

## SOUTHERN HUNTINGDON COUNTY SCHOOL DISTRICT

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| Book          | Policy Manual   |
| Section       | 700 Property  |
| Title         | Use of School Facilities  |
| Code          | 707   |
| Status        | Active  |
| Legal         | <u>1. 24 P.S. 775</u><br><u>2. 24 P.S. 510.2</u><br><u>3. 24 P.S. 511</u><br><u>4. 10 P.S. 328.101 et seq</u><br><u>5. 61 PA Code 901.701</u><br><u>6. 20 U.S.C. 7182</u><br><u>7. 20 U.S.C. 7183</u><br><u>8. 35 P.S. 1223.5</u><br><u>24 P.S. 779</u><br><u>61 PA Code 901.1</u><br><u>20 U.S.C. 7181 et seq</u><br><u>20 U.S.C. 7905</u> |
| Adopted       | August 19, 2003   |
| Last Revised  | May 19, 2020  |
| Last Reviewed | March 15, 2021  |

### **Purpose**

The Board recognizes that although the primary purpose of the school buildings, facilities and property is to provide students with an appropriate learning environment, the Board may make school facilities available to individuals and community groups without discrimination and in accordance with this policy, provided the use does not interfere with the educational program of the schools. **This policy establishes conditions, restrictions and procedures for the use of school facilities for nonschool-sponsored purposes.**

### **Authority**

The Board directs that use of school facilities may be granted to individuals and community groups for the following types of activities:

1. Instruction in any branch of education, learning and the arts, consistent with the school district's mission.
2. Polling places for holding primaries, elections and special elections, as permitted or required by state law.

3. Recreation, physical training, and athletics, including competitive athletic contests for children.

The Board shall establish a schedule of fees for the use of school facilities by approved groups.[\[1\]](#)

### **Delegation of Responsibility**

**The Superintendent shall ensure that this policy is posted on the district's publicly accessible website.**[\[2\]](#)

The Superintendent or designee shall implement administrative regulations or procedures for requesting and granting permission for use of school facilities and shall distribute the necessary information to individuals affected by them.

An application for use of school facilities may be disapproved because of noncompliance with established policy and procedures by the Superintendent, building principal and/or Maintenance Supervisor.

### **Guidelines**

#### Application Process

An individual or community group requesting permission to use school buildings, facilities or school property must submit a written request on the prescribed application form at least ten (10) days in advance of the proposed date to the Superintendent, Board Secretary, building principal, and/or Maintenance Supervisor.

The application must specify the portion of the school facilities requested for use; proposed activities; number of individuals participating; and the date, time and duration of the proposed event.

Along with the completed application, the individual or group must submit the following:

1. Payment of the specified rental fee.
2. Evidence of organizational liability to limits required by district guidelines.
3. Documentation evidencing the school district shall be held harmless by the user for any liability that arises from use of school facilities by the individual or group.

#### Application Evaluation

No application to use school facilities shall be approved if the proposed activity would result in any of the following:

1. Conflict with any school-sponsored activity.

2. Access to school facilities closed due to renovations, maintenance, cleaning, the school calendar, or Board action.
3. Access to school facilities containing equipment or furnishings which would be detrimental to the operation of a district program if damaged or operated by an unqualified operator.
4. The proposed use would prevent or encumber district personnel from preparing school facilities for their primary purpose, because of the nature or duration of the activity.

### Limitations

When individuals and community groups receive written permission to use school facilities under this policy, such use shall be conditioned upon strict compliance with the following:

1. Individuals shall not use, access or enter upon any portions of the school facilities or their contents not specified in the approved written request form.
2. Individuals shall refrain from any conduct or activities not specifically identified in the approved written request form.
3. When advertising or promoting activities held at school facilities, individuals and community groups shall clearly communicate that the activities are not being sponsored by the school district.
4. School equipment used in conjunction with requested facilities shall be identified when the application is submitted. Users of school equipment must accept liability for any damage to or loss of equipment that occurs while in their use. Where rules so specify, no equipment may be used except by a qualified operator, provided by the school.

