

SUBJECT: USE OF SCHOOL FACILITIES

- I. It is the intent of the Board of Education of the Trumansburg Central School District (the “District”) to ensure that District facilities and grounds are preserved for the primary purpose of educating students, and to allow the use of District facilities for certain purposes, delineated in this Policy, when such uses will not interfere with this primary purpose. Accordingly, it is the Board of Education’s Policy that the Superintendent or his or her designee may authorize outside organizations or individuals to use District facilities and grounds:
 - A. Where there is a public benefit in the use of school property by such outside organizations or individuals; and
 - B. Where the authorized use does not solely further a private benefit; and
 - C. Where the facilities or grounds are not in use for school purposes or where the school is in use for school purposes if the authorized use will not be disruptive of normal school operations; and
 - D. Where the authorized use fulfills one of the purposes enumerated in Paragraph III, below, and the activity is conducted primarily for the benefit of the District’s residents.
- II. If there is a conflict between a requested outside use and a school-sponsored activity, the school-sponsored activity will be granted use of the requested facility.
- III. In accordance with New York Education Law Section 414, the Board of Education permits the Superintendent to authorize the use of District facilities and grounds, when not in use for school purposes, or where the school is in use if the authorized use will not be disruptive of normal school operations, for the following purposes:
 - A. For the purpose of instruction in any branch of education, learning or the arts;
 - B. For public library purposes, subject to the provisions of the Education Law, or as stations of public libraries;
 - C. 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;
 - D. For meetings, entertainment and occasions where admission fees are charged, where 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;

- E. 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. It shall be the duty of the Board of Education to call a special meeting for such purposes upon the petition of at least ten percentum of the qualified electors of the District. Authority so granted shall continue until revoked in like manner and by the same body as granted;
- F. For recreation, physical training and athletics, including competitive athletic contests of children attending a private nonprofit school;
- G. To provide 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; the local social services district as authorized by law; or by any other public or private voluntary source or any combination thereof;
- H. For licensed school-based health, dental and mental health clinics;
- I. For graduation exercises;
- J. For a school-based mental health clinic licensed or approved by the Office of Mental health pursuant to Article 31 of the Mental Hygiene Law; or
- K. For a school-based mental health clinic licensed by the Office of Mental Retardation and Developmental Disabilities pursuant to Article 16 of the Mental Hygiene Law.
- L. For groups that exist for the sole benefit and support of the district including Parent Teacher Organizations, Booster Clubs, the Trumansburg Central School District Foundation, and other groups as designated by the Superintendent.

IV. Application Procedure

- A. The authority of approval or denial of requests to use District facilities or grounds in accordance with this Policy rests in the first instance with the Superintendent or his or her designee. A denial of such a request by the Superintendent or his or her designee shall be appealable to the Board of Education, in accordance with subparagraph E, below.

- B. The Superintendent and/or his or her designee shall afford first priority to organizations serving resident school aged children, followed by organizations residing within the District and community.
- C. Any applicant that wishes to use school facilities and/or grounds of the District (the “Applicant”) **must** apply for a permit in writing to the Superintendent, or his or her designee, no fewer than sixty (60) days prior to the date of the requested use, by submitting: (1) a Building Use Form in a format approved by the Superintendent, and (2) a completed and executed Hold Harmless Form in a format approved by the Superintendent to the Superintendent or his or her designee.
- D. The Superintendent or his or her designee may authorize the Applicant’s proposed use of District facilities or grounds by granting the Applicant a Permit for the proposed use (a “Permit”), or deny the proposed use. The Superintendent or his or her designee may also condition his/her granting of a Permit on the Applicant providing additional assurances to the District, including but not limited to:
- (1) Requesting that the Applicant and the District execute a Facilities Use Agreement containing additional terms governing the Applicant’s use of facilities or grounds. Such a Facilities Use Agreement shall become effective when it is ratified by the Board of Education.
 - (2) Requesting that the Applicant name the District as an additional insured on its general liability and/or umbrella policies, and provide insurance coverage (and satisfactory proof of such coverage, including a Certificate of Insurance) to the District, the Board of Education, and its officers and volunteers, in an amount determined by the Superintendent or his or her designee. The minimum coverage required shall depend on the contemplated use of the District’s facilities.
 - (3) Requesting that the Applicant provide proof that the Applicant’s proposed use of District facilities will not solely further a private benefit, which may include proof of the Applicant’s not-for-profit status.
 - (4) Requesting that the Applicant provide proof that the Applicant has obtained any permits or licenses required by any Federal, New York State and/or local ordinance, or any rule or regulations of the Police, Fire and/or Health Departments.
- E. If the Applicant’s proposed use of District facilities is denied, the Applicant shall be notified of the denial in writing or through the district scheduling software, and shall be provided with an opportunity to appeal the determination to the Board of Education. The Board of Education shall rule on the appeal within 30 days of the date of the appeal.

