

PUBLIC USE OF SCHOOL FACILITIES

REGULATIONS:

The following rules and regulations are designed to provide for the proper use of school buildings and grounds for non-school purposes and to give each eligible group equal consideration for such use.

1. ELIGIBILITY

Any organization with membership in or base of operations within the School District, which does not engage in activities which conflict with the policy of the Board of Education, the State Education Law and/or the Constitution of New York State, is eligible to apply for use of the public school buildings and grounds when they are not in use for school purposes or school-connected activities.

The Director of Facilities will determine after consulting with appropriate building level administrators that such use shall not infringe on school programs conducted before, during or after school hours.

2. PROCEDURES FOR APPLICATION

- 2.1 All applications for use of buildings and grounds must be made in writing on School District forms to the Director of Facilities, 90 Avenue C, Port Washington, New York 11050. Applications will be accepted no sooner than six months prior to and no later than fifteen days prior to the date(s) requested.
- 2.2 The first application made by any organization must be accompanied by a copy of its constitution or a letter from a responsible office which states in detail the aims; and principles of said organization or group. This constitution or letter will remain on file with the School District. Sufficient time will be required for review of the first application by any given organization.
- 2.3 Non-profit organizations must submit proof of non-profit status by filing under 509(a) or 501(c)(3) IRS code and submitting appropriate IRS letters with each application.
- 2.4 Organizations must have a membership consisting of more than 50% residents of the Port Washington School District. Membership lists with names and addresses are to be furnished upon request of the Director of Facilities. Each application must clearly indicate the anticipated number of District residents and out-of-district participants who will use the facility.

- 2.5 If the application is approved, a permit will be issued to the organization, and it will indicate the specific type and extent of use granted.
- 2.6 If two or more applications are received for the use of the same facility(ies) for the same date(s), -it shall be the responsibility of the Director of Facilities to review the applications and convene a meeting of the organizations involved for the purpose of resolving conflict(s). If the conflict is not resolved, it shall be the responsibility of the Assistant Superintendent for Business to review the conflict and to recommend issuance of the appropriate permit(s). This recommendation may be based upon such factors as: number of District residents participating, number of years the program has previously used the facility, perceived benefit to the community, and benefit to the youth of the community and any other pertinent information. Such determination shall be made in a reasonable time before the permit date for use of facilities. If an organization is not satisfied with the decision made by the Assistant Superintendent, it may appeal the decision, in writing, to the Superintendent of Schools no later than 7 days after notification.

3. CONDITIONS APPLYING TO THE USE OF ALL PERMITS

- 3.1 The permit shall be valid only for the use of the particular premises, on the date or dates and at the hours specified within the restrictions and for the purposes specified.
- 3.2 The permit must be in the hands of a responsible leader of the organization and be shown to school officials when requested. The permit is not transferable. Organizations which cannot produce the official permit may be asked to leave the premises or be prosecuted under Policy #1520 - Public Conduct on School Property.
- 3.3 The permit shall be cancelled on any day when school is closed for emergency reasons.
- 3.4 Organizations must comply with the rules outlined in Policy #1520 - Public Conduct on School Property. There shall be no gambling, loud or boisterous behavior, or use of intoxicating beverages within school buildings or grounds.
- 3.5 Smoking is not permitted in school buildings or on school grounds.
- 3.6 Group members will not be allowed into the building until the time stated on the permit as the opening time, and the premises must be evacuated by the time stated on the permit as closing time.
- 3.7 A school custodian or other responsible employee must be in attendance on the premises during such use to see to proper use and care of school property. If school equipment is to be used, it must be operated by a District employee.

