

USE OF SCHOOL FACILITIES REGULATIONS

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PART A

School facilities and the grounds connected therewith and all property belonging to the District shall be in the custody and under the control and supervision of the Board of Education of the District. The Board of Education may adopt reasonable regulations for the use of such school facilities, grounds or other property when not in use for school purposes, for such other public purposes as are herein provided. Such regulations shall not conflict with the provisions of this chapter and shall conform to the purposes and intent of this section and shall be subject to review on appeal to the Commissioner of Education as provided by law. The Board of Education of each District may, subject to regulations adopted as above provided, permit use of the school facilities, and the grounds and other property of the District, when not in use for school purposes except as provided in subdivision seven hereof, for any of the following purposes:

1. For the purpose of 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 entertainment, 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 fire fighters or volunteer ambulance workers.
5. For polling places for holding primaries and elections and for the registration of voters and for holding political meetings. But no meetings sponsored by political organizations shall be permitted unless authorized by a vote of a District meeting, held as provided by law, or, in cities, by the Board of Education thereof. Except in cities, it shall be the duty of the Board of Education to call a special meeting for such purpose upon the petition of at least ten per centum of the qualified electors of the District. Authority so granted shall continue until revoked in like manner and by the same body as granted.

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6. For civic forums and community centers. Upon the petition of at least twenty-five citizens residing within the District or city, the trustees or Board of Education in each school district or city shall organize and conduct community centers for civic purposes, and civic forums in the several school districts and cities, to promote and advance principals of Americanism among the residents of the state. The trustees or Board of Education in each school district or city, 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 that nothing herein contained shall prohibit the trustees of such school district Board of Education to prescribe and adopt rules and regulations to make such community center or civic forums self-supporting as far as practicable. Such community centers and civic forums shall be at all times under the control of the Board of Education in each school district or city, and shall be non-exclusive and open to the general public.
7. For classes of instruction for mentally retarded minors operated by a private organization approved by the Commissioner of Education, such use may be permitted when the school is in use for school purposes when in the opinion of the trustees of Board of Education such use shall not be disruptive of normal school operations. Rent for the use of such facilities may be demanded by said trustees or Board of Education.
8. For recreation, physical training and athletics, including competitive athletic contests of children attending a private, nonprofit school.
9. To provide child care services during non-school hours, or to provide child care services during school hours for the children of pupils attending the schools of the District and, if there is additional space available, for children of employees of the District. Such determination shall be made by each District's Board of Education, 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; 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, provided that no religious service is performed.

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PART B

APPLICATION AND APPROVAL

All requests for use of school facilities shall be submitted directly to the Principal of the school on forms supplied by the school district no less than ten days prior to the date for which the facility is requested. Groups requesting the use of school facilities on a continuing bases must submit their requests no earlier than July 1 and no later than September 15. Initial processing and approval of all requests for use of public school buildings will be the responsibility of the Principal of the school. Coordination of building use and final approval shall be managed by the Staff Personnel Office.

State Education Law, Section 414, and Board of Education Policy, shall be used as the primary basis for approving or denying the use of school facilities. The Board of Education shall have final authority for granting or refusing any request for use of school facilities. The Board of Education may waive or put into effect regulations affecting such use without prior notification. Continued use of facilities by an organization shall be contingent upon observance of all rules and regulations as prescribed by the Board of Education, availability of facility, and number of requests for use of the facility.

The organization/use will indemnify and save the Greater Amsterdam School District, its agents, servants, employees and/or representatives, harmless from all liability whatsoever on account of any damage or injury and from all liens, claims and demands arising out of the use of the premises whether or not caused by the Greater Amsterdam School District, its agents, servants, employees and/or representatives.

The organization/user shall, at its own cost and expense, maintain general liability insurance against claims for personal injury, death or property damage occurring upon, in or about the premises to afford protection to the limit of not less than one million and 00/100 (\$1,000,000.00) dollars in respect of injury or death in respect of any one occurrence, and to the limit of not less than five hundred thousand and 00/100 (\$500,000.00) dollars in respect of property damage, the certificate of insurance should specifically have the above proposed indemnity clause typed on the certificate evidencing that the "hold harmless" clause has been insured. Organization/user shall furnish the Greater Amsterdam School District with certificates of such policies and provide for the insurance carrier's endorsements and such policies shall not be terminated without 30 days' prior notice to Greater Amsterdam School District as well as organization/user.

