

SUBJECT: COMMUNITY USE OF SCHOOL FACILITIES

The use of buildings, grounds, and facilities of the South Huntington School District as community centers, for legitimate and appropriate activities by residents of the community, is encouraged by the Board of Education. Any organization may apply to use district facilities. Such use shall be subject to appropriate sections of New York State Education Law, decisions by the New York State Commissioner of Education, and regulations of the Board of Education. Priority for the use of these facilities shall always be given to the various aspects of the educational program for which they were primarily provided, including activities relating to the regular school program, intramural and other extracurricular activities, adult education, summer school, and in-service education programs. Further, the Board of Education encourages the joint development of recreational facilities with municipal governmental agencies.

Permitted Uses

District facilities may be used for the purposes listed below, subject to the conditions and restrictions set forth in this policy.

- 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 as 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, for the registration of voters and for holding political meetings.
- F. Civic forums and community centers.
- G. Recreation, physical training and athletics, including competitive athletic contests of children attending a private, nonprofit school.

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- H. Graduation exercises held by not-for-profit elementary and secondary schools, provided that no religious service is performed.

Prohibited Uses

Any use not permitted by this policy is prohibited. In addition, the following uses are specifically prohibited.

- A. Meetings sponsored by political organizations unless authorized by a vote of a district meeting, held as provided by law. It shall be the duty of the Board of Education to call a special meeting for such purpose upon the petition of at least ten per centum of the qualified electors of the district.
(Education Law §414(1)(e)).

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 requested use would interfere with or disturb the district's educational programs.
- B. To ensure the 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. Sixty-five percent (65%) of the participants must be South Huntington residents.
- C. Use of district facilities by the Boy Scouts or other patriotic youth groups listed as a patriotic society in Title 36 of the U.S. Code will be permitted to the same extent as other outside groups.

The district shall not deny access to or otherwise discriminate against youth groups based solely on the group's membership or leadership criteria or oath of allegiance to God and country.

- D. United States military recruiters will be provided the same access to high school students on school grounds that are generally provided to colleges and universities or prospective employers.

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- E. Use of district facilities will be permitted only where the applicant agrees to pay the district a user fee according to a schedule adopted by the district to cover the costs of heat, electricity, maintenance, custodial services, and any other expenses associated with the requested use. Use is further conditioned upon the applicant's agreement to pay additional fees associated with the use of any additional services or equipment. 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. The district retains the further right to waive user fees for groups that are associated with or sponsored by the district.
- F. 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 E above. Only authorized personnel shall operate district equipment.
- G. 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 and name the district as additional insured. The district will exercise complete and non-reviewable discretion regarding what constitutes adequate insurance coverage for each proposed use. The Board 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 use which could have the effect of violating the Establishment Clause of the United States or New York State Constitution;
 3. for any use which, in the estimation of the Board, could reasonably be expected to or actually does give rise to a riot or public disturbance;
 4. for any use which the Board deems inconsistent with this policy;
 5. 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;
 6. in any instance where alcoholic beverages or unlawful drugs are sold, distributed, consumed, promoted or possessed;
 7. for any use prohibited by law.
- H. Food will not be stored, refrigerated or heated in the school cafeteria facilities.

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Application Procedure

- A. All requests for the use of facilities by any outside organization wishing to use the buildings or facilities are to be initiated through the building principal concerned, who will file all requests with the Business Office so as to ascertain the availability of buildings or facilities. An application fee of \$10 must be attached to each application.
- B. The timeframes listed below will not pertain to PTAs or PTAs affiliated with district schools. For single events, applications will be accepted no earlier than 60 days and no later than 15 days prior to the event. For a series of events, applications will be accepted no earlier than 60 days and not later than 15 days prior to the first event in the series. Applications for a series of events will only be accepted for events that are similar in nature. Separate applications must be submitted for events that occur in each of the following periods:

	<u>Last Acceptance Date</u>
Fall/Winter Field Use:	June 1
Fall/Winter Gym Use:	August 1
Spring/Summer Field/Gym Use:	January 1

Only completed applications will be accepted. A complete application includes a fully-executed South Huntington Application to Rent or Use School Buildings and Grounds, and a signed statement of understanding and proof of insurance and a \$10 application fee. All applicable fees must be received no later than one week prior to the first event on the application.

- C. Building use may not commence until approval is given by the Superintendent of Schools or his/her designee.
- D. The applicant must clearly and completely describe the intended use of the district facility in the application.
- E. 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.

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- F. 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 30 days before the date of the requested use.
- G. 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 or his/her designee. Permits shall not be transferable.
- H. The Superintendent or his/her designee is authorized to alter or cancel any permit if it becomes necessary to use the facility for school purposes or for other justifiable reason.
- I. 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.