- 3.8 Moving pianos or furniture, putting up decorations or scenery and similar activities are prohibited unless requested in the original application and approved in the permit granted, and any fee required for this purpose will be charged.
- 3.9 Groups composed of minors must have at least one adult at least 18 years old in charge for each 20 minors who must be present before the group may enter the school building and must remain with the group while they are on the school premises.
- 3.10 Adequate supervision for the conduct and safety of the group must be maintained at all times by the sponsoring organization. The Director of Facilities or his/her designee shall make the determination as to the adequacy or inadequacy of the supervision provided by the sponsoring group. Where supervision has been judged to be inadequate, permission for continued use of the facility will be withheld until proper supervision is provided.
- 3.11 No exhibits, posters or other materials may be displayed on school property unless approved beforehand by the Board of Education or its representatives. All properties brought into the building must be removed within twenty-four hours after use of school facilities or fees will be charged for storage.
- 3.12 The organization shall purchase and maintain during the term of use Commercial General Liability Insurance, including Occurrence form, Premises-Operations, Products-Completed Operations, Contractual, Personal Injury, Owner-Contractor Protective, and Fire Damage Legal Liability. Coverage shall be the amount of \$1,000,000 per occurrence, \$2,000,000 aggregate, with coverage for athletic participants if applicable. The District will be listed as an additional insured by using endorsement CG2026 or equivalent.
- 3.13 A Certificate of Insurance shall be filed with the District naming the Port Washington School District and the Port Washington Board of Education as an additional insured. A copy of the certificate shall be mailed to the Director of Facilities and attached to the application. In the event the policies are either cancelled or diminished, at least 30 days prior written notice by certified mail, return receipt requested, thereof shall be given to the District. The organization shall not commence activities until they have obtained all insurance as required and such insurance has been approved by the Assistant Superintendent for Business and the District's insurance carrier.
- 3.14 Each permit will list an arrival and departure time. These times must be adhered to strictly. Permits for organizations sponsoring youth activities must terminate by 10:00 P.M. Permits for all other organizations must terminate by 11:00 P.M., unless special permission is granted. Such special permission will involve an appropriate overtime charge.

4. CONDITIONS WHEN AN ADMISSION FEE OR OTHER MONEY IS CHARGED

- 4.1 If a group plans any activity involving an admission fee or other charge, then the application must include a statement of this intent and an indication that the action does not involve any conflict with this District policy, State Education Law, or the State Constitution. The application must stipulate the intended use of the funds collected.
- 4.2 When permission is granted to charge an admission fee, the organization collecting the fee must submit a detailed written report of the total receipts and expenditures and proposed use of the monies. This report must be submitted to the Director of Facilities within ten days after the activity has taken place, on a form provided by the School District. Failure to file this report will result in denial of any future permit.
- 4.3 The organization charging a fee shall be responsible for and shall pay any or all admission or other taxes payable in connection with the activity as required by State, Federal or other governmental authorities.
- 4.4 Whether or not an admission fee is charged, there shall be no solicitation or collection of contributions for any reason on school property unless authority to do so has been granted by the Board of Education and is so stated in the permit.

5. CONDITIONS WHEN SPECIAL FACILITIES WITHIN THE SCHOOL BUILDINGS OR GROUNDS ARE REQUESTED

- 5.1 If school equipment or special facilities such as motion picture projectors, public address systems, stage lighting systems, pianos, etc., are desired, they must be requested at the time of application. Approval of such requests will require the control and operation of such special equipment by District-appointed individuals. The office of the Director of Facilities will make arrangements for such qualified person and/or operator(s) when a request is approved, and the organization receiving the permit will be required to pay for the service involved. School equipment is not to be used by organizations or individuals off school grounds.
- 5.2 If the use of a cafeteria kitchen is desired, it must be requested at the time of application. The office of the Director of Facilities will make arrangements for qualified kitchen attendants to be present and control the use of the kitchen when such a request is approved. The organization will be billed for and pay for such services.

- 5.3 If the use of a gymnasium is desired, it must be requested at the time of application. Special regulations concerning the use of the gym would then be given to the applicant, including the wearing of sneakers on the gym floor.
- 5.4 When parking lot attendants are required, the organization requesting the permit will be charged for the attendants' service.

