

**USE OF SCHOOL BUILDINGS, GROUNDS, AND OTHER PROPERTY FOR
NONSCHOOL PURPOSES**

The Board of Education encourages the use of school buildings, grounds and other property by district residents and nonprofit organizations or groups for educational, civic and recreational purposes at times when they are not in use for school purposes or school related activities.

It is the intent and policy of the Board to balance the interests of preserving school buildings, grounds and other property for the principle purpose of educating students within the district with the desire to permit specific uses of school buildings, grounds and other property by organizations and groups when such uses will not interfere with educational activities. This policy is intended to comply with section 414 of the New York State Education Law which authorizes, but does not require, school districts to open school facilities for certain types of activities. This policy is intended to create and preserve a limited public forum within all district buildings, grounds and other property.

In accordance with the provisions of this policy, the Superintendent of Schools shall establish reasonable regulations for the permissible community use of school buildings, grounds and other property and shall afford equal consideration to all eligible applicants.

In accordance with the New York State Education Law, the following uses of school buildings, grounds and other property are acceptable:

- for the purpose of instruction in any branch of education, learning or the arts;
- for public library purposes;
- for holding social, civic and recreational meetings and entertainments, and other uses pertaining to the welfare of the community;
- for meetings, entertainments and occasions where admission fees are charged, when the proceeds are to be expended for an educational or charitable purpose;
- for polling places for holding primaries and elections, and for the registration of voters, and for holding political meetings;
- for civic forums and community centers, in accordance with the requirements of the New York State Education Law;
- for classes of instruction for mentally retarded minors operated by a private organization approved by the commissioner of education;

- for recreation, physical training and athletics, including competitive athletic contests of children attending a private, nonprofit school;
- for non-school hours child care programs, provided that the cost of care is paid for by the person responsible for the support of such child, the local social services district as authorized by law or by any other public or private voluntary sources or any combination thereof;
- for graduation exercises held by not-for-profit elementary and secondary schools.

Approval of requests will be at the discretion of the Board of Education in accordance with the applicable provisions of law.

Any use not permitted by this policy is prohibited. Notwithstanding the foregoing, the New York State Education Law and the Constitution of New York State specifically prohibit the following uses of the District's school buildings, grounds and other property:

- social, civic and recreational meetings and entertainments which are exclusive and not open to the general public;
- meetings, entertainments and occasions where admission fees are charged and the proceeds are not to be expended for an educational or charitable purpose;
- meetings, entertainments and occasions for an educational or charitable purpose where admission fees are charged, and the meetings, entertainments and occasions are under the exclusive control of, 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 or organization other than organizations of a veterans of the military, naval and marine service of the United States and organizations of volunteer firefighters or volunteer ambulance workers;
- political meetings or rallies unless specifically authorized by a vote of District residents in a school election. (Such an election must be called by the Board of Education upon petition of at least 10% of the qualified voters of the District.)

Fees

Fees shall be established to cover costs to the School District for all activities in school buildings, on school grounds, and for use of other property, except:

- those conducted by school personnel that are specifically authorized to be exempt by the Board of Education;
- meetings and special events of the Parent-Teacher Association 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;
- meetings of local volunteer fire departments, and veterans organizations (as herein above defined) and volunteer ambulance groups.
- Activities of youth groups conducting youth activities with a majority of district residents as participants.

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USE OF SCHOOL BUILDINGS, AND GROUNDS, AND OTHER PROPERTY FOR NONSCHOOL PURPOSES REGULATIONS

The following rules and regulations are designed to provide for the proper use of school buildings, grounds and other property for non-school purposes and to give each eligible group equal consideration for such use. Use of district facilities may be permitted unless in use for school purposes, or during educational programs. This district reserves exclusive and nonreviewable judgment to determine if a requested use would interfere with or disturb the district's educational programs.

1. Eligibility

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

2. Procedures for Application

- 2.1 All applications for use of buildings, grounds and other property must be made in writing on School District forms to the Director of School Facilities & Operations, Post Office Box 477, Lawrence, New York 11559. Applications for use of fields and gymnasiums should be received at least 30 days in advance of the dates requested. Based on the availability of space and of staff to open and clean the facilities, the Assistant Superintendent for Business may waive this notice requirement.
- 2.2 The applicant must clearly and completely describe the intended use of the district facility in the application.
- 2.3 All applicants must review this policy prior to submitting the application. All applications must be signed by an authorized agent for the group or organization requesting use. The applicant's signature and telephone number 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.
- 2.4 The first application made by any organization or group must be accompanied by a copy of its constitution or a letter from a responsible officer stating in detail the aims and principles of said organization or group. The constitution or letter will remain on file with the School District. Sufficient time will be required for review of the first application by any organization or group.