### Prohibited Activities

The following activities are strictly prohibited in school facilities when individuals and community groups are granted written permission to use said school facilities: [\[3\]](#)

1. Possession, use or distribution of **controlled substances prohibited by state or federal law.**
2. Possession of weapons.
3. Conduct that would alter, damage or be injurious to any district property, equipment or furnishings.
4. Conduct that would constitute a violation of the Pennsylvania Crimes Code, and/or state and federal laws and regulations.
5. Use of tobacco **and vaping** products, **including the product marketed as Juul and other e-cigarettes, as defined in the law.** [\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#).

***Products approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such approved purpose, are permitted, as long as the product is not inhaled.***

6. **Medical marijuana products as prohibited by federal law.**
7. **Possession, use or distribution of alcoholic beverages.**
8. Gambling, games of chance, lotteries, raffles or other activities requiring a license under the Local Option Small Games of Chance Act, unless such activity has been expressly authorized by the Board or administration.[\[8\]](#)[\[9\]](#)

### Violations

The school district reserves the right to remove from school district premises any individual or community group who fails to comply with the terms and conditions of this policy and established procedures.[\[3\]](#)

In the event an individual or community group violates this policy or the terms under which permission was granted to use school facilities, that individual or community group forfeits the right to submit future written requests to use school district property, unless otherwise decided by the Board.

### Group Eligibility

1. Free Usage – No Fee (Janitorial Service Provided): Scouts, 4-H Clubs, and other school-age connected youth organizations; such school associated groups as PTO, and Booster Clubs; Official Town Bodies, Advisory Groups, Civil Defense Organizations; and Yearly Alumni Association Meeting and Dinner.

For these types of events, only authorization by the Superintendent is needed. Questionable requests will be presented to the School Board.

2. Rental and Janitorial Fee: Special interest organizations, Chamber of Commerce, Fraternal Orders, business groups, drama groups, service clubs, partisan groups, and athletic game play-offs.
3. Non-Usage Activities – Not Permitted: Individuals for profit; private parties, secret meetings, commercial ventures, partisan politics (except in case of emergencies).

Any exceptions to the above must be presented to the Board for consideration.

4. Additional personnel required will be paid per negotiated contract rates.

When any non-school related group utilizes building usage and a custodian and/or school police are required, that group will be responsible for the school police wages and the custodian's wages at overtime and all wage related fixed charges.

#### Schedule of Rental Fees:

1. Auditorium: For programs charging admission, taking collections, or donations - \$150.00; for those receiving no money - \$75.00 (custodial fee is included and support services).
2. Gymnasium: For any use - \$125.00 (charge includes support services fee).
3. Athletic Field: For any use - \$125.00 (charge includes support services fee).
4. Cafeteria: For use with kitchen - \$50.00 (plus rates for custodian, plus rates for cooks), without kitchen - \$35.00.
5. Classroom: \$10.00.
6. Parking lot(s) – Elementary \$100.00/day; High School/Middle School \$150.00/day.

School-owned equipment must remain in the building and must be operated by a school staff member and/or approved school operator.

A school representative is to be on the grounds any time a community group is using the facility. In addition, at least one (1) cook from that building must be present if the cafeteria/kitchen is used. In the event that no cafeteria employee consents to work, the group, requesting usage, may still be permitted usage subject to administrative approval.

Use of school facilities for activities directly related to the educational program and district operations shall be without cost to users.

#### Time Limits

The use of facilities will be permitted on weekday evenings; special events on weekends; and on Sunday for emergency only.

#### Regulations

1. No alcoholic beverages are permitted on the premises, nor may any of the attendants be under the influence of such.
2. In order for the district and the group to be protected, the group must provide insurance in the amount of \$300,000.00 (single limit) naming the school district as additional insured to cover any liability for any and all property damage or personal injury which may be incurred as a result of the group's activities on district property. An insurance certificate must be presented to the Superintendent or the Business Manager with the

application for building usage. The Superintendent may waive the insurance requirement for one time meetings of twenty (20) persons or less, not involving athletic activity or serving food. The insurance requirement shall not apply to organizations formed by, or operated or controlled by the district, as those organizations are covered under the district's insurance policies. National or international groups which have coverage through general policies will be exempt from having the district as the additional insured.

3. Children should not run through corridors, etc.
4. Checks for the rental fees are to be made payable to: Southern Huntingdon County School District. They are to be promptly given to the Business Manager.

