

<p>35 P.S. Sec. 1223.5 20 U.S.C. Sec. 7182, 7183</p> <p>10 P.S. Sec. 311 et seq Title 61 Sec. 901.701</p> <p>3. Guidelines</p>	<ol style="list-style-type: none"> 2. Smoking or use of tobacco products anywhere on school district property. 3. Advocacy, promotion or engaging in activities that are prohibited by state or federal law or that otherwise constitutes a violation of School Board policies. 4. Gambling or other such activities regulated by the Small Games of Chance Act, unless expressly authorized by the School Board and done in a manner that strictly complies with all applicable laws. 5. The placement of signage, banners or other items that create a safety hazard, violates local ordinances or state laws regarding fire safety or would violate the terms of the school district's sponsorship program. 6. The use, moving or removal of school district equipment, furnishing or fixture without written authorization from the Superintendent or his/her designee. 7. Any activity that was not presented to or otherwise authorized by the Board as part of the approval of the district Use of Facilities form. <p><u>Application To Use School Facilities Or Grounds</u></p> <p>Responsible nonschool-sponsored groups and organizations may file an application with the school district for use of school facilities and grounds as may be permitted by the policy. The School Board shall have exclusive discretion to approve or deny such applications and/or waive the appendices to the policy as may be deemed in the public interest.</p> <p>District Use of Facilities form is available by contacting the Operations Department and/or by visiting the district website (www.raiderweb.org). All nonschool-sponsored groups and organizations requesting the use of school facilities and/or grounds must complete the appropriate district Use of Facilities form (see Appendix B) and submit the form to the Operations Office of the Middletown Area School District at least forty-five (45) days prior to the scheduled event/use. Waiver of the time requirement will be strictly at the discretion of the Superintendent and/or the Board.</p> <p>The representative taking responsibilities for the nonschool-sponsored group or organization must sign the application for the use of the facilities. Written requests for use of school facilities shall be submitted to the School Board through the Superintendent's office or designee.</p>
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District Use of Facilities forms will be submitted to the School Board's Buildings and Grounds Committee for review and then forwarded to the full Board for potential approval. No district Use of Facilities form is approved until authorization has been obtained from the full Board.

The application for nonschool-sponsored groups and organizations must clearly detail the following:

1. Relationship of the organization to the school.
2. Aims and objectives of the organization.
3. Financial circumstances of the organization.
4. Purpose of the planned activity.

Requests By School Personnel

All school personnel requesting use of school facilities and/or grounds for a school activity must submit the request through the district's online facilities management program. Building administrators will have the final right to approve or deny such requests. An authorized district representative must be present for the duration of any event that occurs within a school facility or athletic venue. Authorization is made by the Superintendent or designee and will be communicated to the Operations Office and/or Director of Athletics.

Preference And Related Fees For Use Of School Facilities

The following categories will be used in determining priority and imposition of fees. School functions and/or activities including after school-related activities will be given preference. All nonschool-sponsored groups and organizations involving students of the district shall be given next preference for time and days after all district-operated programs are scheduled. Thereafter, nonprofit/nonschool-sponsored groups and organizations having district affiliation shall be given preference over any nonschool-related organization or activities not having a district affiliation and/or involving a profit organization or activity.

Any reservation of any district school facilities or portions thereof, by any and all organizations in all categories, must be scheduled and approved by the Operations Office.

A new organization or group requesting the use of a facility or field will be placed into the appropriate category by the Building and Grounds Committee of the Board and then forwarded to the full Board for approval.

Category 1 – All school groups or organizations directly administered by the district or affiliated with the district whose purpose is predominately the support of the district and/or its students shall be given preference for use except for unusual circumstances. Such organizations or groups shall be exempt from any facility use fee or direct administrative or custodial/maintenance cost reimbursement for school-sponsored events. However, Category 1 organizations may be charged Category 4 personnel rates when district employees are required to work other than a regularly scheduled shift for any fundraising events in excess of one (1) free fundraising event per fiscal year.

