



|              |  |
|--------------|--|
| Book         | Policy Manual                                      |
| Section      | 700 Property                                       |
| Title        | Use of School Facilities (for 2020-21 School Year) |
| Code         | 707  |
| Status       | Active   |
| Adopted      | February 17, 2015                                  |
| Last Revised | December 7, 2020                                   |

### **Purpose**

The Board establishes that it may permit district facilities to be made available for community and school-related purposes, provided that the purpose does not interfere with the educational program of the schools or school-sponsored activities.

### **Definition**

**Facilities** are defined as all district-owned buildings, grounds and associated athletic fields.

### **Authority**

The Board directs that any group, organization, or individual seeking use of district facilities must exhibit objectives, outcomes, and principles consistent with the educational purpose of the district or local community interests. [\[1\]](#)[\[2\]](#)

### **Guidelines**

#### **Facilities Use Fee Schedule**

As approved by the Board, the Superintendent shall develop a Facilities Use Fee Schedule for the use of district facilities. Fees may include costs of custodial and supervisory services, kitchen employees, energy uses (lights, heat, air-conditioning), and other expenses related to a proposed use, including the cost of police and/or security required by the district. [\[2\]](#)

#### **Requests and Approvals**

1. Written requests shall be submitted via the online system used by all schools. All requests shall be screened and evaluated as follows:
  - a. Identification and classification of the organization making the request.
  - b. Determination of the availability of the facility requested.

- c. When appropriate, consultation with the faculty, custodian, Athletic Director, Supervisor of Buildings and Grounds, and other staff.
2. Forms will then be forwarded to the appropriate personnel for processing.
  - a. If approved, advise all affected personnel.
  - b. If a fee is to be assessed, forward a copy of the approval to the office of the Director of Business and Operations.
  - c. If food is to be served, forward a copy of the approval to the office of the Food Service Supervisor.
3. Decisions regarding priority for usage are the responsibility of the building principal and district administration. General guidelines for establishing priority are:
  - a. Class I\* – Direct School Activities. Outdoor activities encouraged, indoor activities/groups to be limited and follow the district's Health and Safety Plan requirements. No large group activities such as assemblies, etc. All indoor afternoon athletics/activities to end by 9:00pm Monday-Friday, noon on Saturdays, no activity on Sundays, in order to allow for cleaning and disinfecting of the facility.
    - i. School groups, teams, events.
    - ii. Classroom activities.
    - iii. Activities sponsored and supervised by school administrative and/or professional personnel.
  - b. Class II\* – Related School Activities. School-sponsored groups, clubs, and student organizations - indoor activities to comply with Class I above, except they end by 7:00pm Monday-Friday. All other Class II groups - outdoor events only.
    - i. School-sponsored groups, clubs and student organizations.
    - ii. PTOs, Booster clubs.
    - iii. State or local agency holding a public meeting for the local community.
    - iv. Intermediate Unit, district, regional or PIAA-sanctioned events.
  - c. Class III\* – Nonprofit Community Groups. Outdoor use of facilities only with a club/group's approved safety plan.
    - i. Nonprofit community groups whose membership consists of a minimum of seventy-five percent (75%) district residents.
    - ii. Nonprofit groups serving a nationally recognized charity.

d. Class IV\* – Other Community Groups. No use by Class IV groups.

- i. Nonprofit groups whose membership consists of less than seventy-five percent (75%) district residents.
- ii. Homeowner organizations within the district who wish to use facilities for a regularly scheduled association meeting.

e. Class V\* – Outside and For-Profit Groups. No use by Class V groups.

- i. All for-profit groups serving our students or community.
- ii. All groups, not in Classes I – IV, charging an entrance fee or tuition, sports camps, etc.

**\* These revisions are subject to change based on governmental regulations or closures that may be required during the pandemic.**

Usage fees will be assessed according to the Facility Use Fee Schedule. Once a request has been approved, it will not be withdrawn if a group with a higher priority later submits a request that would interfere with the approved use.

**Exception:** School activities (Class I groups) take precedence over all other uses and may supersede a previously approved usage subject to the approval of the Superintendent.

The school administration has the right to cancel an approval if circumstances warrant. Notification of the cancellation should be made to the group affected as quickly as possible and any fees involved refunded.

It shall be the responsibility of each school to compile sufficient information on new groups requesting use of facilities to allow placing them in the proper category with respect to fee charges. Any instance where there is a question of the proper decision should be discussed with district administration, and if deemed necessary by district administration, approved by the Board.

The Board reserves the right to grant or refuse the use of school facilities when the district's administration deems it proper to do so or to attach additional conditions governing the use of the facility. [\[1\]](#)

### Regulations

Any individual, group or organization using district facilities must adhere to all district policies and must receive written approval prior to usage.

Any individual, group or organization not entitled to free use of district facilities will be charged a fee for such use according to the Facilities Use Fee Schedule. This schedule will be prepared and posted annually by the Director of Business and Operations. [\[2\]](#)

Use of school facilities by outside groups or individuals may also require a Certificate of Insurance. Should a certificate be deemed necessary by the Director of Business and Operations, said certificate must be received prior to final approval for use of facilities.

All apparatus, equipment and devices owned by the district shall be operated by school employees unless special arrangements are made otherwise.

