, or contributions or donations are solicited, the Babylon Board of Education will establish a fee for that particular use of the facilities.
3. All recreational or educational activities devoted exclusively to the welfare of Babylon's public school children (Parent-Teacher, children's activities, scholarship functions, etc.) may use the buildings without fee whether or not an admission is charged.
4. Non-school organizations may use school facilities only upon the granting of a permit by the Superintendent.
5. Organizations must assume full responsibility for any damage to school property that may occur during their use of the building. If equipment or furniture is moved, it must be returned to the proper place immediately following the use of the building. The permit, upon being issued, will carry listing of furniture which may be moved.
6. The building and furnishings (equipment) will be used with care, and payment will be made for any damage or loss caused or suffered during the applicant's occupancy. All decorations, furniture and other materials owned by the organizations shall be moved immediately after the final performance. Only the custodians or other individuals approved by the Superintendent shall operate stage curtains and lighting facilities.
7. The period for evening use is to terminate at 11:00 p.m. unless special permission is obtained from the Board of Education.
8. All school regulations must be adhered to where special attire is called for, e.g., tennis courts, play fields, stages, gymnasiums, etc.
9. The serving of food and/or beverages is permitted in the Cafeteria only.
10. No intoxicating liquors will be permitted on the school grounds or in the school buildings.
11. Smoking will not be permitted in school buildings or on school property.
12. All gambling is prohibited.
13. The building will be used only for the purpose requested on the request form.
14. Organizations using school property shall not nail, tack, screw, tape or employ any other fastening in any part of the building.
15. It is expected that all programs will be presented and conducted in good taste.
16. Whenever an admission is charged, or contributions or donations are solicited, all responsibility for admissions tax settlements rests solely with the sponsoring group.

17. All profit from any enterprise held in a public school building must go to the benefit of some specific community-wide educational or charitable purpose, and not for the gain of a particular organization or group. The Education Law prohibits the use of school buildings for personal profit or advantage.
18. No equipment or items are to be contracted for with outside agencies or organizations without approval from the Superintendent. Example: vending machines.
19. Any group using a kitchen may not use any school equipment or supplies such as dishes, silverware, pots, pans, etc. without specific authorization. If equipment is to be used, one or more cafeteria workers employed by the school district shall supervise the use of all equipment to see that it is carefully and properly used and shall make sure that the cafeteria is clean and ready for use the following morning. These workers will participate in the preparation and cleaning up processes, and serve also in an advisory capacity representing the school. These workers do not replace the necessary custodial help. The organization must pay the fees as established by the Board of Education for the workers. Checks shall be made out to the Babylon Union Free School District.
20. On days when school is closed because of snow or other calamity, all activities schedule for that day will be canceled or postponed.
21. No group will, under any circumstances, tamper with any electrical or heating controls.
22. It is expected that any of the rooms used will be left in a clean and orderly condition.
23. Any organized group involved in a regularly scheduled sports activity such as baseball, basketball, soccer, football, wrestling, tennis, volleyball, gymnastics, etc., must provide the school district with proof of accident insurance coverage.
24. It is understood that if the school district authorities determine that the facilities are necessary for school purposes at the time requested or may become unavailable through circumstances beyond the control of the Board of Education, the permission granted may be revoked without liability on the part of the District or the Board of Education.
25. The number of person admitted should not exceed room capacity limits.
26. The person in charge of the function must notify persons in attendance, at the beginning of the function, of the procedures to be followed in case of emergency.

27. In case of an accident resulting in injury to any person or damage to personal property, the incident must be reported in writing to the Superintendent within 5 days after the function.

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Signature

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Organization

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Address

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Telephone

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Home Business

Date \_\_\_\_\_

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