Book	Policy Manual
Section	700 Property
Title	Use of School Facilities
Code	707 - Version 2
Status	
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Purpose

Since the schools are funded by the taxpaying community, the Board will make the district's facilities available to responsible organizations, associations and individuals without discrimination for appropriate civic, cultural, or recreational activities, provided they do not disrupt the educational programs of the district or interfere with the best interests of the district and its students.

The purpose of this policy is to provide guidelines for the acceptable use of and procedures for requesting the use of school facilities.

Authority

The Board shall provide for the use of school facilities beyond the use of school district functions, when permission has been requested in writing and has been approved by the appropriate authority under the guidelines of this policy.

Guidelines

For purposes of determining applicable financial charges, regulations, and priority of usage for school facilities, the Board has established the following categories of users. The board shall maintain sole discretion as to what category each organization is described as for purpose of facility use:

1. Category 1: Organizations directly associated with the district and recognized by the Board shall have first priority.

    a. 1A: **Dallas School District** Student-based groups – clubs, sports teams, student government, etc.

    b. 1B: **Dallas School District** Adult-based groups – PTO's, teacher organizations, athletic and band booster groups, etc.

2. Category 2: **All other groups/organizations not otherwise specified.**

3. Category 3: Governmental organizations, for purposes of public hearings or meetings.

    a. 3A: Municipal governmental entities.

    b. 3B: State governmental entities.

    c. 3C: Federal governmental entities.

4. Category 4: Nonprofit organizations:

Non-profit groups shall be required to present credentials of non-profit status (e.g. 5013(C) upon request of the board).

Category 2 and 4 users shall be duly and formally constituted organizations (bylaws) with official elected officers/representatives. Nonprofit groups that do not meet these requirements may, at the discretion of the Board, be considered as Category 2 organizations for purposes of this policy.

Determination of the Organization's Category is the sole discretion of the District.

The Board, because of its responsibility for protecting the district's buildings and property, may restrict the rental and use of space within buildings to certain times and areas. It may also revoke a permit at any time and must have free access to all rooms at all times.

When schools are closed for severe storms or other emergency situations scheduled community use will automatically be cancelled.

No use of school facilities will be permitted on Sundays or legal holidays without special consideration and prior approval by the Board.

Time of occupancy shall terminate at 12:00 midnight unless special exemption is granted by the Board beforehand.

Any activity carried on in school facilities shall be in conformance with applicable state law and Borough ordinances and the dignity and moral standards associated with public schools.

No meeting shall be held in a school building:

1. For the purpose of advancing any doctrine or theory subversive to the State of Pennsylvania or the United States of America.

2. For the purpose of advocating social or political violence or which is of a nature likely to incite such violence.

The decision to require police supervision and/or parking attendance shall be made by the Superintendent, Business Manager, or other Board-designated issuing officer.

Buildings where custodians are not on duty should not be utilized when other appropriate buildings having custodians on duty are available.

<u>Admission Charges, Selling/Distribution of Goods and Advertising</u>

Any groups who intend to charge an admission fee must notify the district in advance of their intention to do so.

All advertising except that incidental to programs shall be approved by the district ahead of time.

The sale or free distribution of any merchandise, printed matter, or other material is forbidden unless special approval is given by the Board.[1][2]

The district reserves all concession and parking rights unless otherwise waived to the requesting organization.

Charging of Fees

The Board shall establish a schedule of rental fees annually.[3]

The DHS Performing Arts Center (PAC) shall be governed by Attachment 2 of this policy.

In addition to rental fees, the Board may charge requesting groups for specialized services such as indicated below:

1. Where auxiliary police services are required, as noted on the approved facility request form, the requesting organization is responsible for securing and paying fees for such services.

2. When the use of school cafeterias for the purpose of food services is requested, the Food Services Manager, or other designated school employee, must be present and have general supervision of school equipment. The Food Services Manager shall determine the number of cafeteria employees, and designate the personnel to work, necessary for community use of the school cafeteria.

3. When the school gymnasium, auditorium and/or stadium is requested, the district may require that a custodian, or other designated school employee, be present and have general supervision of school equipment. The fee for this service must be paid by the organization using the auditorium or gymnasium facilities according to established rates. The Supervisor of Buildings and Grounds shall determine the number of custodial employees, and designate the personnel to work, necessary for community use of these spaces.

4. Fees may be charged for the cost of additional custodial services necessary after the group leaves or as a direct result of the group's activities. The determination of the need for custodial services shall be made by the **Director** of Buildings and Grounds.

5. School equipment such as projectors, public address systems, stage equipment, etc. may require the use of designated school personnel. Organizations are reminded that the service of school operators is not always available. The availability of equipment and the need for school personnel as operators will be determined by the business office.

