

() Required
(X) Local
(X) Notice

USE OF SCHOOL BUILDINGS AND ATHLETIC FACILITIES

While the district's school buildings and grounds are maintained primarily for the purpose of educating students within the district, the Board of Education recognizes that the buildings and grounds are a valuable community resource and believes that this resource should be available to the community for specific uses that will not interfere with educational activities. This policy is intended to identify the uses that community groups may make of those facilities.

School buildings and athletic facilities may be used by district residents: (1) for the purpose of instruction in any branch of education, learning or the arts; (2) for holding social, recreational or civic meetings and entertainment and other uses pertaining to the welfare of the community, provided, however, that such meetings, entertainment and uses are nonexclusive and are open to all district residents; and (3) as otherwise required by law. Any such use must be consistent with all applicable state and federal laws and shall not be deemed an endorsement by the district of the activity or the purpose for which the buildings or athletic facilities are used.

Prohibited Uses

- A. Meetings sponsored by political organizations.
- B. Meetings, entertainments and occasions that are under the exclusive control of 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 veterans' organizations or volunteer fire fighters or volunteer ambulance workers.

The district's buildings and athletic facilities, including but not limited to, the gymnasiums, auditoriums, classrooms, soccer fields, baseball and softball diamonds, running track, tennis courts, cross country courses, and other resources, are developed, maintained and held in trust by the Board of Education (the "Board") to serve the educational mission of the school district. It is a guiding principle of this Policy that any activity proposed for the district's facilities that would endanger their long-term utility as resources serving this mission should be carefully regulated.

I. Application for Use

- A. Use of School Buildings and Athletic Facilities
 - 1. An individual or group must apply for use of a school building or athletic facility by filing an application for such use with the Director of Facilities at least thirty (30) days prior to the requested use date. The Director of Facilities shall have the authority, in his or her sole and unreviewable discretion, to: (a) review and evaluate applications for use of the district's buildings and athletic facilities; (b) approve or deny such applications within the parameters of this Policy; and (c) coordinate and schedule uses of the district's buildings and athletic facilities that are approved. Applicants should not do any formal planning for a proposed use until the application has been approved and the use

2. has been scheduled. Except as otherwise provided by this Policy, no other district staff member, other than the Director of Facilities or his/her designee, has the authority to approve and schedule uses of the district's buildings and athletic facilities.
3. Except as otherwise provided by this Policy, all uses of the school buildings and athletic facilities shall be subject to the use fees and insurance requirements of Section V.
4. The facilities permitted to be used will be in proportion to the size of the group (e.g., small groups may not use the cafeteria or gymnasium facilities).
5. Casual use can be made of the outdoor athletic facilities, defined as unscheduled use by individuals or groups, (a) must not be in conflict with this Policy, (b) must be consistent with the purpose of such building or facility, and (c) shall be at the users' own risk. Casual use shall be permitted on a first-come-first-serve (unscheduled) basis. Casual use must still have proper supervision at all times.
6. If changes in school-related programs require the use of school buildings or athletic facilities, the Director of Facilities reserves the right to rescind permission granted to any individual or group for use of such building or athletic facility up to one (1) week before the scheduled time of use. The Board considers the rescinding of permission under these circumstances to be an extraordinary event and anticipates that it only will happen on an infrequent basis. Non-school-related programs shall have no "bumping" rights.
7. Unless otherwise approved by the Superintendent, in his or her sole and unreviewable discretion, it is the District's practice that school programs and activities (curricular, co-curricular, interscholastic) are not scheduled on Sundays.
8. The Board reserves the discretion to deny use of district facilities described above, or to terminate use of district facilities:
 - a) By an applicant who has previously misused or abused district facilities or property or who has violated this policy;
 - b) For any use which could have the effect of violating the Establishment Clause of the United States Constitution or other provisions of the United States or New York State Constitutions;
 - c) 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;
 - d) For any use which the Board deems inconsistent with this policy;
 - e) 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;
 - f) In any instance where alcoholic beverages or unlawful drugs are sold, distributed, consumed, promoted or possessed; or
 - g) For any use prohibited by law.

B. Specific Restrictions for Athletic Facilities

1. An athletic field or facility may be restricted for use for health/safety reasons or to maintain the district's field-development program. The Athletic Director and Director of Facilities, are responsible for evaluating the condition of fields and facilities and have the authority to restrict the use. Factors taken into consideration by this administrative committee include, but are not limited to:
 - a) Overall condition of the playing surface;
 - b) Specific wear and tear on high-use sections of the field or playing surface;
 - c) Weather conditions affecting the viability of turf on the field;
 - d) Planned maintenance of the field or playing surface and subsurface; and
 - e) Schedule of events to be played on the field or playing surface in the ensuing season.
 - i. Varsity and JV soccer, baseball and softball competition fields are unavailable for use by community groups. These fields and playing surfaces may only be used by school teams and for district-sponsored events.
2. Fields or playing surfaces that are declared off limits for any season will be posted and/or fenced to ensure that they are not used.
3. The Director of Facilities may deny or withdraw permission for a previously granted use for good reason, such as deteriorating weather/field or playing surface conditions or violation of district procedure/policy regarding applications, use fees, insurance or approved uses of facilities. Such withdrawal may be made without prior notice by the Director of Facilities. Permission may also be denied or withdrawn without prior notice if the actual use of the facilities is at variance with the intended use as stated on the use application.
4. Fields that are determined by the Director of Facilities (or designee) to be saturated with ground water will be declared off-limits until such time as the area is reassessed. The Director of Facilities will communicate this information to the Athletic Director and Business Administrator for their action.