Such application shall be made on approved forms obtainable from each school and shall be submitted at such an early date to the Business Office to allow proper processing.

Fees

The sponsors of the activity for which permission is granted shall pay all fees and charges to the district in accordance with a schedule established by the Board of Education. Fees must be received by the Business Office no later than one week prior to the event or first event in a series. The fee structure will be based upon the relationship of the organization to the South Huntington School District, the community at large and the nature of the organization. This schedule shall be based upon the expenses incurred by the district in making the buildings and personnel available.

The fee schedule will be established by the Board of Education and shall be based on current compensation rates for personnel required at the function as preparing for or following up same. This fee structure shall be reviewed from time to time, but at a minimum each July by the Business Office who will make appropriate recommendations to the Superintendent of Schools.

Education Law §414

Adopted: 6/16/99
Amended: 2/24/2010
Amended: 8/17/2011

Use of Equipment

Use of school-owned, movable equipment is prohibited. This prohibition is extended to musical instruments, business equipment, audiovisual equipment, athletic equipment, as well as school buses and other district-owned vehicles.

Liability

Because it's in the public interest for the Board of Education to protect the school district against substantial financial loss, liability insurance will be required for individuals or groups who use school facilities or school district sites. Individuals and organizations shall attach a certificate of insurance to the application requesting the use of a school district-owned facility or an outdoor site. The face amount of the insurance certificate will be equal to \$1,000,000 or higher if required by the school district when the application is made.

Exemptions from this policy are Board of Education authorized for school district-sponsored events or for events sponsored by school-related organizations such as student groups and parent organizations. A further modification of this policy is authorized to be made by the Superintendent of Schools for certain community organizations such as civic associations or incorporated groups. In these instances, the Superintendent of Schools may waive the liability insurance. No exemption, however, will be granted to any organization which intends to use school facilities for recreational, athletic, physical fitness, or similar activities. Organizations whose meetings are of a nature which require the participants to be sedentary are those to be considered for a waiver of liability insurance. Should such an organization wish to depart from its usual business meeting activity to sponsor a recreational, athletic, or physical fitness activity, the minimum insurance will be required and written evidence of same must be filed, in advance, pursuant to the established building use application procedure.

Exceptions

Exceptions to any aspect of this policy will be made only upon application to the Asst. Superintendent for Business and subsequent approval by the Board of Education.

Ref: Education Law §414

Adopted Date: 8/17/2011

South Huntington UFSD
Schedule of Charges

Charges for use of buildings and athletic fields shall be assessed according to the criteria outlined below and will be established each year by the Board of Education.

Level I Users: Not-for-Profit organizations that have 65% or more South Huntington residents that provide direct services to students such as PTA, scouting, booster programs or organizations involved in a partnership program with a school or organization, separate from a school event such as homecoming or athletic games or marching band home show.

- a. For an event that requires one (1) custodian and/or (1) security guard and when the event is limited to less than three (3) hours:

	<u>Weekdays</u>	<u>Saturdays</u>	<u>Sundays</u>
Elementary Schools	\$0	\$50./hr. each	\$50./hr. each
Middle School	\$0	\$50./hr. each	\$50./hr. each
High School	\$0	\$50./hr. each	\$50./hr. each

- b. Rate for each hour beyond the minimum of three (3) hours when one (1) custodian is needed:

	<u>Weekdays</u>	<u>Saturdays</u>	<u>Sundays</u>
Elementary Schools	\$0	\$50./hr. each	\$50./hr. each
Middle School	\$0	\$50./hr. each	\$50./hr. each
High School	\$0	\$50./hr. each	\$50./hr. each

- c. Rate for each hour for each additional custodian or security guard required for larger events. Additional custodians must be employed for a minimum of three (3) hours each.

	<u>Weekdays</u>	<u>Saturdays</u>	<u>Sundays</u>
All Buildings	\$0	\$50./hr. each	\$50./hr. each

- d. An hourly rate of \$20 for each food service worker required for events that utilize the kitchens. A minimum of three (3) hours will be required for each food service worker requested. The minimum cost would be \$60 for three (3) hours.
- e. An hourly rate for each security guard required. A minimum of three (3) hours will be required. During the week there is no fee, on weekends the fee will be \$50 per hour. The minimum cost would be \$150 for three (3) hours for each security guard.
- f. For an event that will occur between the time period of the fourth week of June through Labor Day weekend, that requires custodial assistance, should refer to the Level II user.

Level 1 Use of Turf Field - Subject to District approval.

During the off-season from November 1 to March 31, there is a charge for using the turf field. There will be a charge of \$75.00 for the maintenance of the turf field for each date. This charge will cover the cost of maintaining the field for each event.

At any time, should an organization wish to use the turf field at night, there is a charge for lighting of the field. The charge of \$75.00 per hour is the cost for the electricity used to light the field. This charge will begin at sunset and continue to the end of the event for each date the field is used at night.

