Community Use of School Facilities

Statement of Purpose

The Board of Education subscribes to the concept that the public schools are owned and operated by and for their patrons and that the schools become an integral part of the communities in terms of their intellectual and social expression and development. To this end, the Board encourages the public use of school facilities.

Authorization to use school facilities shall not be considered an endorsement or approval of the activity group or organization nor the purposes they represent.

It is the policy of this School District that no group or organization shall be permitted to use District facilities pursuant to §414 of the New York State Education Law if such group or organization has a practice which discriminates against any person on the basis of race, color, creed, national origin, religion, disability, sex, age, marital status, military status**,** predisposing genetic characteristics, or sexual orientation, until such time as these discriminatory policies and/or practices are discontinued, unless required by law.

School-sponsored activities shall have first priority. Municipal use will have second priority and use by private organizations, which fall under the guidelines of Education Law §414, shall have third priority. The right to authorize the use of school facilities shall be retained by the Board and Superintendent through the Superintendent's designee. Such use will be determined by District policy and will only be at such times as the facilities requested are free from District curricular and extracurricular activities. School related groups may be required to provide proof of insurance as a condition for the use of District facilities. The Board reserves the right to charge fees for use of District buildings and facilities and to require a down payment and/or bond from any individual or organization prior to any such use.

Permissible Uses

The Board hereby establishes a limited public forum for the following uses:

1. For instruction in any branch of education, learning or the arts.
2. For public library purposes, subject to the provisions of this chapter, or as stations of public libraries.
3. For holding social, civic, and recreational meetings 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.
4. For meetings, entertainment and occasions where admission fees are charged, when the proceeds thereof are to be expended for an 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 or organization other than organizations of veterans of the military, naval and marine service of the United States and organizations of volunteer firemen or volunteer ambulance workers.

5. For polling places for holding primaries and elections and for the registration of voters. But no meetings sponsored by political organizations shall be permitted unless authorized by resolution of or after the Board of Education calls a special meeting for such purpose upon the petition of at least ten per cent of the qualified electors of the District, whereupon the voters approve such use. Authority so granted shall continue until revoked in like manner and by the same body as granted.

6. For civic forums and community centers. Upon the petition of at least twenty-five citizens residing within the District, the Board of Education shall organize and conduct community centers for civic purposes, and civic forums to promote and advance principles of Americanism among the residents of the State. The Board of Education, when organizing such community centers or civic forums, shall provide funds for the maintenance and support of such community centers and civic forums, and shall prescribe regulations for their conduct and supervision; provided that nothing herein contained shall prohibit the Board of Education from prescribing and adopting rules and regulations to make such community centers and civic forums be at all times under the control of the Board of Education, and be non-exclusive and open to the general public.

7. For classes of instruction for children with disabilities operated by a private organization approved by the Commissioner of Education.

8. For recreation, physical training, and athletics, including competitive athletic contests of children attending a private nonprofit school.

9. For child care services during non-school hours, provided that the cost of such care shall not be a School District charge but shall be paid by the person responsible for the support of such child; by the local social services district as authorized by law; or by any other public or private voluntary source or any combination thereof.

10. For graduation exercises held by not-for-profit elementary and secondary schools.

The Board does not permit the use of District facilities for political speech, including, but not limited to, the endorsement of political candidates and positions.

School grounds may not be used for unapproved activities and shall be posted to that effect.

NFA, Temple Hill and Meadow Hill Tracks and Academy Field

The Board hereby delegates authority to the Superintendent to establish procedures for the public use of the NFA, Temple Hill and Meadow Hill Tracks and Academy Field, including, but not limited to, hours of use by the public, areas of use by the public, impermissible uses and fees for use.

NFA Stage Piano

The Board hereby delegates authority to the Superintendent to establish procedures for the public use of the NFA Stage Piano (Steinway), including, but not limited to, limitations on use, parameters for use, insurance requirements, security deposit and fees for use.

General Provisions

If any provision of this Policy or its implementing procedures is violated, the Board reserves the right to immediately revoke the organization's facilities use privileges. In addition, the Board may decline to accept further applications for use of school facilities by organizations who violate this Policy.

Any individual or organization that enters upon or remains unlawfully on District property or uses District property and facilities in violation of this Policy or its implementing procedures will be considered as trespassing and prosecuted to the fullest extent of the law.

The Board hereby authorizes the Superintendent to establish procedures for the public use of the District property and facilities including, but not limited to, the application form, fee schedule, insurance requirements and rules for use.

