



Book	Policy Manual
Section	700 Property
Title	Use of School Facilities
Code	707
Status	Active
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Last Revised	January 16, 2018

### **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 in accordance with this policy, provided the use does not interfere with the educational program of the schools, constitute an extreme public nuisance, or represent excessive use by a single organization.

### **Definition**

A **community group** shall be defined as one which draws a large majority of its membership from the district and has its chief local officer in the district. All other groups shall be considered outside organizations.

### **Authority**

Approval for the use of a designated facility shall be granted by the Board only when the size of the group to be accommodated is sufficient to justify the use of that specific facility.

The Board shall permit the use of school buildings and other facilities by any organization operated for private gain, or for any purpose involving private gain, when:

1. Use is sponsored by other organizations that do not operate for private gain.
2. Use will not benefit principally the organization, which operates for private gain.
3. A worthy educational, civic, or charitable purpose will be served.
4. A substantial group in the community will benefit from the organization.
5. Alternate facilities are unavailable or available only at undue cost or inconvenience.

The Board shall permit the use of school facilities by community groups on Sundays (after 12 noon) when such use is in the interest of district residents. Additionally, use will be permitted and only when it will not interfere with religious education efforts of local institutions.

Authorized school personnel shall have free access to all facilities at all times, subject to Board approval.

Nonprofit educational agencies, as well as educational associations to which either the school system or individual staff members belong, shall be permitted by the Board to use school facilities for public or professional meetings when meetings would be of interest to the staff, of value to the school, or of benefit to schools or school personnel elsewhere.

Profit-making organizations shall not be permitted to use school facilities unless the school would benefit from the use.

The Board shall establish a schedule of fees for the use of school facilities by approved groups.<sup>[1]</sup>

### **Delegation of Responsibility**

The Superintendent or designee shall implement procedures for requesting and granting permission for use of school facilities and shall distribute the policy and procedures 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 or his/her designee.

### **Guidelines**

#### **Application Process**

All requests for the use of facilities shall be made through the office of the Superintendent and cleared through the office of the building principal.

Requested facilities shall not be reserved until the application is returned and approved by the Superintendent.

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 granted 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 or the school calendar.
3. Access to school facilities containing equipment or furnishings which if damaged or operated by an unqualified operator would be detrimental to the operation of a district program.
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.
5. Individual or community group uses school facilities in excess of five (5) times during any calendar year for the same purpose. This limitation shall not apply to individual athletic contests for children or adults that are part of an overall athletic season schedule, and the use is approved by the Board.

### 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. All activities must terminate and all individuals and community group members must exit the school premises at the designated time.
4. 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.
5. 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.

### 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:[8]

1. Possession, use or consumption of illegal drugs and/or alcoholic beverages.
2. Conduct that would alter, damage or be injurious to any district property, equipment or furnishings.
3. Conduct that would constitute a violation of the Pennsylvania Crimes Code, and/or state and federal laws and regulations.
4. Gambling, games of chance, lotteries, raffles or other activities requiring a license under the Local Option Small Games of Chance Act.[2][9]

Exemption to this may occur should permission be granted to those booster club

organizations interested in raising money to be used to support the athletic program to conduct 50-50 raffles at sporting events. An exemption may occur if the request to do so is made in writing to the Superintendent, with the intent of the use of the money to be raised stated. Proof of a Small Games of Chance license must be submitted with the request and a written report of the financial gain of such raffle must be submitted to the Superintendent or designee.

#### 5. Use of tobacco products.[3][4][5]

Putting up decorations or scenery or moving furniture shall be prohibited unless special permission is granted.

Nothing shall be sold, given, exhibited, or displayed without advance permission.

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.

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.

#### Rental/Fee Schedule

A schedule of fees shall be based on the costs of building operation overhead plus the costs of any extra instructional, supervisory or custodial services necessitated by the use of the building by a nonschool organization.