Category 2 – All school-related nonprofit groups or organizations consisting of at least eighty percent (80%) school-aged students of the district will not be charged a facility use fee for use of the facilities during a regular school week, unless special equipment or assistance from district employees is required. Any request for use of facilities for any day on a weekend or school holiday or other period for which the school is not in session would, however, be subject to a charge to reimburse the district for any custodial/maintenance or administrative costs actually incurred by the district in connection with the particular request. Such reimbursement shall include not only wages of school district personnel, but also special equipment utilized, lighting for athletic fields, etc. Category 2 organizations are able to use district facilities for one (1) fundraising event per fiscal year at no charge. After the free fundraising event, Category 2 organizations will be charged Category 4 facility and personnel rates for each additional fundraising event in the fiscal year. Requests for use of facilities by Category 2 groups or organizations must be approved by the Buildings and Grounds Committee of the Board and then approved by the full Board. Appropriate documentation to verify the group or organization as a nonprofit entity is required. If requested, such group or organization must provide the district with written documentation of residency which contains a list of members and their addresses and any other information required. Building use requests shall be made during the normal hours of operations whenever possible. Scheduling of school facilities should be avoided during off hours, weekends, holidays, and during the summer work schedule for custodial/maintenance staff. The custodial/maintenance fees will not be charged during the district's regular hours of operation or when an individual employed by the district is the representative for the requesting organization and it is determined that the representative's presence at all times during the facility use will prevent the need for custodial/maintenance staff at the event. Scheduling of events outside of the regular hours of operation will result in custodial/maintenance fees as outlined in Appendix A1, except as identified above

for one (1) free fundraising event per fiscal year. The Board of School Directors may waive all or a part of any charge for any specific group or organization in this classification upon presentation of a written request and if it is the Board's sole determination that there are compelling circumstances and/or the mission of the nonprofit group or organization is related in some material degree with the mission of the district (see Appendix A).

Category 3 – All community or service nonprofit groups or organizations wishing to use district buildings will be subject to the approved fee schedule. Requests for use by such groups or organizations must be approved by the Buildings and Grounds Committee of the Board and then approved by the full Board. Appropriate documentation to verify the group or organization as a nonprofit entity is required. If requested, such group or organization must provide the district with written documentation of residency containing a list of members and their addresses. Building use requests shall be made during the normal hours of operation whenever possible. Scheduling of school facilities should be avoided during off hours, weekends, holidays, and during the summer work schedule for custodial/maintenance staff. The custodial/maintenance fees will not be charged during the district's regular hours of operation or when an individual employed by the district is the representative for the requesting organization and it is determined that the representative's presence at all times during the facility use will prevent the need for custodial/maintenance staff at the event. Scheduling of events outside of the regular hours of operation will result in custodial/maintenance fees as outlined in Appendix A1. Facility use fees will not be assessed for Category 3 groups/organizations unless the group/organization is holding a fundraiser. Category 4 facility and personnel rates will be charged for each fundraising event. The Board of School Directors may waive all or a part of the charge for any specific group or organization in this classification upon presentation of written request and if it is the Board's sole determination that there are compelling circumstances and/or the mission of the nonprofit group or organization is related in some material degree with the mission of the district (see Appendix A).

Category 4 – All community or service nonprofit groups or organizations will be subject to the approved fee schedule. Requests for use by such groups or organizations must be approved by the Buildings and Grounds Committee of the Board and then approved by the full Board. Appropriate documentation to verify the group or organization as a nonprofit entity is required. If requested, such group or organization must provide the district with written documentation of residency containing a list of members and their addresses. Building use requests shall be made during the normal hours of operation whenever possible. Scheduling of school facilities should be avoided during off hours, weekends, holidays, and during the summer work schedule for custodial/maintenance staff. The custodial/maintenance fees will not be charged during the district's regular hours of operation or when an