Level 1 Use of all other Athletic Fields

No fee

Level II Users: Not-for-profit community-based organizations that do not have 65% South Huntington residents such as local fire departments, hospitals, service clubs, summer camps and government agencies.

1. For an event that requires one (1) custodian and when the event is limited to less than three (3) hours:

	<u>Weekdays</u>	<u>Saturdays</u>	<u>Sundays</u>
Elementary Schools	\$35./hr.	\$75./hr.	\$100./hr.
Middle School	\$35./hr.	\$75./hr.	\$100./hr.
High School	\$35./hr.	\$75./hr.	\$100./hr.

2. Rate for each hour beyond the minimum of three (3) hours when one (1) custodian is needed:

	<u>Weekdays</u>	<u>Saturdays</u>	<u>Sundays</u>
Elementary Schools	\$35./hr.	\$75./hr.	\$100./hr.
Middle School	\$35./hr.	\$75./hr.	\$100./hr.
High School	\$35./hr.	\$75./hr.	\$100./hr.

3. Rate for each hour for each additional custodian required for larger events. Additional custodians must be employed for a minimum of three (3) hours each.

	<u>Weekdays</u>	<u>Saturdays</u>	<u>Sundays</u>
All Buildings	\$35./hr.	\$75./hr.	\$100./hr.

4. An hourly rate of \$45 for each food service worker required for events that utilize the kitchens. A minimum of three (3) hours will be required for each food service worker requested. The minimum cost would be \$135 for three (3) hours.
5. An hourly rate for each security guard required. A minimum of three (3) hours will be required. During the week there is no fee, on weekends the fee will be \$75 per hour. The minimum cost would be \$225 for three (3) hours for each security guard.

Level II Use of Turf Field - Subject to District approval.

During the off-season from November 1 to March 31, there is a charge for using the turf field. There will be a charge of \$75.00 for the maintenance of the turf field for each date. This charge will cover the cost of maintaining the field for each event.

At any time, should an organization wish to use the turf field at night, there is a charge for lighting of the field. The charge of \$75.00 per hour is the cost for the electricity used to light the field. This charge will begin at sunset and continue to the end of the event for each date the field is used at night.

Level II Use of all other Athletic Fields

Monday thru Friday - \$1000.00 per week
Saturday and Sunday - \$200.00 each day

Level III Users: For-profit organizations such as summer camps.

1. For an event that requires one (1) custodian and when the event is limited to less than three (3) hours:

	<u>Weekdays</u>	<u>Saturdays</u>	<u>Sundays</u>
Elementary Schools	\$50./hr.	\$100./hr.	\$125./hr.
Middle School	\$50./hr.	\$100./hr.	\$125./hr.
High School	\$50./hr.	\$100./hr.	\$125./hr.

2. Rate for each hour beyond the minimum of three (3) hours when one (1) custodian is needed:

	<u>Weekdays</u>	<u>Saturdays</u>	<u>Sundays</u>
Elementary Schools	\$40./hr.	\$100./hr.	\$125./hr.
Middle School	\$40./hr.	\$100./hr.	\$125./hr.
High School	\$40./hr.	\$100./hr.	\$125./hr.

3. Rate for each hour for each additional custodian required for larger events. Additional custodians must be employed for a minimum of three (3) hours each.

	<u>Weekdays</u>	<u>Saturdays</u>	<u>Sundays</u>
All Buildings	\$40./hr.	\$100./hr.	\$125./hr.

4. An hourly rate of \$45 for each food service worker required for events that utilize the kitchens. A minimum of three (3) hours will be required for each food service worker requested. The minimum cost would be \$135 for three (3) hours.
5. An hourly rate for each security guard required. A minimum of three (3) hours will be required. During the week there is no fee, on weekends the fee will be \$100 per hour. The minimum cost would be \$300 for three (3) hours for each security guard.
6. The Board of Education reserves the right to waive the applicable use fees in the event that the for-profit organization makes a donation of in-kind services to the district which benefits the children. In-kind services include, but are not limited to, clinics, skill presentations, exhibition events or games, tournaments, equipment, and/or celebrity appearances.

Level III Use of Turf Field - Subject to District approval.

During the off-season from November 1 to March 31, there is a charge for using the turf field. There will be a charge of \$150.00 for the maintenance of the turf field for each date. This charge will cover the cost of maintaining the field for each event.

At any time, should an organization wish to use the turf field at night, there is a charge for lighting of the field. The charge of \$150.00 per hour is the cost for the electricity used to light the field. This charge will begin at sunset and continue to the end of the event for each date the field is used at night.

Level III Use of all other Athletic Fields

Monday thru Friday - \$2000.00 per week

Saturday and Sunday - \$400.00 each day