II. Priority of Use; Eligibility

- A. Priority of use will be given to the following programs and activities in the following order:
 1. Regular K-12 programs
 2. Extracurricular/Interscholastic programs
 3. Continuing/Adult Education programs and alumni activities
 4. School Support group programs
 5. Community group activities

The Board acknowledges that, from time to time, groups or individuals in categories (3), (4) and (5) have utilized the District's building and/or athletic

facilities at such duration and frequency so as to exclude or restrict the use of such buildings and/or athletic facilities by other groups or individuals in categories (3), (4) and (5). The Board desires that the use of the District's facilities and athletic facilities by groups or individuals in categories (3), (4) and (5) be administered in a fair and equitable manner. To that end, the Board assigns to the Superintendent (or his or her designee) the authority to restrict the duration and frequency of use by any group or individual in categories (3), (4) or (5) if the Superintendent (or his or her designee) determines, in his or her sole and unreviewable discretion, that such group's or individual's use has the effect of excluding or restricting the use of the District's buildings and/or athletic facilities by others.

- B. Employees or students of the district using school buildings or athletic facilities for approved school programs and activities (curricular, co-curricular, interscholastic, continuing/adult education and alumni activities) shall be exempt from liability insurance requirements and building use fees.
- C. School support groups whose use of the buildings and athletic facilities are for the purpose of lending direct support to the district's programs through fund-raising and/or volunteer activities shall be exempt from liability insurance requirements and building use fees.
- D. Activities sponsored by municipal authorities, charitable organizations, community groups, athletic clubs, youth organization or similar groups shall be permitted to use district buildings and athletic facilities in accordance with this Policy, subject to the assessment of building use fees and the district's liability insurance requirements as outlined in Section V. of this Policy.
- E. It is a violation of the Education Law to allow school buildings and athletic facilities to be used by for profit entities. No requests will be honored for uses that principally benefit a profit making enterprise. See N.Y. Education Law §414.

III. General Guidelines

- A. An admission fee may be charged by an individual or group authorized to use the school's buildings or athletic facilities provided that: (1) such admission fee has been approved by the Board; and (2) the proceeds of such admission fees will be used for educational or charitable purposes.
- B. An admission fee may be charged by Section II for sectional games held on school grounds. The district does not receive any portion of the fees collected.
- C. At no time shall any individual or group be permitted in any of the buildings without a member of the staff on duty.
- D. SMOKING and the use of alcoholic beverages are prohibited at all times in district buildings or on the grounds.
- E. Parking of unauthorized motor vehicles shall not be permitted by any person on the driveways leading to/from Maple Hill High School to South Schodack Road or on the land adjacent to these driveways. Violators of this regulation shall be subject

F. to the penalties provided by Section 1670 the N.Y. Vehicle and Traffic Law, and to revocation of permission to use the district's facilities.

G. On week nights, groups shall vacate the building by 10:00 p.m. so that school buildings may be closed at 10:30 p.m.

IV. Insurance and Fees

The school district reserves the right to require any individual or group using its buildings or athletic facilities to provide evidence of

adequate liability insurance to protect the school district against liability, property damage, personal injuries and damages arising from such individual's or group's use of the school buildings and athletic facilities. The district has complete and unreviewable discretion to determine what constitutes adequate liability insurance for each proposed use. See Board Policy on "Liability Insurance for Users of District Facilities."

The Board of Education shall approve on an annual basis a fee schedule that sets forth the fees, charges and other assessments charged to non-school-related groups or individuals who use the District's buildings and athletic facilities. The Board authorizes the Superintendent to waive any fees or to increase such fees from time to time.

A fee will be assessed to cover any extra expense occasioned by the use of the buildings or athletic facilities at times when school personnel are not normally present. Net costs to the district for custodial salaries, required fringe benefits, heat, light and other utilities will be assessed according to the fee schedule.

A separate charge will be made for use of the cafeterias, gymnasiums and certain equipment based upon duration and intensity of use as outlined in the district's fee schedule.

Additional fees shall be assessed to cover costs to the district for non-routine cleaning set-up, maintenance, repair or replacement of damaged or missing items, if, in the opinion of the district, such extra services are required as a result of the applicant's activities.

The district retains the right to assign such personnel to such duties as it deems necessary to meet the requirements imposed by the applicant's use of the buildings or athletic facilities.

When the use of the school buildings or athletic facilities is shared by more than one applicant at the same time, an appropriate adjustment will be made to the fees assessed to such applicants to take into account such joint use.

Payment will be made directly to the "Schodack Central School District" for any use fees, upon receipt of a valid district invoice for same. The district retains the right to condition use upon an applicant depositing with the district, ten (10) days in advance of the requested use, a sum equal to the estimated costs and fees associated with the applicant's proposed use.

Ref: Education Law §414

Adoption date: April 21, 2016