Community Use of School Facilities Procedures

1. Written application for a written permit to use school facilities shall be made to the Superintendent or his/her designee.
2. The Superintendent or his/her designee will be responsible for maintaining an accurate calendar of all uses of school facilities by school and community groups. All facility use requests must be received by the District at least 60 days in advance of the event or requested use.
3. The Superintendent shall determine and the Board shall approve all universal fees for use of District facilities. Whenever possible, use of facilities for community activities will be granted at no charge to the sponsoring party except when the District is operating under a contingency budget. If any group or organization fails to pay such fees in full and/or on a timely basis, such group or organization shall not be permitted to use the District's facilities. The District shall also pursue all available legal remedies.
4. Prior to any facilities use, the group or organization shall be required to pay a deposit equal to 25% of the estimated fees. Failure to provide the deposit by the date required by the School District shall result in the withdrawal of the approval of the use by the group or organization.
5. Any group or organization seeking to use District facilities on a multi-month basis may also be required to provide the District with a bond.
6. Sponsoring organizations shall provide sufficient competent adult or special supervision; the amount of adequate supervision will be agreed upon at the time the authorization is issued.
7. Smoking and other tobacco use, alcoholic beverages, illegal drugs and any form of gambling will not be permitted in school facilities or on school property at any time.
8. All applicants for use of District facilities shall hold the Newburgh Enlarged City School District, its officers, employees and agents**,** free and without harm from any loss or damage, liability or expense that may arise during, or be caused in any way, by such use or occupancy of District facilities and shall show evidence of insurance for this purpose before the event is held. Also, in the event that property loss or damage is incurred during such use or occupancy of District facilities, the amount of damage shall be decided by the Superintendent and approved by the Board and a bill for damages will be presented to the group using or occupying the facilities during the time the loss or damage was sustained. If any group or organization fails to pay such damages in full and/or on a timely basis, such group or organization shall not be permitted to use the District's facilities. The District shall also pursue all available legal remedies.
9. Any and all use of the District facilities shall be totally free from obscure and controversial purposes and purposes of a disruptive or dangerous nature. Should an objection be lodged against a specific use of District facilities by any group, such objection is only valid if it is made in writing to the Superintendent and bears the signature of the individual and/or group of individuals lodging the complaint. At such time as such valid complaint is lodged, the following shall apply:

a. Use of the facilities by the applicant shall be suspended temporarily to afford the Superintendent sufficient time to meet with the Board and all concerned parties for the purposes of a hearing. The applicant shall be duly notified in time to contact the members of the group regarding the temporary suspension of use and the pending hearing.

b. Within 10 days of the temporary suspension, the Superintendent, the Board, the complainant, and the applicant shall convene at a specified time and location to determine the validity or non-validity of the complaint. The Board shall be the deciding authority, and the Board's decision shall be final. A written copy of the decision may be obtained by either the complainant group or the applicant group by request.

10. Use of the NFA, Temple Hill and Meadow Hill Tracks and Academy Field

The following additional rules and regulations apply to public use of NFA, Temple Hill and Meadow Hill Tracks and Academy Field.

a. NFA, Temple Hill and Meadow Hill Tracks
   1. The Tracks are open to the public:
      a. Monday through Friday, from 6:30 AM to 7:30 AM and from 6:00 PM to dusk.
      b. Saturday, Sunday and days when school is closed, from 6:00 AM to dusk.
      c. The public may only use lanes 4, 5 and 6 for walking, jogging and running.
   2. The Tracks are closed to the public:
      a. Monday through Friday, from 7:30 AM to 6:00 PM.
      b. During all school events, including but not limited to track meets, football and soccer practices and games.
      c. Whenever Academy Field is being used by the School District or any authorized group or organization.
   3. Prohibitions – Use of NFA, Temple Hill and Meadow Hill Tracks and Academy Field:
      a. No pets.
      b. No cleats/spikes.
      c. No motorized vehicles, bicycles, roller blades, skateboards, baby strollers or any other items with wheels.
      d. No use of jumping pits, mats or other School District equipment.
      e. No unattended school age children.
      f. No food or drinks, sunflower seeds, chewing gum or driving stakes.

b. NFA Academy Field
   1. Academy Field is only available for use by obtaining approval of a Facilities Use Request from the School District.

11. NFA Stage Piano (Steinway)

a. Prior written approval of the Director of Fine and Performing Arts is required.

b. A $1,000 refundable security deposit is required prior to use. The security deposit will be returned after use if there is no damage to the piano. If there is damage to the

piano that exceeds $1,000, the organization is liable for any such expense, including, but not limited to, any insurance deductible, transportation of the piano for repair and the repair or replacement of any part of the piano.

c. The organization must agree to pay for the cost of tuning by the District Piano Technician.

d. The organization must submit a valid Certificate of Insurance showing coverage in the amount of at least $200,000 for repair/replacement of the piano in the event of damage.

12. Universal Fees for Use of District Facilities

Use of facilities for community activities covered by a municipality's insurance policy, will be granted at no charge to the sponsoring party. The use of Academy Field and, when requested, its field lights, and pool use, will always be subject to the usage fee stated in the fee schedule below. For all facilities listed in the schedule, the following fees will be charged:

Area	Hourly Fees
Fees assessed all times	
Academy Field	$50
Academy Field Lights (additional)	$20
NFA Pool	$20
Fees assessed under a Contingency Budget only	
Secondary Gymnasium	$20
Elementary Gymnasium	$10
Secondary Auditorium	$20
Elementary Auditorium	$10
BOE Auditorium	$20
Cafeteria	$10
School Library	$10
Black Box Theater, Stage	$10
Classroom	$10
Specialty Room (Band, Computer, Lecture, Music, Weight, Wrestling)	$10
Teachers Lounge	$10
Baseball Field	25% Deposit*
Softball Field	25% Deposit*
Soccer Field	25% Deposit*
Playground	25% Deposit*
Parking Lot	No Charge

*Deposit may be returned upon satisfactory inspection of facility for damage, cleanliness, etc., as compared to status of facility prior to use.

13. Custodial, Security, and Lights/Sound Fees

    Whenever the District deems it necessary to assign a custodian or security monitor or the organization requests lights/sound services, the following hourly rates will be used to estimate costs. The hourly charges billed will be based on the actual amount paid staff plus benefits:

2011-12	Security Services (estimate)	$65
2011-12	Custodial Services (estimate)	$70
2011-12	Lights and Sound Services (estimate)	$75