

SECTION: PROPERTY

TITLE: USE OF SCHOOL FACILITIES

ADOPTED: December 6, 2004

REVISED: January 12, 2009;
November 10, 2014; April 13, 2015
October 10, 2016; June 22, 2020

SOUTHERN LEHIGH SCHOOL DISTRICT

<p><i>Replaces former policies 1330, 1331, 1332, 1333, 1334, 1334.1, 1334.2, 1334.3, 1334.4, 1336, 1337, 1338</i></p> <p>1. Purpose</p> <p>2. Authority</p> <p>SC 511</p>	<p style="text-align: center;">707. USE OF SCHOOL FACILITIES</p> <p>The Board recognizes that, although the primary purpose of the school buildings, facilities and property is to provide students with an appropriate learning environment, the Board may make school facilities available to individuals and community groups without discrimination and in accordance with this policy. Individuals and groups are permitted to use school facilities when such use conforms to this policy and applicable regulations and does not interfere with school programs or school maintenance.</p> <p>It is the intention of the Board of School Directors that school facilities will be available primarily for after-school use by individuals and organized community groups residing within the boundaries of the Southern Lehigh School District.</p> <p>School facilities may not be used for any political activity and/or event forbidden by law or policy.</p> <p>The Board may prohibit the use of school facilities by individuals and groups other than school organizations while school is in session. The use of school facilities shall not interfere or conflict with school programs either during the school day, evenings, or weekends. In addition, maintenance/cleaning has priority over public use of the school facilities during June, July, and August, because it is during this period that the schools are readied for the coming school year.</p> <p>The Board shall provide for the use of school facilities when permission has been requested in writing and has been approved by the Superintendent or designee.</p>
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<p>SC 775</p> <p>3. Definitions</p>	<p>The use of school facilities shall not be granted if requested use does not comply with the intended use of the space, or creates a potential safety, maintenance, or structural concern or for purposes which in any way conflict with the aims and objectives of the Southern Lehigh School District. Decisions to grant outside/field usage will be contingent upon weather conditions, potential overuse of fields, or closure of fields for reasons of safety, maintenance, or need.</p> <p>The Board shall be held harmless and indemnified by the user for any property damage and for any personal injury and/or death that arises from use of school facilities by any organization, individual or activity.</p> <p>The Board shall establish a schedule of fees for the use of school facilities by approved groups to cover operation and maintenance costs, including personnel and facilities fees. These fees shall be reviewed periodically by the Board, outlined in AR #707, and will be made available in advance of facility use.</p> <p>School Sponsored Organizations District –approved organizations, supervised by School District personnel, whose purpose and function is to provide educational and/or extracurricular programs of the District.</p> <p>School Support Organizations – organizations whose primary purpose and function is support of educational and/or extracurricular activities of the Southern Lehigh School District. This includes student organizations, PTA/PTO, and other parent or citizen advisory groups approved by the Board.</p> <p>Booster Clubs – organizations that promote, assist or augment the Southern Lehigh School District or its recognized activities. The district's policy, “Booster Organizations,” provides specific direction for a booster club's role and conduct. An organization may be approved by the Board only after it complies with the requirements of the District’s Policy concerning Booster Organizations.</p> <p>Community, Civic, Service, or Athletic Organizations – nonprofit organizations whose primary purpose is the betterment of the community and the provision of service to the residents.</p> <p>Community – the geographical area encompassed by the boundaries of the Southern Lehigh School District.</p> <p>Personnel Fees – fees charged to building users for personnel costs incurred as a result of a given activity. These include, but are not limited to, a site manager, custodians, food service personnel, technology staff, stage manager or technicians, maintenance staff and security.</p>
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<p>4. Delegation of Responsibility</p> <p>5. Guidelines SC 511</p>	<p>Facilities Fees – fees charged to facility users to cover maintenance and energy costs for specific portions of facilities and grounds.</p> <p>School Facilities – All district owned property including but not limited to school buildings, maintenance and sports structures, play fields, parking areas and equipment. District property approved for residential occupancy and the Southern Lehigh Living Memorial Park are outside the scope of this policy.</p> <p>All applications for the use of school facilities will be submitted to the Superintendent or his/her designee. Applications may be approved, or may be disapproved because of noncompliance with established policy and procedures.</p> <p>School programs have priority in scheduling. Permission granted to organizations or individuals may be cancelled or requests denied, at the discretion of the Superintendent or his/her designee, where there are scheduling conflicts with school programs or when unforeseen schedule changes arise. Within each class identified below, student-based organizations shall be given priority over adult organizations.</p> <p><u>Categories of Individuals, Groups, and Organizations</u></p> <p>The individual groups and/or organizations that may request permission to use the Southern Lehigh School District facilities are defined as follows and listed in order of scheduling priority:</p> <ol style="list-style-type: none"> 1. Class I –School Sponsored Organizations District – approved organizations, supervised by District personnel, whose purpose and function is to provide educational and/or extracurricular programs of the District. 2. Class II – School Support Organizations and Booster Clubs Organizations whose primary purpose is to directly support the Southern Lehigh School District or its programs, which organizations shall be subject to annual approval by the School Board for purposes of listing on the School District’s insurance policy. 3. Class III – Non-Profit (501(c)(3))Community, Civic, Service or Athletic Organizations within the Community Organizations located within the geographical boundaries of the School District whose basic goals and objectives are to provide educational, service or recreational programs for residents of the District and which qualify as “charitable organizations” as that term is defined in Section 501(c)(3) of the Internal Revenue Code and the applicable regulations of the IRS. Organizations classified as within the Southern Lehigh Community require
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that a majority of participants or member reside within the district and that the sponsor of the organization is also a district resident.