- 2.5 Each application must state the anticipated number of District residents and out-of-district participants who will use the facility.
- 2.6 A permanent legal residence within the boundaries of the Lawrence Union Free School District is required for application for any use of Buildings, Grounds and Other Property for non-school purposes. Applications must contain a valid street address; any application containing a Post Office Box will be deemed unacceptable for use within this process.
- 2.7 If the application is approved, a permit will be issued to the organization or group, and it will indicate the specific type and extent of use granted. If two or more applications are received for use of the same facility(ies) for the same date(s), it shall be the responsibility of the Assistant Superintendent for Business to review the applications and convene a meeting of the organizations or groups involved for the purpose of resolving conflict(s).

Conflicts may be resolved by: splitting the requested time, agreeing to alternate usage, or other mutually acceptable proposals. If the conflict is not resolved, it shall be the responsibility of the Assistant Superintendent for Business to recommend issuance of a permit. This recommendation shall be based upon the following factors in priority order: benefit to the youth of the community; benefit to the community; sports season priorities - e.g. baseball in the spring, soccer in the fall; number of District residents participating, number of years the program has previously used the facility; and, any other pertinent information. Such determination shall be made 60 days before the permit date for fields and gyms. If an organization or group is not satisfied with the decision made by the Assistant Superintendent, it may appeal the decision, in writing, to the Superintendent no later than 7 days after notification.

3. *Conditions Applying to the Use of All Permits*

- 3.1. All advertisements, posters and announcements of meetings, entertainments, or other occasions for which a permit is granted must indicate that the activity is open to the public.
- 3.2. Forty-eight hour notice of cancellation must be given if the organization or group to which a permit has been granted is unable to appear. Any organization or group that fails to give such notice shall be responsible for custodial expenses as scheduled and the School District may revoke its permit.
- 3.3.1. All permits issued by the district shall be valid only for the particular use of the premises, on the particular date or dates, at the hours specified, within the restrictions listed and for the purposes specified therein. No adjustment to the permit is allowed except with the prior written approval of the Superintendent.

- 3.4. All permits issued by the district are not transferable.
- 3.5. All permits issued by the district shall be cancelled on any day(s) when school is closed for emergency reasons.
- 3.6. 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.
- 3.7. There shall be no gambling, loud or boisterous behavior, or use of intoxicating beverages in any school buildings or on school grounds or other property.
- 3.8. Smoking is not permitted in any school building or on any school grounds or other property.
- 3.9. Organization or group members will not be allowed into the building or on school grounds or other property until the time stated on the permit as the arrival time, and the premises must be vacated by the time stated on the permit as the departure time.
- 3.10. A school custodian or other responsible employee of the district 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 school district employee.
- 3.11. Moving pianos or furniture, putting up decorations or scenery and similar activities are prohibited unless requested in the original permit application and approved in the permit granted, and any fee required for this purpose will be included in the charge to the organization or group. At no time may flammable or otherwise hazardous material or equipment be brought into a school building or on school grounds or other property.
- 3.12. Organizations or groups comprised of minors must have at least one adult in charge for every 30 participants. The adults must be present before the organization or group may enter the school building, school grounds or other property and must remain with the organization or group while they are in any school building, or on the school grounds or other property.
- 3.13. Adequate supervision for the conduct and safety of the organization or group members must be maintained at all times by the sponsoring organization or group. The Director of School Facilities & Operations or his/her designee shall make the determination as to the adequacy or inadequacy of the supervision provided by the sponsoring organization or group. Where supervision is determined to be inadequate, the organization or group must discontinue use of the school buildings, grounds and other property until the Director of School Facilities and Operations or his designee makes a determination that proper supervision is provided.

- 3.14 No exhibits, posters or other materials may be displayed, distributed or made available on school property unless approved beforehand by the Board or its representatives. All personal property of the organization or group or its members brought into any school building or onto school grounds or other property must be removed within twenty-four hours after the departure time stated on the permit.
- 3.15 All applicants must agree to be solely liable for the cost of any damage or destruction to school buildings, grounds and any other property of the School District occasioned wholly or in part by any intentional, negligent or tortuous act or omission of applicant, its agents and participants guests or invitees, arising from, related to or in connection with its use of school buildings grounds and other property and to defend, indemnify, and hold the Board of Education of Union Free School District No. 15, Town of Hempstead harmless from an against all claims for damage to property, inclusive of demands, payments, actions, suits, recoveries, judgments of every nature and description, damages, consequential damages, liabilities, with interest costs and expenses (including without limitation fees and disbursements of attorneys, investigators and experts.) At least 10 days before the date of requested use, each permit holder must provide the District with a Certificate of Commercial General Liability insurance, \$1,000,000 per occurrence/\$2,000,000 aggregate, naming "Lawrence Union Free School District No. 15, Town of Hempstead" as an additional insured by using endorsement CG2026 or broader. The facility user agrees to indemnify the district for any applicable deductibles. The Parent-Teacher Association 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 and professional educational organizations shall be exempt from this requirement.
- 3.16 Each permit will list an arrival and departure time. These times must be adhered to strictly. Permits for organizations or groups sponsoring youth activities must terminate by 10:00 P.M. Permits for all other organizations or groups may extend beyond but must terminate by 11:00 P.M., if custodians are available to work and special permission is granted by the school district. Such special permission will involve an appropriate overtime fee charge.
- 3.17. Issuance of a permit shall not limit the right of access to the facility by district staff.

