

# OCTORARA AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: USE OF PUBLIC SCHOOL  
FACILITIES

ADOPTED: March 18, 1996

REVISED: November 21, 2011

<p>1. Authority SC 775</p> <p>2. Guidelines</p>	<p style="text-align: center;">707. USE OF PUBLIC SCHOOL FACILITIES</p> <p>The Board permits the use of public school facilities for community purposes subject to policies and regulations as adopted by the Board of Education and Pennsylvania School Code.</p> <p>It is the intent of the Board and the administration that the school buildings and equipment of this district be utilized to the advantage of the people of the community. Keeping in mind the primary function of the school, the priority given to regularly scheduled school functions and the responsibility to maintain and manage the facilities in a fiscally responsible manner, these arrangements have been established to promote operation of this basic principle.</p> <p><u>Unauthorized Use</u></p> <p>The Board prohibits use of school facilities for the following activities:</p> <ol style="list-style-type: none"> <li>1. Use by individuals or organizations whose activities are subversive in nature.</li> <li>2. Use of school premises for gambling or any other illegal activities, regardless of their nature. Small games of chance are allowed with required license approval.</li> <li>3. Use for the staging and/or convening of demonstrations and/or parades which are, or may be, in the opinion of the Board, contrary to the general public welfare.</li> <li>4. Uses which are prohibited by zoning or other ordinances or regulations established by local, state or federal governmental bodies or agencies having jurisdiction over the facilities in question.</li> <li>5. School facilities may not be used for teaching or promoting any theory or doctrine of a subversive nature. This does not prohibit discussion of controversial subjects in a public forum.</li> </ol>
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Conflict With Regular School Program

1. The Board permits the use of school properties by community organizations and groups subject to such restrictions as are necessary to expedite efficient utilization and to avoid conflicting schedules.
2. Any scheduled public school activity, whether taking place during the day or otherwise, shall have precedence over any other activity for the use of such facility. The district shall make every attempt to avoid conflicts with scheduled approved outside facility use. However, the district reserves the right to cancel or reschedule an outside use of facility if it deems it is in the best interest of the district to do so.
3. The school district will not be responsible for any equipment owned by others while it is on school property.
4. Any equipment, scenery, etc., to be used by the organization shall not be delivered to the facilities involved until permission is granted by the district through the Business Office.
5. All equipment, scenery, etc. must be removed immediately unless other arrangements are approved. It is not the responsibility of the school or the school district to provide storage space for any individual or group using a school facility.
6. All areas must be kept in such condition that there will be no interference in operating regular sessions.
7. Any special requirements of the school system must be complied with, and these will be imposed and defined at the time permission is granted.

Responsibility For Approval Of Use

1. Requests for use of school facilities shall be submitted to the Business Office routed respectively to other required personnel for scheduling. Forms are available from the Business Office and on the district website. Applications must be signed by at least one (1) responsible representative of the organization making the application.

Every effort will be made to provide appropriate district personnel where needed. However, facilities-use requests may be denied or canceled pending unavailability of sufficient district personnel to provide coverage. Notification of

cancellation shall be made through the business office to the organization no later than one (1) week prior to the scheduled event.

2. Unusual requests, or those not in accord with these policies and regulations, must be submitted in writing to the Business Manager, c/o the District Office, 228 Highland Road, Suite 1, Atglen, PA 19310, by the organization requesting consideration. The Business Manager may also put in writing special requests to waive specific criteria within these policies where it is felt to be in the best interest of the community. The Board will be asked to take appropriate action on these requests at their next regularly scheduled meeting; and written confirmation of such action will be sent to the organization by the Business Manager. Arrangements made without this written confirmation are not binding on the district.
3. Facilities shall not be available on Sundays until 1:00 p.m., except by special permission from the Board.
4. The organization using a school facility may not sublet or transfer its rights and privileges to any other individual, group, or organization.
5. School officials are in full charge of the building at all times, even when the building is being used by other organizations. Police protection will be assigned as needed by the school district to maintain order and protect school property. Costs for this service will be billed to the organization in addition to normal rental fees.
6. Where a particular use is subject to, or conditioned upon, the obtaining of a zoning or other permit from any local, state or federal government body or agency having jurisdiction over the facility in question, the applicant shall be responsible for obtaining any such permit(s) and submitting copies of same with a copy of the approved application prior to the date of the activity.

Applications For Use

1. Application request for use of school property shall be made at least four (4) weeks prior to the time the organization wishes to use the facility. Requests received less than four (4) weeks prior to the event may not be able to be processed. If you are applying for in-kind credits, please refer to Appendix A for details.
2. Applications will be processed and dates reserved for the use of school facilities in the order in which they are received.

3. It is the intent and purpose of this policy that requested uses of school facilities which are not primarily for the advancement of the educational, social and/or recreational needs of students of the district be of temporary or intermittent nature. Permits for use of school facilities are not intended, nor will they be granted, to individuals or organizations for the purpose of providing permanent meeting facilities. The Board reserves the right to deny use of district facilities to any group where the purpose of the use is not related to the educational, social and/or recreational needs of the district's students and where the requested use is intended as an alternative to the permanent acquisition of alternative facilities by the requesting party.

4. Application for use of school facilities is in Appendix B of this policy.

Use Of Kitchen

1. When school kitchens or dishwashing areas are to be used, cafeteria employees must be on duty in the kitchen and/or dishwashing area. Those assignments are to be made by the cafeteria manager. Payment of the cafeteria employees will be billed to the organization using the facilities.

