

# Tyrone Area School District

SECTION: PROPERTY

TITLE: USE OF SCHOOL FACILITIES  
AND EQUIPMENT

ADOPTED: MAY 10, 2016

## 707. USE OF SCHOOL FACILITIES AND EQUIPMENT

### Purpose

In recognition of the fact that the public schools are established, maintained and operated by funds provided by local and state sources and that schools belong to the community, the Board will make its school facilities available for community purposes, provided that such use does not interfere with the educational activities and programs of the school district.

The intent of the policy is that school facilities will be available primarily for use by organized residents and community groups within the confines of the Tyrone Area School District. Groups are permitted to use school facilities when such use conforms to the established regulations and does not interfere with the school programs or school maintenance. Citizens must realize, however, that school property is not public property, and is subject to reasonable regulations of the Board.

Governmental agencies may use school facilities for hearings and meetings that are open to the public. School facilities may be used for voter registration.

No organization that discriminates on the basis of race, creed, color, national origin, sex, age or handicap as defined by law shall be permitted to use the district facilities.

School facilities may not be used for any activity or event forbidden by law or policy.

Use of school facilities will not be permitted for commercial purposes or for functions conducted for personal profit.

The Board reserves the right to deny permission to use its facilities when it deems this action to be in the best interest of the school system.

### Authority

Ultimately, it is the Board's responsibility to adopt the rental policy and adhere to the policy herein. This policy shall be administered by the Superintendent or designee as outlined in the policy.

First Amendment: Groups using and seeking to use school facilities have certain rights under the First Amendment to the United States Constitution. Under the First Amendment, with some exception, the school district may not prohibit use of school facilities solely on the basis of the content or viewpoint of the speech or expressive activities of the user. Therefore, the

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school district's approval of any request to use school facilities is not and shall not be construed to be an endorsement of the group or the message conveyed by the group.

Free Speech: Except as stated hereinafter, decisions by the school district under this policy shall not be made in consideration of the content or viewpoint of the speech or expressive content of the groups seeking to use school facilities. However, in view of the mission of the school district, the school district prohibits expressive conduct that:

1. Is obscene or pornographic
2. Is libelous
3. Is indecent or vulgar
4. Invades the privacy of another person in violation of the other's legal rights
5. Constitutes fighting words
6. Materially and substantially interferes with the educational process or the requirements of appropriate discipline in the operation of the school district

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

In the event an organization or community group violates this policy or the terms under which permission was granted to use school facilities, that group will receive a written warning and subsequent forfeiture of qualification for future use of school property.

The use of any building is automatically canceled when the facilities have been closed by school authorities because of local, state, or national disaster, emergencies such as fire, flood, storms, snow, highway conditions, weather, or mechanical failure or conflict with school related activities or staff availability. For safety reasons, the removal of snow or ice or other exterior work may dictate a change in hours of use. Snow and ice removal that is specific to the needs of the leasing organization and to their event will be billed at the hourly rate of employees and cost of materials.

A schedule of charges and rules governing use of school buildings will be provided to the organization; requests from groups not covered by these rules or for usage not specified must be referred to the Superintendent.

The availability of the school facilities shall, at all times, be subject to the convenience, requirements and activities of the school.

The district reserves the right to require authorized school personnel to operate district equipment.

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**Regulations**

School facilities will be made available to an organization or community group according to the following guidelines:

If applicable, organizations or community groups requesting to use school facilities shall provide a certificate of insurance at the time application is submitted. The certificate shall show that the organization has in effect general liability insurance in the amount required for personal injury and property damage and shall show the Tyrone Area School District as an additional insured. All Class "A" organizations that subcontract any part of the expected activities of a sponsored event must abide by the insurance requirements of Class B, C and D.

If applicable, a security deposit must be made at the time applications are submitted to the Director of Physical Plant.

Applications will be reviewed and approved by the Director of Physical Plant and building principal, or Athletic Director as appropriate.

**Areas Requiring Approval by the Building Principal**

1. Cafeterias
2. Classrooms
3. Library
4. Auditoriums
5. Large Group Instruction Rooms
6. Parking Lots

**Areas Requiring Approval by the Athletic Director**

1. Swimming pool
2. All Athletic Fields
3. Gymnasium and locker rooms
4. Wrestling Room
5. Track
6. Tennis Courts
7. All unpaved areas not specified

Upon approval by the appropriate personnel and submission of required insurance information and security deposit, if applicable, leases/contracts will be signed by the Business Administrator.