<p>SC 775</p>	<p>individual employed by the district is the representative for the requesting organization and it is determined that the representative's presence at all times during the facility use will prevent the need for custodial/maintenance staff at the event. Scheduling of events outside of the regular hours of operation will result in custodial/maintenance fees as outlined in Appendix A1. The district may charge a Category 4 organization for costs associated with field preparation, supplies and cleaning. The Board of School Directors may waive all or a part of the charge for any specific group or organization in this classification upon presentation of a written request, and if it is the Board's sole determination that there are compelling circumstances and/or the mission of the nonprofit group or organization is related in some material degree with the mission of the district (see Appendix A).</p> <p><i>Category 5</i> – All businesses and nonprofit groups or organizations shall be subject to the approved fee schedule. Requests for use by such groups or organizations must be approved by the Buildings and Grounds Committee of the Board and then approved by the full Board. The Board of School Directors may waive all or a part of the charge for any specific group or organization in this classification upon presentation of written request and if it is the Board's sole determination that there are compelling circumstances and/or the mission of the group or organization is related in some material degree with the mission of the district (see Appendix A).</p> <p><u>Fees</u></p> <p>The School Board may charge approved users a fee for the use of school facilities and equipment as well as the cost of providing necessary district personnel to be present during such use. All fees shall be established at the time that a district Use of Facilities form is approved by the Board.</p> <p>The schedule of applicable fees is set forth in Appendix A1 of this policy.</p> <p>Nonschool-sponsored groups and organizations that are approved for building use may incur additional costs for scheduling events during off hours such as weekends, holidays, staff development days, summer schedule and school closings.</p> <p><u>Insurance Requirement</u></p> <p>Each nonschool-related user shall present written evidence of the group or organization's liability insurance in the amount of \$1,000,000 combined limit for bodily injury and property damage. The district must be included as an additional named insured and an acceptable Certificate of Insurance must be furnished with the application for building use. In the event of damage or loss to district property, the user and/or his/her/its insurance carrier shall be responsible for full replacement value. The extent and degree of damage shall be in the sole, but reasonable</p>
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discretion of the district. The requesting organization/person shall provide to the school district, with the application for building use, two (2) copies of comprehensive public liability insurance policies for bodily injury and property damage in the amount of \$1,000,000. This policy must be taken out in the name of the requesting organization/person and the school district.

General Provisions For Use Of School Facilities And Grounds

1. All internal or outside organizations will be required to cancel practice, rehearsals, games, or performances when the school district has closed due to an emergency or inclement weather.
2. Any school equipment that is to be used in conjunction with requested facilities shall be identified at the time that the request for use of the facilities is made. The users of school equipment must accept liability for any damage or loss to such equipment that occurs while it is in their use.
3. The district shall be held harmless by the user for any liability that arises from the use of school facilities by a nonschool-sponsored group or organization, individual, or activity.
4. Users shall be financially liable for damages, repairs or excessive cleaning to the facilities and to ensure that activities are properly chaperoned.
5. Users are responsible to directly report any vandalism or damage to school district property to the Director of Operations, and/or Director of Athletics and the building principal. An investigation will be conducted including a written report that shall be provided to the Superintendent, the Buildings and Grounds Committee for further action or charges if required. The report shall include repair costs incurred by the district.
6. It is the responsibility of the group or organization in all classifications using facilities to control the conduct of all persons attending the activity. This shall include the use of prohibited substances or inappropriate behavior inside or outside the building prior to, during, or after the time for which the use was granted. Users are required to leave the premises and any other portions of district property in the condition that it existed prior to the activity. Any breakage, loss or damage to property is payable by the group or organization in all classifications using the facilities within fifteen (15) days of notification by the district. If not so paid, the group or organization shall also be responsible for any and all collection costs and fees incurred by the district.

7. The district reserves the right to request a group or organization to arrange for police to be present in the case of large group meetings. Such arrangements must be made with the proper officials in the police department. The exact number of police required and rates to be paid will be determined by the police department. Fees shall be paid by the group or organization directly to the police/security department. A group or organization, with prior approval of the Buildings and Grounds Committee, may establish (nonpolice) security personnel for said event. The Buildings and Grounds Committee of the Board reserves the right to remove a nonpolice security service individual based on performance. The group or organization is liable for any legal problems arising from the said event.
8. All groups or organizations in all classifications receiving approval for use are responsible to adhere to all fire and safety regulations at all times.
9. The requesting group or organization shall not obstruct the halls, ramps, entrances or lobby of any building nor permit any chairs or movable seats to be or remain in the passageways and will keep the passageways clear at all times.
10. All activities must terminate by 11:00 p.m. All buildings must be vacated by 11:30 p.m. Any change or variation must be approved by the Director of Operations and/or Director of Athletics and the building principal as deemed appropriate.
11. The school district may remove from its premises/facilities any personal property left behind by the requesting group or organization or by anyone using the facility.
12. The school district must have free access to all rooms at all times.
13. The administration and enforcement of the provisions of this policy shall be the responsibility of the Superintendent or designee and the Board.