6. When the use of the district's pool is requested, the requesting group shall be charged for the services of qualified lifeguards.

All applicable fees shall be noted, along with an estimated amount, on the approved usage permit.

Organizations with past due fee balances will not be approved for future use until such time the balances are paid in full.

Storage of Items

Organizations may be permitted to store items in designated spaces on district property by submitting the designated form.

The organization shall hold harmless the district for all damage or loss suffered by the items.

No items that may be hazardous to property or personnel shall be considered for storage.

The needs of the district shall come first, and items stored may lose the storage privilege if deemed necessary by the district.

Requests for storage shall be honored on a space-available basis.

Exceptions

Any exceptions to the provisions of this policy must be submitted ahead of time to the Board for its consideration and approval.

Responsibilities of Entities Using School Facilities

Organizations gaining approval to use school facilities will limit their use of the facilities to those areas specifically approved. Unauthorized use of areas or equipment not specifically approved will result in the withdrawal of the organization's original approved application and permit to use school facilities.

Any right or privilege granted to any person(s) or organizations to use any building or property is personal and shall not be transferred to any other person(s) or organization.

The person designated by the requesting organization as the responsible official of that organization will be required to carry on his/her person a copy of the permit during the periods of authorized use. School officials may request presentation of the permit during the approved time. This requirement shall not apply to Category 1 organizations.

Organizations receiving permission to use school facilities are responsible for the conduct of both participants and spectators. Adequate provisions shall be made to handle anticipated crowds. The Board reserves the right to determine if adequate steps have been taken.

The permitted organization, as well as its individual members, shall be liable to the school district for any damage to a school district facility, or any school district property, furniture, or equipment, arising from the use of the facility.

The permit holder agrees to save and hold harmless the Dallas School District, and to assume responsibility for all liabilities arising incidental to the occupancy of building use, it being understood and agreed that the district assumes no obligations respecting the use of such premises.

Any decorations shall be erected in a manner that will not be destructive to school property, and such erection shall be approved by the custodian on duty. All decorations shall be removed from the building before 8:00 a.m. on the next day after the building has been used.

The use of any materials on the floor or other parts of the building without specific approval of the custodian on duty is strictly prohibited. All decorations used must be of a fireproof nature. Alterations to school property are prohibited.

Admission charges to activities held in school facilities shall be made only as stated by the user upon the application. Nonschool groups sponsoring or representing programs for which admission is charged are required to file a copy of the statement to the Collector of Internal Revenue with

the Superintendent. The Board will not be liable for the payment of any taxes due on admission charges.

Nothing shall be sold, given, exhibited, or displayed except as clearly indicated on the approved usage permit.

The organization approved to use school facilities shall be directly responsible to the tax collector for all taxes due.

Prohibited Activities

The following activities are strictly prohibited in school facilities when individuals and community groups are granted written permission to use said school facilities:[4]

1. Possession, use or distribution of illegal drugs and/or alcoholic beverages.

2. Possession of weapons.

3. Conduct that would alter, damage or be injurious to any district property, equipment or furnishings.

4. Conduct that would constitute a violation of the Pennsylvania Crimes Code, and/or state and federal laws and regulations.

5. 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 or administration.[10][9]

6. Use of tobacco and vaping products, including the product marketed as Juul and other e-cigarettes, as defined in the law.[5][6][7][8]

   Products approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposed where the product is marketed and sold solely for such approved purpose are permitted as long as the product is not inhaled.

7. Medical marijuana products as prohibited by Federal law.

Application Procedures

The application must be executed by the persons and/or officers required to create a legally enforceable contract and must be accompanied by a deposit, where required, according to the schedule of rates in this policy. Early application for use is desirable and as a minimum should be submitted in accordance with the following guidelines:

1. Category 1 organizations - seven (7) days prior to the anticipated use.

2. All other groups - thirty (30) days prior to the anticipated use.

Failure to meet these requirements **may** constitute grounds for rejection of the usage application.

Applications shall be submitted to the following district entities:

1. Applications by Category 1 organizations shall be submitted to the appropriate building principal.

2. Applications by all other groups shall be submitted to the office of the **Director of Building of Grounds via the electronic appliucation found on the district website.**

Cancellation should be made by the organization at least forty-eight (48) hours in advance. If costs are incurred by the district due to cancellation without forty-eight (48) hours' notice, the actual costs involved will be deducted from the deposit submitted with the application. In the event of cancellation by the district, notice of such cancellation will be given as far in advance of the actual time the property was to be used by the permittee as possible.

