

MONROE-WOODBURY CENTRAL SCHOOL DISTRICT

USE OF FACILITIES RULES AND FEES NON-SCHOOL RELATED ORGANIZATIONS

JULY 1, 2017

Fee Structure:

- > A \$25.00 application fee will be charged for each application. This application fee will be handed in with the application and sent to the Business Office once it has been approved by the Building Principal. An application will not be accepted without the fee. Groups such as the Boy Scouts/Girl Scouts will be charged one application fee per troop for the school year. If a troop schedules other events during the year, they do not have to pay another application fee. This fee will cover all events for the troop for the school year. PTA groups do not pay the application fee at all.

Groups that schedule use of the District's gyms or fields will be charged one application fee for the season for each gym/field used.

All other groups must pay for each Facilities Use form completed.

Payment of the application fee must be paid by check payable to the Monroe-Woodbury Central School District. If an applicant does not have a check, cash can be processed in the Business Office.

- > Monroe-Woodbury CSD groups/organizations are defined as a group/organization that is located within the geographic area covered by the district. These groups/organizations will be charged \$35.00 per custodial hour after normal working hours.
- > Non-payment of invoices voids future use of facilities, until all outstanding invoices are paid.
- > Any use of District kitchens requires school lunch personnel to be on site. The group/organization will be charged based on the total hours worked.
- > If security is required, as determined by the District, \$35.00 per security hour after normal working hours will be charged.

Required Insurance:

All users must provide the following insurance prior to using facilities. Failure to do so prior to use will result in revocation of your permit.

- A. The user hereby agrees to name the district as an unrestricted additional insured on the user's policy.
- B. The policy should name the district as additional insured and shall:
 - be an insurance policy from an A.M. Best rated "secured" New York State insurer, permitted to do business in New York State;
 - contain a 30-day notice of cancellation;

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- state that the organization's coverage shall be primary and non-contributory coverage for the district, its Board, employees and volunteers;
 - additional insured status shall be provided with ISO endorsement CG 20 26 11 85 or its equivalent.
- C. The user agrees to indemnify the District for any applicable deductibles.
- D. Required Insurance:
- Commercial General Liability Insurance - \$1,000,000 per occurrence/
\$2,000,000 aggregate.
- E. User acknowledges that failure to obtain such insurance on behalf of the District constitutes a material breach of contract and subjects it to liability for damages, indemnification and all other legal remedies available to the District. The user is to provide the district with a Certificate of Insurance and additional insured Endorsement, evidencing the above requirements have been met. The failure of the district to object to the contents of the certificate or the absence of same shall not be deemed a waiver of any and all rights held by the District.

The district is a member/owner of the New York Schools Insurance Reciprocal (NYSIR). The user further acknowledges that the procurement of such insurance as required herein is intended to benefit not only the district but also NYSIR, as the district's insurer.

Other:

- > When district is closed or dismisses early for weather, all buildings are closed to outside groups.
- > Official holiday schedule, all buildings closed to outside groups (see page 3).

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MONROE-WOODBURY CENTRAL SCHOOL DISTRICT - CALENDAR OF DAYS OFF

2017-2018

July	4	Tuesday	Independence Day	1
September	4	Monday	Labor Day	1
	21	Thursday	Rosh Hashanah	1
	22	Friday	Rosh Hashanah	1
October	9	Monday	Columbus Day	1
November	10	Friday	Veterans' Day	1
	22	Wednesday	Thanksgiving Recess	1
	23	Thursday	Thanksgiving Recess	1
	24	Friday	Thanksgiving Recess	1
December	25	Monday	Winter Recess	1
	26	Tuesday	Winter Recess	1
January	1	Monday	Winter Recess	1
	15	Monday	Martin Luther King, Jr. Day	1
February	16	Friday	President's Weekend	1
	19	Monday	President's Weekend	1
March	29	Thursday	Holy Thursday	1
	30	Friday	Good Friday	1
May	28	Monday	Memorial Day Weekend	1

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PUBLIC USE OF SCHOOL FACILITIES

The Board of Education recognizes the capital investment the district has in its school plant and facilities and believes that these buildings and facilities should be used for legitimate community use within the framework outlined by Education Law.