Special Provisions

1. The district retains the option to cancel a lease agreement at any time without liability and in the best interest of the district. The district will not be held liable for the loss of revenue or any damages suffered due to the cancellation of an event.
2. The Director of Operations and the Director of Athletics will have the authority to deny the use of fields and/or facilities if conditions exist that may cause damage to the facilities, or excessive “wear and tear” of athletic fields that would impair the district’s ability to use them for their primary purpose.

<p>10 P.S. Sec. 311 et seq 35 P.S. Sec. 1223.5 Title 61 Sec. 901.701 20 U.S.C. Sec. 7182, 7183</p>	<ol style="list-style-type: none"> 3. The administration has the right to postpone, cancel, or move to another site any and all events scheduled for district facilities as a result of weather conditions, unfavorable building/field conditions and to accommodate another user of unforeseen circumstances. 4. The determination to cancel an event will be made as promptly as possible. Advanced notification may not always be possible and cancellation could occur immediately prior to an event or during an event based on field conditions or weather. 5. Specific use of district equipment will be authorized for each organization or group. Equipment usage may require district personnel to operate, at an additional fee, unless the operator has been trained and is authorized by the appropriate district personnel. Unauthorized use of equipment and/or relocation of equipment may serve as a breach of contract and warrant additional fees or cancellation of the event(s). 6. Sound and light equipment will require a district operator and will be approved by the Superintendent or designee. A district operator will require payment for such services. 7. The following activities are strictly prohibited in school facilities to specifically include use by individuals or organizations in all categories following the granting of written approval: possession, use or distribution of illegal drugs or alcoholic beverages or tobacco products; possession of weapons; aggressive behavior and profanity; conduct that would alter, damage or be injurious to any district product, equipment or furnishing; conduct that would constitute a violation of the Pennsylvania Crimes Code, and/or state and federal laws and regulations; gambling, games of chance, lotteries, raffles or other activities requiring a license under the Local Option Small Games of Chance Act, unless such activity has been expressly authorized by the Board. 8. Groups and organizations and all participants must confine their activities to the approved areas. 9. The Board reserves the right to make such additional rules and regulations as may be necessary for the public interest.
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| | <p>10. All users of school facilities, except school-sponsored and school-affiliated groups or organizations, shall pay for custodial/maintenance services necessitated by the use of said school facilities unless an individual employed by the district is the representative for the requesting organization and it is determined that the representative's presence at all times during the facility use will prevent the need for custodial/maintenance staff at the event (see Appendix A).</p> <ul style="list-style-type: none">a. No custodian/maintenance employee will be paid directly by the leasing organization. The employees will be "on the clock" during the function or activity, including limited time prior to and following the activity. The leasing organization will be asked to complete administrative functions off site in order to minimize cost to the organization.b. All school personnel requesting use of school facilities and/or grounds must submit the request through the district's online facilities management program. Building administrators will have final right to approve or deny such requests. An authorized district representative must be present for the duration of any event that occurs within a school facility or athletic venue. Authorization is made by the Superintendent or designee and will be communicated to the Operations Office and/or Director of Athletics.c. Organizations using school facilities will pay for custodial/maintenance services through either direct billing for services or as part of agreed-upon lease charges.d. No building will be opened unless an authorized district representative is present for the duration of the event that occurs within the school facility or athletic venue with the exception of the Life Fitness Center, unless approved by the Buildings and Grounds Committee and then moved to the full Board for approval (refer to Use of Life Fitness Center). <p>11. Sufficient personnel needed for an event must be provided by the lessee; additional school personnel required will be on a cost basis and must be requested at the time the request for use of facilities is proposed.</p> <p>12. The lessee must obtain adequate police or approved security coverage suited to the event; the adequacy of the coverage shall be determined by the Superintendent or designee.</p> |
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<p>SC 775</p>	<p>13. Fees will be established by the Board for the use of all school facilities. This fee schedule will be revised as the Board deems it necessary to do so. Appendix A will include fees for building/facility usage and custodial/maintenance rates. Appendix A will be updated on an annual basis during the spring for the upcoming school year. Appendix A will be approved by the Buildings and Grounds Committee of the Board and then approved by the full Board.</p> <p>A copy of the fee schedule for the use of school facilities will be available in the Operations Office and on the district website.</p> <p>14. The lease agreement will include the rental fee and the custodial/maintenance fee (see Appendix A).</p> <p>15. All fees are due and payable within thirty (30) days after the billing date.</p> <p>16. The cafeterias in the schools are established for the benefit of the children and shall not be available to the public, except under certain conditions as follows:</p> <ul style="list-style-type: none">a. Banquets or special meals served shall be limited to professional education groups or to school-related users. Exceptions may be approved only by the Board.b. Kitchen equipment shall not be used without the approval of food service management and district administration. Use of cooking equipment is prohibited unless a member or members of the cafeteria staff is present to oversee its use. There will be a charge if cafeteria staff is required to be present at an event.c. Any exceptions to the above policy shall be determined by the Buildings and Grounds Committee and approved by the full Board. <p>17. The district may waive established leasing policy/procedures in cases dealing with business partners and the school district. A business partnership is one which consists of an ongoing, consistent, reciprocal relationship which encompasses school/community and business interests.</p> <p>18. False alarm fees incurred by the school district for a response to the security or fire alarm system will be passed on to an individual, group or organization if it is determined that they are responsible for the district incurring the charge.</p>
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Lease Agreement

