

## ICHABOD CRANE CENTRAL SCHOOL

**PUBLIC USE OF SCHOOL FACILITIES**

The school buildings and grounds are maintained for the education and recreation of the school children of the district, and no use shall be made of the buildings or grounds, which would interfere or disrupt their most effective use for the benefit of the school children. All uses of school buildings and grounds shall be consistent with Section 414 of the Education Law.

Such use may take place during school hours only if, in the opinion of the Superintendent of Schools, the use will not be disruptive of normal school operations. Both during and after school hours, all such use should pertain to the general welfare of the school and/or community, in compliance with the Education Law. Any such use, however, shall not be deemed an endorsement of the activity or purpose for which the facilities are used.

District facilities are available for not-for-profit persons or organizations if they are recognized by United States of America, and/or the State of New York as a *bona fide* Not-For-Profit organization. If a person or organization does not hold either of these designations, then they may seek approval by demonstrating the not for profit status of the group and/or activity to the satisfaction of the Superintendent of Schools.

Excess capacity for district facilities may be offered equitably to organizations beyond the school community. Reasonable fees as established annually by the Board of Education may be charged for the use and maintenance of the district facilities. Specific fees as established by the Board of Education will apply to specific venues (Auditorium, Track, Varsity Soccer Field (interior of track), Varsity Baseball Field, Varsity Softball Field "Stadium Lighting") and for the remediation of any district facility. Any costs of remediation to the District's facilities, as solely determined by the District, are additional.

Recognized collective bargaining units may use school facilities to conduct meetings as specified in the collective bargaining agreement(s).

***Uses encouraged for District Residents***

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

1. for instruction in any "branch of education, learning or the arts";
2. for "social, civic and recreational meetings and entertainment, and other uses pertaining to the welfare of the community";
3. "as polling places for holding primaries and elections and for the registration of voters"; and
4. for "civic forums and community centers."

## ***Prohibited Uses of School Buildings and Property***

State Education Law and the Constitution of New York State specifically Prohibit the following uses of school buildings and property:

1. for any purpose that will in any way interfere with the use of school buildings, grounds, or other school property by the school;
2. by any person or profit-making organization for personal or private gain, financial or otherwise;
3. for holding a social, civic or recreational meeting or other use pertaining to the welfare of the community, unless such meeting, entertainment or use shall be non-exclusive and open to the general public;
4. for a meeting, entertainment, or occasion where admission fees are charged, unless the proceeds thereof are to be expended for an educational or charitable purpose approved by the Board; and/or
5. for a meeting, entertainment or occasion where admission fees are charged, if such meeting, entertainment or occasion is under the exclusive control and the proceeds are to be applied for the benefit of a society, association, or organization of a religious sect or denomination, or of a fraternal, secret or exclusive society or organization, other than any organization of veterans or of volunteer firemen.

The Superintendent of Schools will develop administrative regulations to guide the implementation of this policy as well as for the use district facilities and equipment that may be requested to enhance the use of district facilities.

The use of tobacco products is prohibited in all school buildings and on school property per Policy #1525 Tobacco.

All requests for use of the facilities shall be accompanied by a current statement of liability insurance from the insurance carrier of the organization requesting the use of the district's facilities, if deemed appropriate by the Building Principal. No request will be approved until this information is provided. The minimum limits of liability insurance required of each outside group requesting such use will be determined at least annually by the district. The certificate of insurance must list the Ichabod Crane School District as an additional named insured.

The contents of any production shall be subject to review based upon community standards

**Contingency Budget:** In the case of a contingency budget, the district will comply with the guidelines as promulgated by the State Education Department, and therefore, use of district facilities by outside organizations or individuals will not be allowed except as stipulated by law

## ***Concession Stand***

The District is responsible for the operation of the Concession Stand. The School District/ Food Service Department is the licensee.

For purposes of safety, economy and efficiency, the Board will annually designate a single qualified group (i.e. Booster Club, PTA, or similar community-minded organization), to directly supervise operation of stand on behalf of District during its operation. This use would be secondary to any school district operation of the concession stand for programmatic purposes, and where the district maintains the right to allow other users on a case by case basis. In that case, reasonable care would be required to safeguard the property of the designated group. The designated group is responsible for following district guidelines and expectations for the storage, preparation for food service and cash management.

Access to the Concession Stand by extra-class school clubs and other school organizations will be coordinated by the Administration with a standardized revenue sharing arrangement.

## ***Fee Structure***

The Board of Education recognizes three general categories of users, and will annually adopt a corresponding fee structure for the use of the athletic fields, concession stand and auditorium, stadium lighting, and general facility usage. When a question arises as to the proper category for a group, the Superintendent of Schools will assign a category.

**Category 1 – School Sponsored Groups** – Any group or organization directly connected with the Ichabod Crane School District (i.e. student councils, school bands, choirs, and district operated athletic programs) No fees will be charged.

**Category 2- School Community Groups** - Those groups whose primary mission is to directly support the school, or is primarily school related. (i.e. TEMPO, ICC Booster Club, PTA or similar group.) Fees may be charged based upon services rendered to recapture the district's cost in providing the access.

**Category 3 – Community Non-Profit Groups** - Those groups comprised primarily of district residents providing civic, educational, or cultural activities, however may be deemed to include governmental agencies. Examples of the types of groups would be Boy Scouts, Girl Scouts, church groups, Kiwanis, Rotary, garden club. Fees will be charged to the extent that the activities approved hereunder generate additional costs to the district.

FEES: An estimate of the fees to be charged shall accompany the notice of approval that is sent to the organizations.

- a. If the activity is held at a time when custodians are not regularly assigned, the organization shall pay a rate per hour equal to the third step of the current contract for head custodians computed at time and one-half, plus 35% for fringe benefits. This amount will be multiplied by the number of custodians assigned to the activity.

- b. If the activity requires the use of a kitchen facility, a member of the kitchen staff must be present. If the time of the activity requires that the staff member work overtime, then the organization shall be charged for that individual's time at a rate equal to the third step of the current contract at time and one-half, plus 35% for fringe benefits.
- c. If the activity requires the services of students to operate stage lights, projectors, etc., a charge will be made equal to the prevailing minimum wage multiplied by the total number of student hours worked. The money will be used to fund the stage crew's extracurricular activity account.
- d. All fees shall be paid upon receipt of a Statement of Charges from the school district.

### ***Specific Fees for Auditorium Usage***

The district contracts to provide training on the equipment. Various members of the teaching staff as well as student members of the Stage Crew Club are trained. If a trained teacher provides the supervision and oversight of the equipment operations, then they will be paid the supervisory rate per the teacher contract.

**Remediation of Damages – Time and Material basis at Board approved rates.**

**Cross Ref:** 1511, Advertising in the Schools

Effective Date: November 10, 2009