Education Law states in part that a Board may permit the use of school buildings and grounds, to non-profit organizations when not in use for school purposes, for any of the following purposes:

“For holding social, civic and recreational meetings and entertainment, and other uses pertaining to the welfare of the community; but such meetings, entertainment and uses shall be non-exclusive and shall be open to the general public.

For meetings, entertainment and occasions where admission fees are charged, when the proceeds thereof are to be expended for the educational or charitable purpose; but such use shall not be permitted if such meetings, entertainment and occasions are under the exclusive control, and the said 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 of organization other than organizations of veterans of the military, naval and marine service of the United States and organizations of volunteer firefighters or volunteer ambulance workers” (Education Law – 414).

The Board encourages the use of its facilities by groups and organizations when their purposes and objectives contribute to the benefit of the school district or the school community – and has directed the school administration to develop and promulgate administrative regulations.

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Section I – Permit Application

An application for a permit to use school buildings and grounds must be submitted at least two weeks prior to the use date.

A completed application consists of:

1. Use of Facilities Application form - available on the District website (<http://mw.k12.ny.us/community/facilities-use>). It may be downloaded and completed by hand, or it may be completed as an online form using Adobe Reader, then emailed to the Building Principal or Athletic Director depending on the building/grounds being requested for use;
2. \$25.00 Application fee
3. Proof of general liability insurance. See Page 1 for Insurance requirements.

The application will be reviewed to ascertain whether the area requested has been reserved.

Upon approval by the Principal or Athletic Director, the Application will be forwarded to the Assistant Superintendent for Business and Management Services office.

The Assistant Superintendent will approve or disapprove the Application and notify the applicant by forwarding the Application to the individual(s)/group(s) requesting the facility.

Section II – Priority

Priorities established for the use of school buildings or grounds are as follows:

Only MWCS D Non-Profit organizations or groups will be granted permission to use school facilities.

GROUP I:

First priority use is reserved for direct school related activities. These are school activities such as athletic practices, athletic contests, meetings, plays, programs, etc. which are run by school personnel or PTA for students and the community. Most of these activities are considered an extension of the regular school program.

GROUP II:

Second priority use is reserved for non-profit organizations who reside within the confines of the Monroe-Woodbury Central School district boundaries. Examples of these groups who have traditionally used the school facilities and fall within this category are as follows: scouts, village and/or town recreation programs, village and/or town fire departments, village and/or town police departments and/or cultural societies.

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Section III – Rules and Regulations

All permits shall be issued in accordance with the following terms and conditions which the Board of Education, may, from time to time, amend:

- The school district has the right to refuse any group that might be too large to accommodate in the school building and/or grounds.
- Groups I and II will schedule, to the best of their ability, so as to limit school building use to normal business hours. This “best effort” will reduce the school district’s cost to operate a building when it is normally closed.

In order to facilitate the cleaning of buildings, a schedule for use of various facilities has been developed by each Building Principal. Based upon cleaning needs of each facility, it is possible that applications may not be approved to allow for scheduling cleaning of various areas.

- No rental shall be charged to District organizations during normal working hours, except in an Austerity Year.
- Should a facility be used by a municipality for the purpose of registration or voting at a time when custodial service is not normally available, the requirement for custodial services, as described in the aforementioned, will be waived.
- Should a group require custodial services at a time when custodians are not normally on duty, arrangements must be made for a custodian through the Building Principal. If in the opinion of the Building Principal the time required by custodial personnel is significant, the custodian(s) will be paid overtime by the district and the group will reimburse the district for such expenses. The custodian must be paid a minimum of three hours pay in cases in which an organization cancels the use of a facility within twenty-four (24) hours of the actual use. Movement of equipment requires a custodian and, therefore, should not be moved without first consulting a custodian.
- If a group does not show up for use of scheduled facility and does not notify District/School Custodian, the group will be subject to the district fees for the time the group was scheduled to use the facility.
- If the school kitchen is used for cooking purposes, a school district cafeteria employee must be present. The entire procedure would be under her supervision including any clean-up of the kitchen which must be accomplished after the program. Payment for the cafeteria employee will be based upon the actual amount paid to the individual on duty at the time. Payment will be made to the individual by the school district, and the organization using the facilities will be

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billed to reimburse the school district. The cafeteria employee must be paid a minimum of three hours pay in cases in which the organization cancels the use of a facility within twenty-four (24) hours of the actual use.