Every nonrelated school organization using district facilities shall, by its duly authorized officers, execute a written lease for the use of the school facility (see Appendix B).

Rules For Certain School District Facilities

In addition to the provisions set forth above, the Board establishes these additional rules and requirements regarding the use of these particular facilities owned by the school district.

Use Of War Memorial Field

General Provisions -

1. The use of War Memorial Field shall be restricted to athletic contests and marching band competitions.
2. The administration and enforcement of this policy shall be the responsibility of the Director of Athletics and the Director of Operations of the Middletown Area School District.
3. All school- and nonschool-related requests for the use of War Memorial Field shall be directed, in writing, to the Operations Office. It shall be the responsibility of the Operations Office to notify the Director of Athletics and then move a request to the Buildings and Grounds Committee of the Board and then the full Board for approval.
4. Athletic teams and student organizations of the Middletown Area School District and school-related organizations shall have priority in the scheduled use of War Memorial Field.

Special Provisions -

1. War Memorial Field will be made available to groups/organizations not related to the Middletown Area School District at the discretion of the Board.
2. Every group/organization using War Memorial Field, except athletic/student organizations of Middletown Area School District, shall pay an established fee for personnel services, supplies, and equipment necessitated by the preparation, use and cleaning of War Memorial Field (see Appendix A).

3. No group/organization will be granted a lease to use War Memorial Field between August 1 and the day of the first regular scheduled athletic event of each school year.
4. Every group/organization using War Memorial Field shall submit an appropriate district Use of Facilities form to the Operations Office of the Middletown Area School District at least forty-five (45) days prior to the scheduled event/usage. Waiver of the time requirement will be strictly at the discretion of the Superintendent and/or the Board.
5. The possession or consumption of alcoholic beverages, tobacco products, or other controlled substances will not be permitted within any school building or on school grounds.
6. Each nonschool-related user shall present written evidence of the group or organization's liability insurance in the amount of \$1,000,000 combined limits for bodily injury and property damage. The district must be included as an additional named insured and an acceptable Certificate of Insurance must be furnished with the application for building use. In the event of damage or loss to district property, the user and/or his/her/its insurance carrier shall be responsible for full replacement value. The extent and degree of damage shall be in the sole, but reasonable discretion of the district. The requesting organization/person shall provide to the school district with the application for building use, two (2) copies of comprehensive public liability insurance policies for bodily injury and property damage in the amount of \$1,000,000. This policy must be taken out in the name of the requesting organization/person and the school district.
7. No practices will be permitted on War Memorial Field, exceptions may be made to school groups including pregame warm-ups.

Leasing For High School Football Games

1. War Memorial Field can be released for P.I.A.A. sanctioned high school games at a fee established by the Board for the following requirements:
 - a. Stadium.
 - b. Game manager (1).
 - c. Grounds keeper/custodians (4).
 - d. Public address announcer (1).

e. Scoreboard operator (1) and message board operator (1).

f. Police service as required (5 officers).