Insurance Requirements –

Prior to using school facilities, the permitted organization shall furnish to the business office certificates of insurance or its equivalent, or duly authorized and signed release of all claims to be approved by the Board.

Organizations desiring to use school facilities shall be required to have insurance coverage in the following amounts:

1. General Aggregate - $1 million.

2. Personal Injury - $500,000.

3. Property Damage - $50,000.

The stated minimum coverage may be adjusted either upward or downward as the circumstances dictate, at the discretion of the Board. Such adjustments shall be noted on the approved usage permit.

Organizations who are regular users of school facilities may place a copy of their insurance coverage on file in the business office at the beginning of the school year in lieu of submitting a copy with each request.

Requests for special equipment or for the installation or movement of furniture or equipment in conjunction with an organization's use of a school facility should be made at the time of the application and approval of such will be noted on the usage permit.

The intention to charge admission fees, and the intention to sell or distribute merchandise/printed materials shall be made known at the time of application. Approval of such activities will be noted on the usage permit.

Payment of any rental service fees will be made to the business office upon receipt of the approved application form indicating fees to be paid. Payment of all fees relating to personnel services for custodial, cafeteria, audiovisual and professional help will be made directly to the individual(s) providing such services at the completion of the event, and at the agreed-upon hourly rate(s).

Violations

The school district reserves the right to remove from the school district premises any individual or community group who fails to comply with the terms and conditions of this policy and established procedures.[4]

In the event an individual or community group violates this policy or the terms under which permission was granted to use school facilities, that individual or community group forfeits the right to submit future written requests to use school district property, unless otherwise decided by the Board.

Delegation of Responsibility

The Superintendent or designee shall develop administrative regulations or procedures for the granting of permission to use school facilities and shall promulgate rules and regulations for the use of various types of spaces, which shall include:

1. Athletic fields.
2. Gymnasiums.
3. Auditoriums.
4. Classrooms.
5. Natatorium.
6. Cafeteria.

A copy of the application for facilities use, regulations for various spaces, and the fee schedule shall be posted on the district website no later than sixty (60) days after approval of this policy and updated whenever changes are made.

The Business Manager shall develop annually a utility cost estimate on a per square foot basis for building and/or space type for use by the Board in determining applicable rental fees.

The Supervisor of Buildings and Grounds shall examine and approve or reject all requests for storage.

Legal

1. Pol. 220
2. Pol. 913
3. 24 P.S. 775
4. 24 P.S. 511
5. 18 Pa. C.S.A. 6306.1
6. 20 U.S.C. 7972
7. 20 U.S.C. 7973
8. Pol. 904
9. 10 P.S. 328.101 et seq
10. 61 PA Code 901.701

24 P.S. 779
20 U.S.C. 7905
24 P.S. 510.2
20 U.S.C. 7971 et seq
61 PA Code 901.1

707-Attach 1.pdf (48 KB) 707-Attach 2.pdf (184 KB)

707. Attachment #1

FACILITIES USAGE FEES

It is the philosophy of the Board to make available the facilities of the district to organizations as often as possible, and for as little cost as possible. Because the school district incurs additional costs when facilities are being used beyond normal hours, it is necessary to p[ass along some of these costs to the using groups.

The use of all school facilities must be in accordance with the district's policy, and accordingly, using groups are distinguished by category and a schedule of charges is established as follows:

Category 1: Organizations directly associated with the district and recognized by the Board.

Category 2: All other groups/ organizations not otherwise specified.

Category 3: Governmental organizations

Category 4: Nonprofit organizations

Rental Fees

Category	Classrooms	Auditorium /Gymnasium/ Cafeteria	Fields	Stadium	Pool
1	No Cost	No Cost	No Cost	No Cost	No Cost
2 (note 2)	$48 per day	$90 per hour, $270 min.	$36 per hour, per field	$60 per hour, $180 min.	$120 per hour, $300 min
3	$30 per day	$180 per day	$30 per field, per day	$180 per day	$30 per hour
4 (note 3)	$30 per day	$180 per day	$30 per field, per day	$180 per day	$30 per hour

Note 1 - In addition to the above rental fees, additional fees for equipment rental, custodial, cafeteria or other professional help may be assessed in accordance with the district's policy.

Note 2 - Category 2 organizations charging an admission charge in addition to the above fees shall submit a plan along with their application for the involvement of age-appropriate students and shall be assessed ten percent (10%) of the admission charge for deposit into the student activities account of the respective age level involved (elementary, middle or high school)

Note 3 - Charge for Category 4 organizations only applies to events where admission charge is levied, the organization charges a registration fee, or is an event in a fundraising nature.