- Any group that plans to prepare or serve food on Monroe-Woodbury Central School District property must obtain and display a Temporary Food Service permit from Orange County Department of Health. This applies to use of any of the District's kitchens, including the concession stand at the main athletic field campus. Contact the Orange County Department of Health to obtain the Temporary Food Service Permit.

(<http://www.co.orange.ny.us/content/124/1334/default.aspx>)

- No special equipment that is the property of the school district will be used by an organization unless specific approval has been granted. If the request is granted:
 - a. Building and grounds must be left in the same condition in which they were found. The applicant must agree in advance to promptly pay for any loss or damage occurring during the use of buildings and/or grounds.
 - b. Adequate adult supervision must be provided at all times and it is the responsibility of the organization using the facility to provide that supervision.
 - c. The use of alcoholic beverages and tobacco products is strictly prohibited.
 - d. Putting up decorations or scenery, or moving pianos, or other furniture will be prohibited unless special permission is granted by the Building Principal.
 - e. Items may not be sold, exhibited, or displayed without the permission of the Building Principal.
 - f. Parking will be in designated areas only.
 - g. Groups will not be allowed to use lobbies or hallways for events.
- While the Board of Education carries adequate liability insurance for its own protection, all organizations granted permission to use school facilities are responsible for providing any additional insurance that they deem necessary for their own protection or as the Board may require. The Board of Education requires insurance protection, therefore, a certificate showing evidence of insurance and naming the school district as the insured must be submitted along with the Application prior to the actual use of the facility.

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- The school district will assume no responsibility for properties left on the premises by the applicant.
- The school fiscal year extends from July 1st to June 30th. Applications for use may be made at any time during this period. All Applications will be terminated on June 30th of any given year and groups must reapply for use during the subsequent year. Application for any given school fiscal year may not be made until July 1st.
- All groups will abide by all rules and regulations established by the Board of Education. Groups who violate such rules and regulations will receive a letter outlining the violations. Should violations reoccur, the approval for use of the facility will be canceled.
- Representatives of groups must agree to be present at any meeting regarding the use of facilities called by the building Principal of the facility used.
- The use of a school facility is secondary to the Educational Program and use by non-school related organizations may be cancelled temporarily or permanently if the facility is needed for a school purpose.
- Notwithstanding anything herein to the contrary, the Board of Education reserves the right to deny the use of school facilities to anyone if, in the opinion of the Board, it would not be in the best interest of the school district.
- No keys to district facilities are to be given to any group. A school district employee must be on duty during the period that the facilities are being used. If a district employee is unavailable, the facility cannot be used.
- Because of the numerous groups within the district that may want to use buildings, no one group shall be issued a permit so as to exclude other groups.
- Use of facilities during the summer months may be limited so as to recognize the need for summer refurbishing of the district's buildings and grounds.
- Organizations using school buildings and grounds shall not sell, dispense, or permit the consumption of alcoholic beverages or tobacco products of any type on school district properties.

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- Children will not be in district building(s) and grounds without adult supervision.
- Participants are to be kept in the room or area stated on the Application for which use permission was granted.
- Those who use the facilities are required to clean-up after using the room(s) or areas.
- No animals (except service animals)
- Those who use the facilities shall leave the premises at the hour specified on the Application Form.
- The permit shall be valid only for use of the particular area of the premises on the date or dates, at the hours, and for the purposes specified in the permit.
- The permit shall be exhibited, upon request, to any representative of the board, school district representative, principal, or custodial staff who request it.
- The permit is not transferable.
- Any permit may be cancelled without notice for failure to comply with the rules and regulations of the Board of Education or the Supervising Principal.
- All Federal and State Laws, Local Ordinances, and rules of the Police and Fire Departments regarding public assemblies **MUST** be strictly obeyed.
- The services of a custodian do not include erecting, or dismantling of scenery or equipment unless such scenery or equipment is the property of the Board of Education and such work is authorized by school authority.
- Scenery, palms, and other equipment provided by the holder of a permit must be removed from the building or permit area promptly after the termination of the use so as not to interfere with school activities, unless other arrangements have been made.