4. *Conditions when and admission or other fee is charged*

- 4.1. If an organization or group plans any activity involving an admission fee, then the application must include a statement of such intent and state that the action does not involve any conflict with district policy, New York State Education Law, or the New York State Constitution.

- 4.2. When permission is granted by the district to charge an admission fee, the organization or group 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 Superintendent of Schools 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 or group charging an admission fee shall be responsible for and shall pay any taxes due 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, grounds or other property are requested*
 - 5.1. If an organization or group desires to use school equipment, or special facilities such as motion picture projectors, public address systems, stage lighting systems, pianos, etc., a specific request for such use must be stated on the permit application. Control and operation of all such special equipment or facilities shall be by School District-appointed individuals only. The Office of the Director of School Facilities & Operations will make arrangements for such qualified person and/or operator (s) when a request for such use is approved, and the organization or group receiving the permit will be required to pay a fee for the service involved. School equipment is not to be used off school grounds. School equipment which cannot be operated by school personnel may not be borrowed by non-school organizations or groups. Such items include such things as musical instruments and tools.
 - 5.2. If an organization or group desires to use a cafeteria kitchen, a specific request for such use must be stated on the permit application. The Office of the Director of School Facilities & Operations will make arrangements for qualified kitchen attendants to be present and control the use of the kitchen when a request for such use is approved. The organization or group which receives the permit will be billed for and will responsible for payment for such services.
 - 5.3. If an organization or group desires to use a gymnasium, a specific request for such use must be stated on the permit application. If such use is approved by the District, the applicant will receive special regulations concerning the use of the gym, including the wearing of sneakers on the gym floor.

5.4. If an organization or group desires to use parking lot attendants, a specific request for same must be stated on the permit application. If such use is approved by the District, the organization or group requesting the permit will be charged a fee for the attendants' service.

6. *Responsibilities of Applicant When Issued a Permit*

6.1. The organization or group issued the permit will be responsible for ensuring that all persons comply with the conditions set forth in these regulations.

6.2. The organization or group issued the permit will be responsible for keeping members within the area of the school building, grounds or other property specified in the permit. No substitution of facilities may be made.

6.3. The organization or group issued the permit will be required to make prompt restitution to the School District for any damage or loss suffered during its time of occupancy.

6.4. The organization or group issued the permit is required to leave the school buildings, or grounds and other property, used clean and in order.

6.5. The organization or group issued the permit will be responsible for the payment of all fees charged by the Board of Education and that such bills are promptly paid. Checks shall be made payable to the Treasurer, Lawrence Public Schools and shall be sent to the Director of School Facilities & Operations, P.O. Box 477, Lawrence, New York 11559. Under no conditions shall will any organization or group render any payment for services directly to any school employee.

7. *Fees*

7.1. All Organizations or groups, unless specifically exempted in these regulations, using a school building and/or grounds and/or other property will be charged a fee to cover the cost to the District for such use. All organizations or groups, unless specifically exempted in these regulations, will pay fees for the use of school buildings and/or grounds and/or other property based upon the number of hours of use and the number of District employees assigned to the area to be used.

The fee for 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. Such rates shall be set annually by the Business office and reflect median hourly and overtime rates for each staff category.

A \$200 security deposit will be required if an organization or group requires use of gymnasium scoreboards or auditorium stage lights or sound equipment, unless designated school personnel are hired to operate this equipment.

When permission is granted for the use of a facility, the Director of School Facilities & Operations shall designate the type and number of employees and the length of time required for the particular space and event including set up and clean up time for which a permit is being used. The Director of School Facilities & Operations shall give applicants an estimate of the fee to be charged. Field use will be charged at a rate of \$15.00 per hour for adult group usage, and be adjusted semi-annually in accordance with the collective bargaining agreements. Fees for certified youth groups will be calculated at the actual cost borne by the school district, and shall be adjusted semi-annually to reflect increases.

7.2. The following organizations and groups will be exempt from custodial fees for regular meetings and athletic programs in school buildings, on school grounds or other property (except during a contingency budget, or as prescribed by law):

7.2.1 School personnel, study groups and ad hoc committees of laypersons appointed or approved by the Board of Education or their representatives and specifically approved to be exempt from custodial fees.

