

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 Stands. 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.

Any user that operates the concession stands is responsible for adhering to all NYS Department of Health regulations. The user in all cases will be expected to clean the concession stands and leave them as they found them or be charged at a rate of equal to the third step of the current contract at time and one-half, plus 35% for fringe benefits to return the facilities to the original condition.

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 at the Organizational Meeting 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 such as TEMPO, ICC Booster Club, PTA or similar group, or is a community organization in which a minimum of 50% of the users are district residents. Examples include, but are not limited to: Boy Scouts, Girl Scouts, ~~CYO~~ Youth Sports, Kiwanis, church groups, Rotary and garden clubs. Fees may be charged based upon services rendered to recapture the district's cost in providing the access. Fee structure is stated below.

Category 3 – Outside/Private Groups - Those groups comprised of non-district residents and groups having less than 50% district residents as participants will be charged fees to the extent that the activities approved hereunder generate additional costs to the district per the structure indicated below.

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 of \$30 per hour. 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 of \$30 per hour.
- 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.
- e. No refunds due to cancellation, unless the group provides a minimum of 24 hours notice to School Administration of their intent not to use the facility on a specific date.

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: January 8, 2019

PUBLIC USE OF SCHOOL FACILITIES REGULATION*Procedures for Facilities Use by Outside Organizations*

1. All use of building facilities except gymnasiums and the concession stand will be the responsibility of the Principal of the school in which the space is requested. All requests for use of gymnasiums and the school grounds will be the responsibility of the Athletic Director. The Food service Director is responsible for the approval of the concession stand, and when appropriate, will work directly with the Athletic Coordinator, Supervisor of Buildings and Grounds and/or the Appropriate Building Principal during the approval process. Forms should be returned to the appropriate Building Principal or the Athletic Director. Principals will send copies of approved requests to the Athletic Director, who will be responsible for preparing and updating a calendar of use of the district's facilities.
2. All organizations requesting use of a facility must do so in writing on the appropriate district forms. Forms are available in the main office of all district buildings. Requests must be made at least three weeks in advance for a single date. Seasonal requests must be made at least two months in advance.
3. Before approving building use, the appropriate administrator must determine the availability of the requested space, custodians, and any special equipment that is requested.
4. When making requests, organizations should include time for preparations and for cleaning up after the event. Organizations will be expected to be completely out of the building at the time specified on their approval forms. Failure to leave on time or to clean up thoroughly may result in an additional billing. Such billing may occur even if the extra time occurred during regular custodial hours.
5. Scheduled/rescheduled school-sponsored activities, classes, meetings, etc. will have first priority over all requests by outside organizations.
6. All organizations shall provide appropriate adult supervision for their activity. Failure to provide adult supervision may result in the rescinding of permission to use the district's facilities. This failure may also be taken into account when considering future requests by the same organization.
7. A custodian or administrator must be present in a building during all activities. Assignment of custodians shall be at the sole discretion of the school district. The designation of an employee other than a custodian or an administrator is at the sole discretion of the district and in extenuating circumstances only. The district will determine custodial requirements. The cost of such assignment when it occurs outside regular working hours shall be paid by the group or organization using the facilities at a rate to be determined by the district.

8. When multiple requests for use of the same facility at the same time are received, every attempt will be made to accommodate each of the organizations. The district reserves the right to rescind or amend all approvals. Such action may be taken to honor the request of organizations, which are received subsequent to approval being given to another organization. Organizations for whom approval is to be rescinded or amended will be given two week's notice by the appropriate administrator. This right to rearrange the schedule is reserved in order to provide all outside organizations with a fair opportunity to use district facilities.
9. All decorations must be flameproof and they must be removed after the activity is over.
10. Cancellation of scheduled activities:
 - a. In the event that an activity must be canceled because of a change in school activities, emergency closing or other similar circumstances every effort will be made to notify the organization(s).
 - b. If the canceled activity is a single date request, such as for a speaker, the district will make every effort to accommodate the rescheduling of the event.
 - c. If the canceled activity is one that occurs on a regular basis, that time will not be rescheduled.
11. Damage to district facilities and/or equipment:
 - a. If any district facility or equipment is damaged, the member of the organization who is in charge must notify the school district employee on duty.
 - b. Organizations will be responsible for paying for all repairs and/or replacement costs incurred as a result of damage caused by misuse or abuse of school equipment or facilities.
12. Any organization that fails to comply with any of these rules may:
 - a. have some or all current or future activity approvals revoked;
 - b. be banned from using district facilities for a period of time to be determined by the Superintendent.
13. When appropriate, organizations may be informed of the annual cleaning and field maintenance schedule. This schedule will identify specific times throughout the year when specific buildings will not be available in order to facilitate cleaning and preventative maintenance.