Amended 7/23/03

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Eligible Organizations

The Board of Education feels its responsibility to children to be paramount in its considerations. Therefore, should scheduling conflicts arise, those activities involving children will be given primary consideration.

Priority of use shall be governed as follows:

1. School functions shall take precedence over all qualifying organizations.
2. School-affiliated organizations, P.T.A., Boosters, (Boy Scouts, Girl Scouts, Brownies), etc shall have second priority in the choice of schedules.
3. Activities expressly sponsored by the Recreation Department of the City of Amsterdam and/or Youth Commissions of municipalities located within the Greater Amsterdam School District.
4. Those activities sponsored by recognized community service groups.
5. All other groups.

Sponsorship by the above organizations cannot be implied but must be expressly stated in writing.

Regulations

Doors to the building scheduled for use will be opened thirty (30) minutes prior to time of scheduled use unless otherwise arranged through the building principal and will in no instance be opened unless an employee of the school district is present. All organizations shall be required to vacate the premises as soon as possible upon conclusion of the scheduled event.

Equipment, furniture or materials shall not be brought into the school premises without written permission granted at the time of approval of the request for use. Equipment, furniture or materials brought onto the premises with authorized permission must be removed from the premises at the conclusion of time granted for use if practicable, and those items remaining with consent of the school district to prevent any interference of normal school operation or use of the facilities by other organizations.

School equipment, furniture or materials shall not be moved from the area of normal school use without written permission granted at the time of approval or the request for use.

Custodians shall not permit access to any areas other than those authorized on the application. No key for any building or any facility within a building shall be provided for other than school district employees. Regulation of heating and all other controls shall be by school personnel only.

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If theatrical lighting or any exceptional lighting equipment is to be used, a lighting technician acceptable to the school district must be present.

If swimming pool is to be used, all Pool Rules and Regulations posted in the pool area must be followed. There must be at least one certified Lifeguard per 25 swimmers.

Smoking will not be permitted on any school property.

The presence or use of alcoholic beverages and/or controlled substances on school property is strictly prohibited.

Organizations serving refreshments during the course of their meeting shall furnish all necessary consumable supplies, and it shall be the responsibility of the organization to place all evidence of food or beverage in appropriate waste containers provided by the school district. If cafeteria facilities are to be used, appropriate school assigned personnel must be engaged. Fire exits and doorways must be kept clear and hallways passable at all times.

Alteration of any existing school building system such as electrical wiring, plumbing, physical structure, etc., is strictly forbidden. Any damage to school property or equipment shall be paid for by the group using the school building and/or grounds. Approval of the use of any facility does not include equipment unless specifically stated and approved on application. The school district reserves the right to cancel permission for use of any school building anytime within three days of the date specified.

The school district has the right to schedule and/or change the scheduled use of buildings based upon provision provided in the Board of Education Policy as need may indicate.

Organizations not charging admission and who are legally eligible for the use of buildings during the times when no extra custodial service is necessary, may use the building without fee, provided such use does not interfere with the operation of the school. Such organizations will be responsible for custodial fees for events held when custodians are not normally scheduled for duty.

Organizations or groups charging admission must deposit a check for \$50 with the Director of Staff personnel, 11 Liberty Street, upon use approval and prior to the activity. This deposit shall be applied to the payment of charges incurred as a result of building use. Additional charges and/or refunds will be made based on individual circumstances.

Organizations required to pay fees will be billed and payment is to be made directly to the Greater Amsterdam School District Treasurer, 11 Liberty Street. Principals shall submit request for payment of overtime for custodial services to the Staff Personnel Office for approval.

PART C

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Schedule of Fees and Exemptions

Eligible organizations charging admission to performances held on school property shall be charged according to the following schedule of fees:

1. Amsterdam High School Auditorium (see also definitions below)
 - a) Facility (3) \$100 each occasion
 - b) Facility including theatrical lighting (4) \$250 each occasion
 - c) Additional consecutive performances (5) \$ 50 each occasion
 - d) Rehearsals related to theatrical performances (6) \$ 50 limited to 2
2. AHS Gymnasium \$250
3. AHS Cafeteria without kitchen facilities \$ 50
with kitchen facilities \$100
4. Lynch Middle School Auditorium (see also definitions below)
 - a) Facility (3) \$ 75 each occasion
 - b) Facility including theatrical lighting (4) \$150 each occasion
 - c) Additional consecutive performances (5) \$ 50 each occasion
 - d) Rehearsals related to theatrical performances (6) \$ 50 limited to 2
5. Lynch Gymnasium \$150
6. Lynch Cafeteria without kitchen facilities \$ 50
with kitchen facilities \$100
7. Lynch Swimming Pool \$ 50 per hour
8. Elementary School Gymnasiums, Amphitheaters,
Cafeteriums, etc. \$ 50
9. Lynch Middle School Multi-Purpose Athletic Field \$150 (per two hour event)
(see also definitions below) \$ 50 per hour thereafter

These fees are in addition to charges for custodians, supervision or other employees assigned by the School District. All charges for employees will include the hourly rate plus fringe benefits. Waivers may be granted in full or part by the Board of Education upon application through the administration. Organizations requesting exemption of the facility use fee must include in their application the specific benefits to the District in order to be considered for total or partial exemption. There shall be no waiver of any charges for custodians, supervision or other employees assigned by the School District.

Exceptions: All school organizations of the Greater Amsterdam School District and those organizations directly school related, namely, PTA, Boosters, Scouts and 4-H are exempt. When extraordinary events are planned, prior approval must be obtained from the District where it is anticipated that expenses to the District may exceed \$100.

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Definitions:

1. Admission fees shall be any contribution, offered or requested, for the right to be Present at theatrical and/or musical performances, athletic events, dinners, recitals, social events, or similar activities.
2. Eligible organizations or individuals shall be defined as those specifically permitted by New York State Education Law Section 414 and Board of Education Policy.
3. Use of facility shall include auditorium, adjoining band room, limited state lighting (overhead colored strip lights), and the Lynch swimming pool. Use of the pool does not include use of the Colorado Timing System, but upon request, the Pool Director may grant use of the System provided that an authorized, trained School District employee supervises the use of the system. This person will be paid by the organization or individual using the pool the rate that has been established by Section II Swimming Officials for Varsity Swim Meets. (1998-99 rate is \$55 per meet or event). Use of the auditorium does not include use of the ETC Microvision FX Computerized Lighting System, at the Amsterdam High School or LED-DX Dimming System and Ovation Control Console at the Lynch Middle School, but upon request, the high school or middle school Principal may grant use of the system provided that an authorized, trained School District employee supervises the use of the system. This person will be paid the rate of \$55 per event up to a maximum of three (3) hours per event. Beyond three (3) hours, compensation will be \$20 per hour.

It is further understood that anyone using the Lynch pool will abide by all standards and regulations as stated in the Greater Amsterdam School District Pool Safety Plan.
4. Theatrical lighting shall include definition 3 above, use of ETC Microvision FX Computerized Lighting System, LED-DX Dimming System and Ovation Control Console, and also full stage lighting, lighting panel, spots, sound system and dressing rooms.
5. Additional consecutive performances shall mean performances scheduled on successive days.
6. Rehearsals related to theatrical performances shall mean those rehearsals, including dress rehearsals. Theatrical lighting may be used providing that a lighting technician acceptable to the School District must be present.
7. Using the Lynch Middle School Multi-Purpose Athletic Field requires the following expenses: lights (\$20 per hour for evening events), sound system and scoreboard (required trained School District employee at \$20 per hour), 3 custodians for up to 750 spectators with 1 hour of set up and 2 hours of cleanup time required for each event, concession stand (\$15 per event). This is a total of \$500 per two hour event, and \$150 per hour for each successive hour using lights, sound system and scoreboard. Expenses total \$420 per two hour event and \$100 per hour for each successive hour not using lights, sound system, and scoreboard.

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Audit Requirement

All organizations using school district facilities where admissions are charged must submit to the school district a financial report of the activity. This report must include the following:

1. An itemized statement of gross income derived from the activity.
2. An itemized statement of expenses incurred and to whom they were paid.
3. The net profit realized as a result of the activity.
4. An explanation of precisely how the revenue realized as a result of the activity was or will be spent for charitable or educational purposes as required by law.
5. Any organization which fails to comply with this policy within ninety (90) days of the event or activity shall be prohibited from the use of school facilities for not less than one year. ~~The Board of Education may extend this restriction beyond one year.~~

Regulations Amended
6/1/94

Amended 1/28/98