6. RESPONSIBILITIES OF THE APPLICANT WHEN ISSUED A PERMIT

- 6.1 The organization holding the permit will see that members present conform to the conditions set forth in these regulations.
- 6.2 The organization will be responsible for keeping members within the area of the building or grounds specified in the permit. No substitution of facilities may be made once the activity is underway.
- 6.3 The organization will be required to make prompt restitution for any damage or loss suffered during its time of occupancy.
- 6.4 The organization is required to leave the buildings or grounds used clean and in order.
- 6.5 The organization will be responsible for the payment of all charges imposed by the Board of Education and will see that bills are promptly paid. Checks shall be made payable to Port Washington UFSD and should be sent directly to the Business Office, Attention: Accounts Receivable, 100 Campus Drive, Port Washington, New York 11050 . Under no conditions will any organization render any payment for services directly to any school employee.

7. FEES

- 7.1 A group using a school building or grounds will be charged to cover the cost to the District for such use. All organizations, unless specifically exempted in these regulations, will pay fees for the use of school buildings based upon the number of hours of use and the number of employees assigned to the area to be used.
- 7.2 Custodial help will be based upon the hourly rate in effect. Special charges will be made when special personnel are required for lights, projectors, kitchens, parking lots, etc. in terms of the hourly rates for the specializations involved. Such rates shall be set annually by the Board of Education at the annual Reorganizational Meeting in July and reflect hourly and overtime rates for each staff category.

- 7.3 When permission is granted for the use of a facility, the Director of Facilities shall designate the type and number of employees and the length of time required for the particular space and event including setting up and cleaning-up time for which a permit is being used. The Director of Facilities shall give applicants an estimate of the fee to be charged.
- 7.4 Rental fees will be charged for storage of equipment more than one day before or after the dates when facilities are used for activities.
- 7.5 The following organizations will be exempt from fees for regular meetings in school buildings:
 - 7.5.1 School personnel, study groups and ad hoc committees of lay persons appointed or approved by the Board of Education or their representatives.
 - 7.5.2 Parent-Teacher Associations and other formally established and Board of Education recognized parent groups such as organizations of the parents of school-based athletes, musicians or science students.
 - 7.5.3 Town of North Hempstead meetings pertaining to Port residents' welfare.
 - 7.5.4 Professional education organizations when meetings are requested by a staff member and approved by the Superintendent of Schools.
 - 7.5.5 Civil Defense/League of Women Voters/PW Chamber of Commerce.
 - 7.5.6 Local police and volunteer fire departments and veterans' organizations.
 - 7.5.7 Special events of the Parent-Teacher Associations and other formally established and Board recognized parent groups of the District and approved by the Superintendent of Schools.
 - 7.5.8 Not for profit after school programs and summer camps with 50% or more Port resident enrollment will be exempt from rental fees but will pay applicable custodial and roster fees.
 - 7.5.9 Volunteer-led youth organizations such as the Boy Scouts, Girl Scouts, CYO, and PAL will be exempt from rental fees, but will be charged applicable custodial and or roster fees.

8. CANCELLATION NOTICE

Forty-eight hour notice of cancellation must be given if the group to which permission has been granted is unable to appear. Failure to do so will incur custodial expenses as scheduled.

9. RIGHTS RESERVED BY THE BOARD OF EDUCATION CONCERNING PERMITS

- 9.1 The Board reserves the right to review all applications.
- 9.2 The Board, or its representative, may request that the permit be exhibited at any time.
- 9.3 The Board, or its representative, must have free access to all rooms and facilities at all times.
- 9.4 The Board assumes no responsibility for loss of personal property or for personal injury sustained while any group is using the premises.
- 9.5 The Board, or its representative, may cancel privileges granted upon failure of any group to comply with the rules and regulations of this policy or, with as much advance notice as possible, when conflict with school use appears.

10. SUPERVISION OF THESE REGULATIONS

The Assistant Superintendent for Business will be responsible for the overall supervision of these regulations and will check eligibility, issue permits, see that organizations follow the rules as indicated and recommend the cancellation of privileges upon failure to comply with the rules and regulations. His/her office shall also coordinate activities in all schools so that principals and other administrative personnel are aware of all use to be made of facilities in a given building in order that they may assist in the overall supervision of this program.

Approved: March 21, 1995

Revised: July 3, 2012