Specific Regulations: Concession Stand

Pursuant to Board Policy #1500, groups interested in operating the concession stand should notify the Superintendent of Schools in writing by June 1. The Board of Education will determine annually the designated group to operate the concession stand, under the direction of the food service director. The appointed group is responsible for following the district expectations as articulated by the Food Service Director.

Specific Regulations: District Athletic Facilities

The district will make the certain athletic facilities available for use by the public as stipulated below:

Varsity Soccer Field (interior of track), Track, Varsity Softball Field, Varsity Baseball Field, Varsity Soccer Field: May 1-Monday after Columbus Day Holiday (subject to change based upon weather conditions, or inability to prepare the fields due to weather conditions)

Certain pieces of equipment will be made available to users. Requests for any items not listed below our out of the “regular” season may be requested. The Superintendent of Schools will determine if the request will be approved.

Varsity Baseball Field

ITEM	PROVIDED	AVAILABLE UPON REQUEST	SPECIAL CIRCUMSTANCES
BASES	<i>X</i>		
BATTING CAGES	<i>X</i>		
SCREENS	<i>X</i>		
SCOREBOARD CONTROLLER			<i>X</i>

Varsity Softball Field

ITEM	PROVIDED	AVAILABLE UPON REQUEST	SPECIAL CIRCUMSTANCES
BASES	<i>X</i>		
BATTING CAGES	<i>X</i>		
SCREENS	<i>X</i>		
SCOREBOARD CONTROLLER			<i>X</i>

TRACK

ITEM	PROVIDED	AVAILABLE UPON REQUEST	SPECIAL CIRCUMSTANCES
POLE VAULT			<i>X</i>
STEEPLECHSE			<i>X</i>
HIGH JUMP		X-During Season	X-Outside Season
SCOREBOARD CONTROLLER			<i>X</i>
LAP COUNTER		<i>X</i>	
LIGHTING		Fee Schedule	

Challenge Course: Available by appointment only. April 1-June 20 & September 1-October 15 (June 21-August 30 depending on staff availability). A member of the district's physical education staff must supervise all use, which is available for a fee (subject to change based upon weather conditions or inability to prepare the fields due to weather conditions)

Other District facilities:

JV Soccer, August 15-November 1*

JV Softball, May 1-August 15*

Modified Fields at MS, Year round availability (field conditions permitting)

Fields at Primary School, Martin H. Glynn School and Martin Van Buren School, Year round availability (field conditions permitting)

Shot-Disk, Special Circumstances Only

Tennis Courts

April 1 – October 30

***Field usage in the off seasons may be approved depending on the availability and condition of the venues, which will be determined on a case by case basis.**

Specific Regulations: Auditorium

<u>Restriction</u>	<u>Rationale</u>	<u>Restriction*</u>
Control Booth	to avoid highly sophisticated and expensive equipment from being damaged	yes*
Rigging	misuse could be a safety hazard	yes*
Nothing affixed to walls, curtains, scrims	to avoid potential damage	yes*
Use of other equipment not specified in the basic equipment list	Items like risers and piano are stored in the area. The piano would need to be tuned, the risers need proper setup.	yes*

**removed if district trained or district approved person is supervising*

The building principal who is responsible for the approval or approval of the facilities' use will also have responsibility for evaluating requests for affixing items to the walls, curtains or scrims and/or for use of other equipment not listed as basic.

The building principal is responsible for approving a non-district-trained person to use district-owned equipment.

Basic equipment that would be available as a part of the auditorium use approval.

- The onstage (everyday) system for basic lighting and sound. Several possible lighting settings are available along with 6 general-purpose microphones with stands, and cables. A podium, CD/tape player, LCD projector, and screen will also be made available.

Note: Although not required, a group might wish to hire a trained district person to be present.

Use of School Facilities by School Personnel

Any use of school facilities for school-related activities will be scheduled through the Building Principal in consultation with the Director of Facilities.

No students are allowed in a school building unless a teacher is on duty. Scheduling in advance will ensure that the space requested is available and not given to outside groups.

Effective Date: June 7, 2016