7.2.2. 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, for the purpose of holding meetings or special events.

7.2.3 Local volunteer fire departments, and volunteer ambulance groups and veterans' organizations, for the purpose of holding meetings.

7.2.4 Youth groups ages four to eighteen and having a substantial number of participants being residents of the District.

8. *Rights Reserved by the Board Concerning Permits*

8.1 The Board reserves the right to review all applications.

8.2 The Board, or its representative, may request that the permit be exhibited at any time.

8.3 The Board, or its representative, must have free access to all rooms and facilities at all times.

8.4 The Board assumes no responsibility for loss of personal property or for personal injury sustained while any group is using the premises.

8.5. The Board, or its representative, may cancel any permit issued and the privileges granted therein upon failure of any organization or group to comply with the rules and regulations of this policy. The Board, or its representative, may cancel any permit issued and the privileges granted therein, with as much advance notice as possible, when a conflict with a school use appears.

9. *Recognition of Parent Groups Other than the Parent-Teacher Association*

Parent groups other than the Parent-Teacher Association seeking recognition and approval of the Board be exempt from fees and the insurance requirements as described in this policy and regulation shall submit the following:

- A letter requesting recognition and approval to the Board of Education.
- A list of the names and addresses of the officers and directors and the mailing address of the organization or group.
- A copy of the organization or group constitution and/or bylaws including its statement of organizational purpose.
- A copy of its New York State certificate of incorporation as a not-for-profit organization.
- A current financial statement. The statement should reflect expenditures for educational and charitable purposes, which are in keeping with the organization's or group's purpose as stated in its constitution and bylaws. By August 1 each year, the organization or group shall submit a financial statement to the Assistant Superintendent for Business in order to retain recognition and approval of the Board.

10. *Supervision of these Regulations*

The Assistant Superintendent for Business will be responsible for the overall supervision of these regulations and the Director of School Facilities and Operations will check eligibility, issue permits, see that organizations or groups 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 uses to be made of facilities in any given building, on school grounds or other property, in order that they may assist in the overall supervision of this program.

ADULT GROUP RATES FOR BUILDING AND FIELD USE

		HOURLY CUSTODIAL RATES FOR ADULT GROUPS		HOURLY RATE TO BE APPLIED AT ALL TIMES FOR ALL ADULT ACTIVITIES	
SCHOOL	FACILITY	DAILY AFTER 11 P.M. AND SATURDAY	SUNDAY & HOLIDAYS	NON PROFIT ADULT GROUPS	FOR PROFIT ADULT GROUPS
ELEMENTARY #2 - #6	GYM	\$65	\$70	\$15	\$100
	THEATRE	\$65	\$70	\$50	\$275
SECONDARY M.S. – H.S.	GYM	\$65	\$70	\$30	\$200
	THEATRE	\$65	\$70	\$75	\$350
ALL SCHOOLS	CLASSROOMS	\$65	\$70	\$15	\$100
	MULTI PURPOSE ROOM	\$65	\$70	\$15	\$100
ALL FIELDS	* Field use will be calculated at \$15 per hour at all schools on any given day.				
APPLICATION FEE	* A \$200 semi-annual application fee per season, per organization, will apply.				

EXAMPLE: The nonprofit ABC Basketball league using #6 School Gym on Saturday will be paying \$80 per hour after the initial Application fee of \$200 per season.

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**CERTIFIED YOUTH GROUPS
RATES FOR BUILDING AND FIELD USE**

		HOURLY CUSTODIAL RATES FOR YOUTH GROUPS		HOURLY ROOM RATE TO BE APPLIED FOR YOUTH ACTIVITIES ON SATURDAY, SUNDAY AND HOLIDAY USES ONLY
SCHOOL	FACILITY	DAILY AFTER 11 P.M. AND SATURDAY	SUNDAY & HOLIDAYS	NON PROFIT YOUTH GROUPS
ELEMENTARY #2 - #6	GYM	\$44	\$58	\$9
	THEATRE	\$44	\$58	\$10
SECONDARY M.S. – H.S.	GYM	\$44	\$58	\$11
	THEATRE	\$44	\$58	\$12
ALL SCHOOLS	CLASSROOMS	\$44	\$58	\$2
	MULTI PURPOSE ROOM	\$44	\$58	\$2
<u>APPLICATION FEE</u>	* A \$25 semi-annual application fee per season, per organization, will apply (includes field use).			

EXAMPLE: The Certified XYZ Little League using the #2 School Gym on Sunday will pay \$67 per hour after the initial application fee of \$25 per season.

*Exempt from fees except during a contingency budget or as prescribed by law.

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