2. The concession stand will not be part of the rental. The lessor reserves the right to operate a concession stand and retain any and all profits. An agreement may occur directly between the lessee and district booster clubs to operate the district's concession stand.

3. Ambulance service must be provided by the lessee.

Use Of Press Box

1. Use of the press box during high school football games shall be restricted to:

a. Game announcer.

b. Scoreboard operator/message board operator.

c. Working press reporters (Press & Journal, Patriot News, etc.).

d. WMSS radio announcers.

e. Authorized game spotter.

2. The Director of Athletics or game manager will be responsible for access to the press box for all Middletown Area High School games.

3. Only district trained and approved scoreboard/message board operators may use the equipment and be the custodian of the press box.

Parking

1. Public parking is prohibited on grass areas at all times. District employees, game officials, and support personnel vehicles will be parked in a designated area.

2. Vehicles may enter the stadium to drop off heavy or large items; however, vehicles must then be immediately removed to parking areas outside of Memorial Stadium.

3. No vehicles are authorized to drive or park on the field.

SC 511, 775	<p><u>Use Of Other Athletic Fields</u></p> <ol style="list-style-type: none">1. Only one (1) organization is permitted to schedule any field on a playing date or weekend (Friday - Sunday).2. No more than four (4) games may be played by an organization on any weekend.3. Nonschool-sponsored groups or organizations are required to clean up debris as the result of the sale of refreshments. If such clean-up is not accomplished by the lessee, the district will have the debris cleaned and charge the lessee the appropriate fee.4. Field preparation will be determined by the Director of Athletics and the Director of Operations. An established fee schedule applies for personnel, supplies, and equipment needed to prepare the field for use and/or cleaning of all fields (see Appendix A).5. The Director of Operations and the Director of Athletics will have the authority to deny the use of fields and/or facilities if conditions exist that may cause damage to the facilities. The administration has the right to postpone, cancel, or move to another site any and all events scheduled for district facilities as a result of weather conditions, unfavorable building/field conditions, or unforeseen circumstances.6. The determination to cancel an event will be made as promptly as possible. Advanced notification may not always be possible and cancellation could occur immediately prior to an event or during an event based on field conditions or weather.7. All games shall be discontinued by dusk unless the facility has appropriate lighting.8. The possession or consumption of alcoholic beverages, tobacco products, or other controlled substances will not be permitted within any school building or on school grounds.9. No vehicles are authorized to drive or park on the field.
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Use Of Life Fitness Center

The Life Center (LFC) will require supervision when used by a nonschool-sponsored group or organization unless an individual employed by the district is the representative for the requesting organization and it is determined that the representative's presence at all times during the facility use will prevent the need for custodial/maintenance staff at the event. The nonschool-sponsored group or organization may be required to pay a supervision fee when using the LFC. District staff responsible for facilities supervision will provide coverage free of charge during scheduled work hours. When district personnel are scheduled off during holidays, weekends or summer hours, a paid LFC supervisor will be required. The paid LFC supervisor will be employed by the district and require School Board approval. The fee will be shared equally between the district and the nonschool-sponsored group or organization unless other fee arrangements have been determined by the Board.

Olmsted Recreation Board

The Olmsted Recreation Board is considered a school-related organization cosponsored by the district and the three (3) municipalities making up the Middletown Area School District. An Olmsted Recreation Board supervisor shall be responsible with oversight of recreational activity sponsored by the Olmstead Recreation Board that takes place within a district facility or field. The supervisor shall be responsible for ensuring that the facility or field has been generally cleaned and ready for the next business. Should the facility not be appropriately cleaned, a custodial fee may be charged to the Olmstead Recreation Board.

Notwithstanding the provisions in the policy, the School Board and Olmstead Recreation Board may enter into written agreements for the use of school district facilities as may be deemed in the best interests of the community by the full Board.

References:

School Code – 24 P.S. Sec. 511, 775, 779

State Board of Education Regulations – 22 PA Code Sec. 403.1

Department of Revenue Regulations – 61 PA Code Sec. 901.1, 901.701

Local Option Small Games of Chance Act – 10 P.S. Sec. 311 et seq.

School Tobacco Control – 35 P.S. Sec. 1223.5

Pro-Children Act of 2001 – 20 U.S.C. Sec. 7181 et seq.

Boy Scouts of America Equal Access Act – 20 U.S.C. Sec. 7905