V. Fees

- A. A Cost Per Use Fee will be assessed against any approved organization or individual that receives a Permit to use District facilities or grounds pursuant to Paragraph IV(D), above (the "Permittee"), for any use of school facilities based on the rates established by the Board of Education at its Annual Reorganization Meeting held each July. The Cost Per Use Fee will not be assessed where the permitted use of District facilities or grounds is a meeting of the Trumansburg Parent-Teacher Association or the Trumansburg All-Sports Booster Club.
- B. A charge for custodial services will be assessed when a Permittee uses facilities or grounds and there is no member of the school staff scheduled to work during the period when the Permittee uses the facility or ground. If no member of the school's maintenance/custodial staff is willing or available to work, the use of the school facility shall not be permitted.
- C. A cafeteria service charge may be assessed when a Permittee requires the use of cafeteria facilities. A member of the school district's cafeteria staff must be present at all times the cafeteria facilities are used by a Permittee.
- D. If heating and/or air conditioning are required in a building that is not normally in use during the period of requested use, or if snow-plowing is required to enable the Permittee to use the requested facility, the Permittee will be charged for such costs.
- E. Final costs will be determined by the Assistant Superintendent for Business and Administration and/or the Director of Facilities. The Permittee will be provided a schedule of the costs due prior to the Permittee's use of the facilities or grounds.
- F. Requests for incidental use of equipment and/or apparatus will be evaluated on a case-by-case basis, and costs assigned as appropriate.

VI. All Permittees who are approved to use District facilities or grounds pursuant to Paragraph IV(D), above, shall be subject to the following conditions, in addition to any additional conditions imposed by the Superintendent or his or her designee:

- A. No smoking shall be allowed on school grounds at any time. No candles or flammable objects shall be used in any school building at any time by any outside organization.
- B. No intoxicants are to be used on school property at any time.
- C. Any damage caused to school property by the Permittee shall be charged against the Permittee.

- D. A member of the school district's custodial staff must be present at all times that a Permittee uses the school facilities.
 - E. The facilities are not to be used unless a staff member or other person satisfactory to the Building Administrator is present.
 - F. The District shall not insure, protect or safeguard the Permittee against any claim that may arise from any accident or injury to any person or persons through the use of school facilities by the Permittee.
 - G. The Permittee must provide adequate supervision for the activity. The Permittee or his/her representative in charge of the activity shall be responsible for the fulfillment of these conditions governing the Permittee's use of facilities, as well as any other conditions imposed by the Superintendent or his or her designee.
 - H. Persons attending or participating in the activity shall be limited to the use of the areas designated by the Building Principal or the Superintendent, or his/her designee.
 - I. On days when school is closed because of snow or other emergency, all activities scheduled for that day will be canceled or postponed.
 - J. The Permittee shall not tamper with any electrical or heating controls under any circumstances.
 - K. The Permittee shall not begin its activities until school is dismissed.
 - L. The Permittee using school facilities shall be responsible for announcing, prior to the event, the location of proper fire exits.
 - M. Permittees must, in any written communications seeking attendance at any function, clearly state that the activity is not an activity sponsored by, supported by or endorsed by the Board of Education of the Trumansburg Central School District.
 - N. The use of public school buildings or grounds must be in compliance with all Federal, New York State and/or local ordinances as well as all policies, regulations and rules of the District, Police, Fire and/or Health Departments. Any organization that advocates or permits an action or activity contrary to the above listed ordinances, regulations or rules automatically and permanently forfeits its permit to use the facilities.
- VII. Permits for the use of District facilities granted pursuant to Paragraph IV(D), above, are neither transferable nor assignable and no adjustments to such Permittee shall be allowed absent express authorization in writing from the Superintendent or his or her designee.

VIII. The Superintendent and his or her designees shall have the authority to develop administrative guidelines and regulations to implement this policy.

Adopted: January 25, 2016

Addendum to Fee Schedule (BOE Policy 3211) – adopted January 25, 2016

Community Long Term Use Weekday Rate	\$1.00 per day
Community Long Term Use Weekend Rate (within scheduled custodian day)	\$5.00 per day
Additional Fees:	
• Custodians outside their normal work day	
• Lighting - (Auditorium)	
• Air Conditioning (Auditorium)	
Community Events involving combinations of weekdays, weekends, varied custodian schedules, lighting, and etc.	Fee determined by Director of Facilities
• There will be “blackout” days when the district is closed.	

BOE- Adopted Hourly Rates for Non-Community facilities use (July, 2015)

BUILDING USE HOURLY RATE:	
Regular Time/Custodial Charge	\$23.50/hr
Premium Time/Custodial Charge	\$35.50/hr
Cost per use fee: Classroom	\$25/day
Cost per use fee: Cafeteria/LGI-HS	\$35/day
Cost per use fee: Library	\$40/day
Cost per use fee: Auditorium	\$55/day
Cost per use fee: Gymnasium	\$120/day
Cost per use fee: Outdoor Facility	\$30/day