2. Caterers will be permitted in the cafeteria only if the school cafeteria cannot handle the affair or because of the time element. This decision is to be made by the Cafeteria Manager. A person with a food handlers license must be present. A cafeteria employee must be present if the caterer needs access to the kitchen or dishwashing area.

Liability Insurance

All nonschool organizations using the facilities of the district shall obtain a certificate of liability insurance naming, in addition to the group or organization, the Octorara Area School District with minimum coverages of \$1,000,000 personal injury and \$500,000 property damage. The group or organization must file a certificate of such insurance with the Business Office prior to the use of the facility.

Classification Descriptions Fees Rate

*Group 1 (School-Sponsored Groups) –*

Comprised of normal and ordinary school-sponsored activities. Examples:

1. Athletic Teams.

2. School Clubs.

Example: SADD, National Honor Society, Walking Club.

3. School Booster Clubs.

Examples: Octorara Field Hockey Boosters, Octorara Band Boosters, Octorara Chorus Boosters.

4. PTO Groups.

No charges will be made unless special custodial, equipment or professional services are required.

*Group 2 (Nonprofit/Nonfee Groups) –*

Must be largely comprised of Octorara Area School District residents. The objective and efforts of these organizations must be directed toward improving the quality of life for students and the community of the Octorara area. Examples:

1. American Red Cross – Example: Blood Drive.
2. American Cancer Society – Example: Relay for Life.
3. Recognized Service Clubs – Example: Lions, Rotary.
4. Big Brothers/Big Sisters.

No charges will be made unless special custodial, equipment or professional services are required. If such groups use the facilities for fundraising activities, charges will be made based on Appendix “A” Schedule of Charges. Exception – Relay for Life will not pay usage fees but will only pay cost incurred by district.

*Group 3 (Nonprofit/Fee Assessing Groups) –*

The organization predominantly serves the Octorara community and participants are required to pay a fee or receive a scholarship from another entity to pay their fee. Examples:

1. Octorara Little League.
2. Octorara Flag Football.

3. Octorara Softball Association.
4. Octorara Soccer Program.
5. Lanchester Blast Volleyball.
6. Octorara Youth Wrestling.
7. Octorara YMCA.
8. Church Leagues/Services.
9. High School Fall Basketball League.
10. College and University Classes.
11. Boy Scouts.
12. Girl Scouts.

Charges will be assessed based on facility to be utilized and duration of use per the schedule attached in Appendix A Schedule of Charges.

*Group 4 (Private For Profit Organizations) –*

The organization may or may not predominantly serve the Octorara community.  
Examples:

1. Private Dance Studio.
2. Sylvan Learning Center.
3. Higher Education.
4. Business Training.

Fees will be assessed based on the rates in Appendix A plus fifty percent (50%).

<p>35 P.S. Sec. 1223.5 20 U.S.C. Sec. 7182, 7183</p>	<p><u>Use Of Alcohol, Drugs And Tobacco</u></p> <p>Drinking of alcohol, possessing or using illegal drugs in any form, and smoking or other use of tobacco is strictly forbidden on school property. These restrictions apply to both indoor and outdoor areas. Violation is punishable by a civil fine for the amount announced at the commencement of the activity.</p> <p><u>Conduct Of Patrons</u></p> <p>It shall be the responsibility of the organization using the facilities to control the conduct of persons attending the activity. Such control shall include, but not be limited to:</p> <ol style="list-style-type: none"><li>1. Respect for school representatives.</li><li>2. Order and socially acceptable conduct inside or outside the building prior to, during or after time for which use was granted.</li><li>3. Leaving the premises in the condition in which they were found. Where necessary, additional time or fees will be billed to the organization for services above and beyond normal custodial/garbage removal services.</li><li>4. Prohibiting food and/or drink in the auditorium or gymnasium.</li><li>5. Preventing any illegal act of any nature.</li></ol> <p><u>Payment For Use Of Facilities</u></p> <p>Submission of the "Application for Use of School Facilities" form indicated that the organization requesting the use has read, understood, and agrees with this policy and "Appendix A Schedule of Charges." Any requested changes to this referenced information must have written approval prior to the first date the facilities are used, as indicated in this policy.</p> <p>All charges for the use of the school facilities will be billed to the organization following the use of the building and are payable by check within thirty (30) days from date of invoice. Checks shall be made payable to the Octorara Area School District, and shall be sent to the district Business Office, 228 Highland Road, Suite 1, Atglen, PA 19310-1603.</p> <p>After thirty (30) days from the date of the invoice a late fee of twenty-five dollars (\$25.00) will be charged with a subsequent late fee of ten dollars (\$10.00) assessed after each thirty (30) day period in which the bill is not paid.</p>
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The Octorara Area School District reserves the right to void any additional rental agreements with an organization delinquent on invoices after thirty (30) days.

Cancellation Of Events

1. Cancellations of events must be in writing no later than two (2) days before a scheduled event unless district personnel are scheduled and then no later than five (5) days. In the circumstances where events are not cancelled in writing within this time frame, any charges incurred by the designated rented facility will be billed to, and be payable by, the named organization.
2. When schools are closed due to inclement weather, all events are cancelled.
3. Throughout the course of the year routine maintenance of fields must be conducted. The district will attempt to provide notice to groups using fields of conditions that may preclude the use of fields for short periods of time.  
Examples: pesticide application, fertilizer application, and seeding programs.
4. Field preparation will be conducted by school personnel for school activities only (Group 1). All other groups must make arrangements for their own field preparation, such as lining fields. Mowing schedules will be based on school district use of facilities. If outside groups want to make special arrangements for mowing, they may do so by contacting the district school and Community Activities Director.

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