Any damage to the building, facilities, equipment and fixtures that occurs during the use of the school facilities shall be the responsibility of the group involved. The damage should be reported promptly to school personnel. A damage report should be filed by the school employee receiving the damage information. Copies of the report should be forwarded to the building principal, the Supervisor of Buildings and Grounds, and the Director of Business and Operations. If necessary, the Director of Business and Operations will invoice the individual, group, or organization for any repair costs. Failure to pay for the costs of repair will lead to loss of the use of the facilities. If the damage is extensive, the employee on duty should feel free to request a second observer from the following personnel: [\[3\]](#)

1. Building principal.
2. Head Custodian.
3. Office Manager.
4. Supervisor of Buildings and Grounds.
5. Board member in liaison with Buildings and Grounds Department.

School buildings and building facilities are only to be used when there are school personnel, specifically custodial personnel, on duty. The building principal shall ensure that custodial personnel will be on duty prior to final approval. Therefore, the buildings may be used during the following hours:

1. During the school year:
  - a. Monday through Friday - Close of school – 9:00 PM.
  - b. Saturday - 8:00 AM – 3:00 PM.
2. During summer vacation and/or school breaks:
  - a. Monday through Saturday - 8:00 AM – 3:00 PM.

There will be no activities on Sundays or holidays.

Exceptions to these restrictions for properly supervised Class I and Class II activities must be specifically approved by the building principal. All other exceptions must be approved by district administration, and if deemed necessary by district administration, approval by the Board.

If schools are closed due to inclement weather or another emergency, any planned usage or function shall automatically be cancelled for that day. School cancellation on a Friday shall typically result in cancellation of Saturday activities. If inclement weather or an emergency occurs on a weekend, the Supervisor of Buildings and Grounds shall have the responsibility of cancelling activities for that day.

Due to the extensive use of district athletic fields and in order to maintain the fields to the extent possible, the following regulations have been instituted:

1. Fields may be used with written permission only.

2. The use of athletic fields will be permitted during daylight hours.

**Exception:** Lighted fields may be used after dark with written approval of district administration.

3. The fields are to be used only for the sport(s) for which they were designed.
4. Certain fields may need to be taken out of service from time to time to allow for maintenance. When this is necessary, the appropriate building principal will be notified and any affected group will be notified as soon as this information is available.
5. The Supervisor of Buildings and Grounds has been given the responsibility of closing the fields to play if, in his/her judgment, sports activity would result in serious damage to the fields or pose a safety hazard to participants. The fields will be so posted and failure to observe the closure can result in loss of privilege of use.

#### Use of School Cafeteria Facilities

The application will be filed in the building principal's office and forwarded to the Food Service Supervisor. The Food Service Supervisor will then contact the group involved to discuss specific arrangements for the event. At least one (1) regular employee of the cafeteria service shall be in attendance at all times when the kitchen facility is being used for food preparation.

Kitchen equipment and other mechanized equipment requiring special knowledge shall not be operated or used except by trained food service personnel unless approved by the Food Service Supervisor. No outside caterers or outside certified food service managers will be permitted without a district food service manager present.

Any sale of refreshments on district property must be in accordance with Chester County Health Department regulations and must be approved by the Food Service Supervisor. The Food Service Supervisor welcomes the opportunity to quote prices for catering an event.

#### Indemnification

Any person or entity shall agree to indemnify, save, and hold harmless the district from any and all claims for personal injury or property damage suffered, incurred, or in any way connected to or arising from the use of the facilities, whether or not such claims are due or alleged to be due to the negligence of the district, the user, or any other person or entity or due to any other cause. The district will not be responsible for accidents or injuries that may occur at the facility or on any adjacent areas as a result of the use.

#### Use in Compliance With Law

Every person or entity shall use district facilities in accordance with all federal, state, and local laws, rules, and regulations, including all district policies. By way of illustration, but not of limitation, the possession, consumption, distribution, and/or use of alcoholic beverages and illegal drugs; the possession of weapons; and the use of tobacco products on any portion of district facilities are forbidden.

#### No Animals

No animals shall be permitted on school grounds, except for service animals and those associated

with district activities.[4]

### No Use of Vehicles

The district's playing fields, track, and lawns shall not be used by persons operating motorized vehicles (automobiles, motorcycles, mini-bikes, ski-mobiles, motor scooters, go-carts, etc.) or by persons riding bicycles, skateboards, roller blades, etc.

### No Open Public Forum

By adoption of this policy, the district does not intend to create an open public forum, as defined by law, for public use of its facilities. The provisions of this policy will limit the use of district facilities. The Board reserves the right to change the nature of the limited forum created by this policy, either by expansion or contraction, by revising this policy, as appropriate.

#### Legal

- [1. 24 P.S. 511](#)
- [2. 24 P.S. 775](#)
- [3. 24 P.S. 777](#)
- [4. Pol. 718](#)
- [10 P.S. 328.101 et seq](#)
- [24 P.S. 510.2](#)
- [24 P.S. 779](#)
- [61 PA Code 901.1](#)
- [61 PA Code 901.701](#)
- [18 Pa. C.S.A. 6306.1](#)
- [20 U.S.C. 7905](#)
- [20 U.S.C. 7971 et seq](#)
- [Pol. 000](#)
- [Pol. 904](#)

[Policy 707 Fee Schedule for 2020-21.pdf \(288 KB\)](#)