No fees shall be charged to associations of military veterans; organizations or volunteer firemen; youth serving organizations; organizations that use the facilities for massive public health or community emergency purposes; or community-wide groups which sponsor educational or civic activities provided that:

1. The organization meets the definition of a community group.
2. No admission is charged to the activity.
3. No extra instructional, supervisory or custodial services are necessary.

Cost for the repair or replacement of lost or damaged property shall be charged to the responsible organization.[6]

Payment for personnel services of all types shall be made exclusively by the district. Any form of payment by other organizations is prohibited.

For rental purposes, all organizations are classified into three (3) groups:

1. Group A – school-affiliated groups such as classes, clubs, the Board, booster clubs, P.T.A., school-age athletic groups, boy and girl scout organizations, and church youth groups, where the primary makeup are district students.
2. Group B – community groups from the district that are civic, charitable, or service in nature, that charge admission.
3. Group C – all other groups and/or organizations.

	<u>Group A</u>	<u>Group B</u>	<u>Group C</u>
Senior High School Cafeteria	Free	\$20.00	\$50.00
Senior High School Gymnasium	Free	75.00	300.00
Middle School Auditorium (Basic)	Free	75.00	400.00
Middle School Auditorium/Electronics	Free	200.00	800.00
Middle School Cafeteria	Free	20.00	50.00
Middle School Athletic Center	Free	150.00	350.00
Athletic Stadium w/Lights	Free	200.00	800.00
Athletic Stadium without Lights	Free	100.00	350.00
Rush Elementary Cafeteria	Free	20.00	50.00
Tamaqua Elementary Cafetorium	Free	20.00	50.00
West Penn Elem. School Cafetorium	Free	20.00	50.00
District Athletic Fields	Free	10.00	50.00
Classrooms	Free	10.00	50.00
Tennis Courts	Free	10.00/yr.	50.00/use
Natatorium	Free	60.00/hr.	100.00/hr.

All groups using the auditorium must use a district-approved technician to operate the equipment and pay the salary of this employee. This charge is not reflected in the facility fee schedule. When necessary a student stage hand shall also be employed at the renter's expense. Use of the auditorium for rehearsal will result in a charge of twenty-five percent (25%) of the regular fee and also requires use and payment of a district approved technician.

#### Natatorium –

1. Group A – Free; however, the services of a certified lifeguard must be provided by the school-affiliated group. Custodial services must also be provided so that the facilities are left in the same condition as found prior to the use of the natatorium.
2. Group B – Up to thirty (30) - \$60.00 per hour, thirty-five (35) to forty (40) - \$15.00 per hour additional, plus the cost of a certified lifeguard. Custodial services must also be provided so that the facilities are left in the same condition found prior to the use of the natatorium.
3. Group C - \$100.00 per hour. Custodial services must also be provided so that the facilities are left in the same condition found prior to the use of the natatorium.

Use of the Facilities for Non-TASD athletic use (such as Schuylkill League and District XI) fees will be at the discretion of the athletic director and HS principal with the approval of the Superintendent.

#### Planetarium –

Groups which are located within the district and are directly affiliated with the district, either educationally or as a service organization, may view a program at no cost to the group. Groups not in the above category will be charged \$15.00 for each hour of planetarium usage.[7]

The natatorium and planetarium cannot be rented or used without professional or trained supervision.

#### Use of Cafeteria and Equipment –

The district shall provide cafeteria facilities to school-related organizations, upon request,

with insurance certification. The organization shall be responsible for securing food service other than that of the district and shall provide the salary for a supervising school employee certified in food safety.

**Legal**

1. 24 P.S. 775
2. 61 PA Code 901.701
3. 35 P.S. 1223.5
4. 20 U.S.C. 7182
5. 20 U.S.C. 7183
- 6. Pol. 708**
- 7. Pol. 707.1**
8. 24 P.S. 511
9. 10 P.S. 328.101 et seq
- 24 P.S. 779
- 22 PA Code 403.1
- 61 PA Code 901.1
- 20 U.S.C. 7181 et seq
- 20 U.S.C. 7905

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