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- The Board of Education, or its representative, shall at all times have free access to all parts of the school premises.
- The Permit holder assumes full responsibility for the preservation of order in the school buildings and grounds.
- Charges for use of school premises shall be imposed in accordance with the schedule of rates set forth herein. Any such charges may be reduced or waived by the Board of Education when, in its discretion, such reduction or waiver is warranted. Invoices will be sent monthly to include Custodial and Security charges. All fees will be paid by check payable to Monroe-Woodbury Central School District and must be submitted to the office of the Assistant Superintendent of Business and Management Services. Any group with a balance for prior use will be denied access.
- It shall be the responsibility of the school district to insure that playground facilities are kept in a clean, safe and healthy condition.
- All playground facility users are to have one adult supervisor for every 12 children. An adult supervisor shall be 18 years of age or older.
- Prior to the start of the event, an announcement should be made to your group regarding emergency evacuation procedures. For example, point out posted procedures, directions for exiting, how to respond to fire alarms, etc.
- In the event of an accident, please notify the custodian on duty, or call the business office the next morning.
- Profanity, objectionable language, disorderly acts or illegal activities of any kind are absolutely prohibited, and those violating this prohibition will be ejected from the premises.
- Any damage to District facilities shall be promptly repaired at the user's expense.

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Section IV – Facility Use Fees/Rates:

Group I A fee will not be charged for direct school related activity.

Group II An hourly rate will be charged to cover the school district staff during non-school hours.

Group II Rates: (Non-profit organizations residing within the district.)

Custodial: \$35.00 per hr. (*Note: Fee is per custodian and a three-hour minimum*)

1 Custodian needed for 150 people or less. Additional Custodians may be necessary for each additional 250 people in attendance.

Example: 1 Custodian – 150 people

2 Custodians – 151 people to 400 people

3 Custodians – 401 people to 650 people etc.

Sound/Light Technician: (*Note: This fee is for anytime that this service is required*)

School Lunch Personnel: (*Note: Fee is charged anytime that this service is required.*)

Security: \$35.00 per hr. (*Note: The security needs will be based on the number of participants and type of function. The number of security personnel will be at the school district's discretion.*)

School Kitchen Facilities / Sound & Light Equipment - Group II

When outside organizations request the use of the school district's kitchen facilities, a staff member from the school district's cafeteria staff must be available. All arrangements for use of kitchens shall go through the Food Service Manager for his/her approval. A fee will be charged dependent on the staff member's salary working the event.

When outside organizations request the use of the school district's Sound/ Light equipment, a staff member from the school district's Sound/Light Technicians must be present. A fee will be charged dependent on the staff member's salary working the event.

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Board of Education Policy #3280

PUBLIC USE OF SCHOOL 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.

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 so 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.
- F. Civic forums and community centers.
- G. Recreation, physical training and athletics, including competitive athletic contests of children attending a private, nonprofit school.
- H. Graduation exercises held by not-for-profit elementary and secondary schools, provided that no religious service is performed.

Prohibited Uses

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

- 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.
- C. The Board of Education regards the use of school facilities for games of chance an improper use of a public building and will not authorize any request for such purpose.

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 the right to determine if a requested use would interfere with or disturb the district's educational programs.
- B. To ensure that 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.
- C. 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.
- D. 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 C above. Only authorized personnel shall operate district equipment.
- E. 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. The district will

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exercise complete and unreviewable discretion regarding what constitutes adequate insurance coverage for each proposed use.

- F. The District 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 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;
 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 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.

Application Procedure for Use of District Facilities

- A. All applications for use of school facilities shall be made in writing and submitted to the Superintendent of Schools at least 14 days prior to the date of the requested use. A use permit application is available in the Superintendent's office.
- B. The applicant must clearly and completely describe the intended use of the district facility in the application.
- C. 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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- D. 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 10 days before the date of the requested use.
- E. 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. Permits shall not be transferable.
- F. The Superintendent is authorized to alter or cancel any permit if it becomes necessary to use the facility for school purposes or for other justifiable reason.
- G. 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.
- H. Issuance of a permit shall not limit the right of access to the facility by district staff.

Ref: Education Law §414

34 Code of Federal Regulation (CFR) Part 108

20 USC §7905

Adoption date: 7/1/2016