4. Class IV – For-Profit Organizations within the Community

For-Profit (not qualified under Section 501 (c) (3) of the Internal Revenue Code) organizations located within the geographical boundaries of the School District whose basic goals and objectives are in compliance with the objectives and goals of the District. Access to Southern Lehigh School District facilities by Class IV organizations may be limited at the discretion of the School District. Organizations classified as within the Southern Lehigh Community require that a majority of participants or member reside within the district and that the sponsor of the organization is also a district resident.

5. Class V - Non-Profit (qualified under Section 501 (c) (3) of the Internal Revenue Code) Individuals/Organizations outside the Community

Non-Profit (qualified under Section 501 (c) (3) of the Internal Revenue Code) Individuals/Organizations whose basic goals and objectives are in compliance with the aims and objectives of the Southern Lehigh School District. Access to Southern Lehigh School District facilities by Class V organizations may be limited at the discretion of the School District.

6. Class VI - For-Profit Individuals/Organizations outside the Community

For-Profit (not qualified under Section 501 (c) (3) of the Internal Revenue Code) Individuals/Organizations whose basic goals and objectives are in compliance with the aims and objectives of the Southern Lehigh School District. Access to Southern Lehigh School District facilities by Class VI organizations may be limited at the discretion of the School District.

Conduct

A school representative, that is, a Custodian, Event Manager, Site Manager or designated District employee or Board-approved volunteer will be on duty at all times when school facilities are in use. Conduct detrimental to the public interest or abuse of the building(s) is not permitted. Participants, children, and visitors must be supervised by the members of the sponsoring organization at all times. The District representative shall have the power to enforce this policy.

Sponsoring groups are responsible for the proper use of all school equipment and facilities. The building and equipment must be left in a clean, orderly condition; failure to do so will result in charges, as determined by the Superintendent or his/her designee.

Security is necessary to protect all public property and will be furnished by the District at the expense of the user, as required by the Facility Use Agreement.

Reimbursement for Damages and Required Insurance Coverage

Each organization using District facilities will be required to reimburse the School District for any damages, including clean-up and/or repair to the School District's facilities and equipment, resulting from use thereof. Organizations, individuals, and/or groups which use any school equipment and/or facilities shall furnish to the School District a certificate of insurance for bodily injury and/or property damage liability with amounts of coverage satisfactory to the School District. The School District may require the organization, individual or group to add the District as an "additional insured" under their general liability policy. A waiver of liability in favor of the School District and signed by the organization, individual, and/or group is required.

Groups using gymnasiums, football fields, baseball fields, playgrounds or tennis courts shall be limited to athletic activities appropriate for the designed use and guided by the school regulations.

Application Process

Organizations desiring to use school facilities shall file the prescribed school district application form with the administration in charge of the Athletic Department at least four weeks before the proposed date of activity. Frequent or long-term users should contact the facilities scheduler/athletic coordinator regarding scheduling guidelines. Failure to adhere to this timeline may result in the application not being approved. The application will indicate the time, type, and location of the facilities desired, equipment requested, the purpose of the activity, and the organization, group or individual requesting such use. The application must be signed by the individual making the request or an appropriate official or representative of the group making the request.

