

COMMUNITY USE OF SCHOOL DISTRICT FACILITIES

Statement of Purpose:

While the District's school buildings and grounds exist for the purpose of educating students within the District, the Board of Education recognizes that the buildings and grounds are a valuable community resource which should be made available to the Chappaqua Central School District community for specific uses that will not interfere with educational activities. Where such use of school facilities by community groups results in increased costs to maintain and operate the facilities, the school shall charge a reasonable fee to offset such costs. Failure to charge for such costs could otherwise be deemed to violate the state constitutional prohibition against gifts of public funds. To this end, the Board sets forth the community use of school facilities consistent with the policy described below.

It is the policy of the Chappaqua Central School District that, pursuant to Section 414 of the New York State Education Law, no group or organization shall be permitted to use District facilities if such group or organization has a policy or practice which discriminates against any person on the basis of race, color, creed, national origin, religion, disability, sex, gender, age, marital status, military status, predisposing genetic characteristics, sexual orientation or other classifications under state or federal law, until such time as these discriminatory policies or practices are discontinued.

Authorization for use of school facilities shall not be considered as endorsement of or approval of the activity, group or organization, nor the purposes they represent.

Conditions of Use:

The Board of Education retains the right to authorize the use of school facilities for other than school purposes under guidelines established pursuant to Education Law Section 414. Users of District facilities shall be subject to the policies of the Board of Education and the rules, regulations and conditions set forth by the Superintendent. Such conditions include but are not limited to the following:

- District activities shall always have first preference.
- Community use shall only be at such times as the facilities are not in use for District curricular, extracurricular, or continuing education activities, or does not interfere in any way with the use of District facilities and equipment by the District. If school facilities are closed for emergency or weather-related reasons community use of school facilities shall be presumed cancelled. The District reserves the exclusive, non-reviewable right to make such determination. The District also reserves the right to cancel or deny any group's event due to maintenance or repair needs, or if the District requires use of the facilities.
- School affiliated organizations and activities shall have priority over use by other community groups and organizations, except in extenuating circumstances.

- The District shall consider requests for use of specific space or locations, but reserves the right to determine the appropriate assignment or limit the availability of District facilities.
- Users of District facilities or services shall be required to remain within areas and times designated by the approved use permit.
- Users of lighted outdoor facilities must follow the operation hours listed in Regulation 7000-A.
- Presence or use of non-district equipment must be approved in advance by the District and may require District supervision at an additional fee. All groups will be required to pay an additional fee for equipment use as per the facilities use fee schedule.
- The use of District facilities, including school buildings, shall not include the use of the District's phone lines, computer lines and/or any district resources, without express permission from the Superintendent or designee.
- Use of District facilities shall only be permitted where the organization provides the District timely evidence of adequate insurance coverage as determined by the District to save the District harmless from all liability, property damage, personal injuries and/or medical expenses. The District reserves the exclusive, non-reviewable right to determine what constitutes adequate insurance coverage for each proposed use.
- All applications for use of school facilities shall be made electronically on the District web site and submitted in accordance with the administrative regulation.
- All groups must provide proof of non-profit status and insurance when submitting requests for facilities use.

Prohibited Uses:

The following uses of District facilities are specifically prohibited:

- Use of facilities or grounds by any person or profit-making organization for personal or private gain, financial or otherwise, unless in the judgement of the Superintendent such use serves a valid educational purpose.
- Social, civic or recreational meetings, entertainments or uses pertaining to the welfare of the community that are exclusive and not open to the general public.
- Meetings, entertainments or uses where admission fees are charged, unless the proceeds thereof are to be expended for an educational or charitable purpose and such meetings, entertainments or uses are approved by the Superintendent.
- Meetings, entertainments or uses where admission fees are charged if such meetings, entertainments or uses are under the exclusive control of, and the proceeds are to be applied towards the benefit of a society, or of a fraternal, secret or exclusive society or organization, other than any organization of veterans, volunteer firefighters or ambulance workers. Users outside the geographic area of the school district may not use the facilities.
- Any use prohibited by law.
- Notwithstanding anything herein to the contrary, the Board of Education reserves the right to deny the use of school grounds and facilities to anyone if, in the opinion of the Board, it would not be in the best interest of the District.

Schedule of Fees:

There are **four** categories of facilities users:

1. School-Affiliated Organizations that are exempt from fees as set forth in Regulation 7000
2. Town Camp and Town Summer Sports Camps
3. Community Sports Programs and Clubs with at least 70% of participants residing in the District
4. Sports Clinics, Tournaments, Special Events and All Other Users

The Board of Education, upon the recommendation of the Superintendent, shall approve the Schedule of Fees for the Community Use of District Facilities, effective at the beginning of each fiscal year and, as needed. Such schedule shall include, but not be limited to, fees for usage, custodial services and supervising personnel when applicable.

When the District determines that the nature of an organization's use or activities requires specific personnel services, including, but not limited to, set up and clean up beyond normal custodial duties, or when the use or activity occurs outside of regular custodial hours, the District shall charge for such personnel services as set forth in the Schedule of Fees.

- Users of school facilities shall be held responsible for any damage to school facilities and/or loss and damage to school property and charged accordingly.
- Usage fees shall be charged for the requested use of specific facilities such as theatre/auditorium at Horace Greeley High School and Seven Bridges Middle School; gyms, kitchens, and fields pursuant to the Schedule of Fees.
- Where, in the opinion of the District, the requested use of District facilities requires special equipment or supervision, the District reserves the right to deny such use, or in the alternative, to condition such use upon the applicant's payment of any costs associated with the use of special equipment or supervision. Special District equipment such as that located in the theaters or kitchens shall only be operated by District authorized personnel.
- The Superintendent reserves the right to waive the user fees associated with any building or field usage for school affiliated organizations or activities and/or the requirement to hire authorized District personnel through the District for theater productions conducted by school affiliated organizations.

The District will not permit the use of its buildings or grounds by groups who have outstanding invoices due.

Late fees will be charged for outstanding invoices as per the fee schedule set by the Board of Education.

Regulations:

The Superintendent shall issue regulations and publish such forms as are necessary to ensure the implementation of this policy.

Adopted by Board of Education
Date: November 5, 1962

Revised:

- October 24, 1974
- December 9, 1974
- December 8, 1992
- February 7, 2006
- November 21, 2006
- January 29, 2008
- October 27, 2011
- March 6, 2012
- July 6, 2017

Cross reference:

- District Code of Conduct
- [7025 Rules and Regulations for the Maintenance of Public Order on School Property](#)
- [7030 Smoking Prohibition](#)
- [7015 Parking and Curb Cut](#)
- [1005 Conducting Public Business with Civility](#)
- [7020 Use of School Buildings for Political Meetings](#)

Regulations

- [Regulation 7000: Building Usage Fees](#)
- [Regulation 7000a: Operation Hours for Lighted Outdoor Facilities \(Turf Fields, Tennis Courts and Track\)](#)

1st Reading: December 5, 2018

2nd Reading & Adoption: December 12, 2018