All applications shall be processed according to the date of receipt of the application.

Permission to use the facilities shall not be transferable.

Application Evaluation

No application to use school facilities shall be approved if the proposed activity would result in any of the following:

1. Conflict with any school activity.
2. Access to school facilities closed due to renovations, maintenance, cleaning,

the school calendar, or Board action.

3. Access to school facilities containing equipment or furnishings which, if operated by an unqualified operator or if otherwise misused, could result in damage which would be detrimental to the operation of a district program, unless operated by a qualified operator as determined by the District or used under the control and supervision of a School District employee.
4. The proposed use would prevent or encumber district personnel from preparing school facilities for their primary purpose, because of the nature or duration of the activity.
5. The organization has a past history of abuse/misuse of the facilities or previous damage.
6. The application is not complete, including the submission of required insurance certificates and/or release/hold harmless and indemnification agreements and/or user fees.

Limitations

When individuals and community groups receive written permission to use school facilities under this policy, such use shall be conditioned upon strict compliance with the following:

1. Individuals shall refrain from any conduct, activities, locations or use of equipment not specifically identified in the approved written request form.
2. All activities must begin and terminate at the agreed upon time. Individuals and community group members must enter and exit the school premises within the prescribed times. Facilities must be left in original condition.
3. When advertising or promoting activities held at school facilities, individuals and community groups shall clearly communicate that the activities are not being sponsored by the School District.
4. School Equipment
 - a. School equipment used in conjunction with requested facilities shall be identified when the application is submitted. Users of school equipment must accept liability for any damage to or loss of equipment that occurs while in their use. Equipment may be used only by a qualified operator as determined by the District.
 - b. All operation of district stage sound and lighting equipment shall be

<p>SC 511</p> <p>10 P.S. 311 et seq</p> <p>20 U.S.C. Sec. 7181 et seq 35 P.S. 1223.5</p> <p>School Code 511, 775 20 U.S.C. Sec 7181 et seq 20 U.S.C. Sec 7905</p>	<p>under the direct control and supervision of a School District employee unless otherwise determined by the District. Users are required to provide any additional stage help desired. Such help shall be under the direct control and supervision of the School District employee.</p> <p>c. Kitchen facilities use, if authorized by the District, shall be under the direct control and supervision of an authorized School District employee.</p> <p>5. Class III, IV, V and VI activities will not be permitted when buildings are closed due to inclement weather, calendar closings or other reasons as determined by the District. Class I and II activities may be held at the discretion of the Superintendent.</p> <p>6. Sunday and holiday use of buildings is discouraged.</p> <p><u>Prohibited Activities</u></p> <p>The following activities are strictly prohibited:</p> <ul style="list-style-type: none"> • Use of parking lots and drive ways for other than motor vehicles use unless approved by the Superintendent. • School corridors scheduled for use. • The use of tires brought on campus for any activity. • Practices or training occurring in locker rooms. • Walls used for practice other than those specially designed, i.e. climbing wall • Parking in undesignated areas • Tailgating/cooking on school round except with explicit permission • Possession, use or distribution of controlled substances prohibited by state or federal law. • Possession of weapons or replicas. Reference policy on weapons. • Conduct that would alter, damage or be injurious to any district property, equipment or furnishings. • Conduct that would constitute a violation of the Pennsylvania Crimes Code, and/or state and federal laws and regulations. • 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 District and the required license(s) has/have been obtained. • Use of tobacco and vaping products, including the product marketed as Juul and other e-cigarettes, as defined in the law. [4][5][6][7] • Medical marijuana products as prohibited by federal law. • Possession, use or distribution of alcoholic beverages. • Use of open flame, pyrotechnics, or explosives.
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- Use of gymnasiums, football fields, baseball fields, playgrounds, tennis courts, and other outdoor areas of the School District for anything other than athletic activities. (Use of any such facilities or areas of the School District for speech activities is strictly prohibited.)
- Any activity that is excluded by the District's liability insurance policy.

Violations

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

References

1. 24 P.S. 775
2. 24 P.S. 510.2
3. 24 P.S. 511
4. 18 Pa. C.S.A. 6306.1
5. 20 U.S.C. 7972
6. 20 U.S.C. 7973
7. Pol. 904
8. 10 P.S. 328.101 et seq
9. 61 PA Code 901.701
- 24 P.S. 779
- 20 U.S.C. 7905
- 20 U.S.C. 7971 et seq
- 61 PA Code 901.1