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	<p>The application shall be a four (4) part form. Upon completion and approval it will be distributed by the Director of Physical Plant as follows: requestor, building principal or athletic director, building head custodian, Business Administrator.</p> <p>Organizations whose applications are approved will be mailed signed contracts, only after receipt of the required insurance certificates and security deposit, if applicable.</p> <p>Applications that are denied will be returned to the organization with an explanation for the denial. Any denied applications will have the right to a written appeal addressed to the Board Secretary.</p> <p>Rentals may be postponed or canceled, but cancelation requests must be received by the Director of Physical Plant at least ten (10) working days prior to the event, except in emergencies. Any preparation cost will be assessed to the organization due to a late cancelation.</p> <p>Rental agreements, once issued, may not be transferred or assigned to any other person, company, or organization.</p> <p>Facilities will be available on a first come, first serve basis. School activities shall have priority. School activities shall have priority before all events scheduled by Class B, C and D organizations. The district reserves the right to cancel facility use based upon safety and/or capacity issues as determined by the Director of Physical Plant.</p> <p>The district reserves the right to cancel or postpone events during times of inclement weather. The organization will be notified as soon as practical based on the weather situation.</p> <p>The groups or organizations that may request permission to use the Tyrone Area School District facilities are identified as follows:<a href="#">171</a></p> <p>CLASS A: Responsible school organizations that are either directly connected with the school or are generally concerned with the welfare of the school. The group includes, but is not limited to all student clubs and activities, PTO, booster clubs, band parents/guardians, alumni, employee groups, etc.</p> <p>CLASS B: Any civic or community group or organization offering to present a non-fundraising activity that is instructive and beneficial to the school or community. The group includes but is not limited to: Boy/Girl Scouts, YMCA, Tyrone Hospital groups, local churches, local government agencies, local charity organizations, etc.</p> <p>CLASS C: Any civic or community group or organization offering to present a program, instructive and beneficial to the participants that involves fundraising and/or an admission fee.</p> <p>CLASS D: Any non civic group or organization that meets Board Policy.</p>
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**Supervision**

Any organization or group using school facilities is responsible for the conduct of both participants and spectators; this includes the parental supervision of children age 10 and younger. The organization shall make adequate provision to handle anticipated crowds.

Any organization or group using school facilities shall designate one member of the group as being in charge and responsible for supervision of the activity in the facility in use. This person shall, in turn, be responsible to the district personnel on duty at the time of the event.

The adult in charge of the group agrees that no one be admitted until s/he is present, that s/he will remain during the entire period, and that s/he will not leave until all members of the organization have left the building.

All rental agreements issued shall be for specific rooms and for specific hours. It shall be the responsibility of the organization and the person in charge of the group using the facilities to have complete control over all persons involved and to see they are restricted to the portion of the building requested for the activity and that the remainder of the building is not entered. The Director of Physical Plant may require a specific number of adults and/or security personnel based on group size, for supervision.

Organizations or groups shall be responsible for damage to the buildings and grounds and shall leave them in the condition they found them. Damages to school and theft of school property are to be paid for by the organization. Security deposits will be withheld until all damage claims are resolved.

Organizations using school facilities must comply with state laws, local ordinances, rules of police and fire departments, regarding public assemblies.

The school authorities may use their discretion and take such action as may be necessary to preserve order and to protect school property, and the taking of such action shall not in any way relieve the applicant of his/her responsibilities in that regard.

Outdoor school facilities shall be closed and off limits after dark, except those areas lighted for nighttime use.

All personal accidents, involving injury to individuals, regardless of severity, must be reported (using the district accident form) to the Business Office within five (5) days of the incident.

If the district determines that there is insufficient supervision provided by the group, the district reserves the right to assign necessary employees to staff the building at the expense of the organization using the facilities.

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### **Custodial Services**

The Director of Physical Plant will assign a custodian to the building being used, and the duties shall be primarily to see that the building is properly opened, lighted, heated, ventilated, cleaned and secured at the conclusion of the event. The custodian is not permitted to deviate from the approved procedures and is expected to report variances and enforce regulations. A custodian and/or other authorized school employee shall be on duty whenever property is in use. A charge, in addition to the rental rate, as per schedule, will be made for custodial services when a custodian is not ordinarily on duty or if additional work is required for preparations before or cleaning after a rental.

### **Care and Cleaning**

No changes or alterations shall be made to property without approval of the Director of Physical Plant who will arrange to have the work done. Charges for all alterations shall be added to the basic rental charge.

Any and all decorations to be used must be fire proof and subject to the approval of school officials. No decorations in the auditoriums and foyers shall be fastened to walls, ceilings and/or floors with anything other than masking tape. Any other fasteners must be approved by the building supervisor before any decorations are installed. No open flame decorations shall be used anywhere in the buildings. Any and all decorations, furnishings or equipment shall be installed and removed by the user under the direction and supervision of school staff, and any removal (along with debris and masking tape) shall be completed immediately upon termination of the activity and disposed of properly. Charges may be assessed for additional clean up performed by district personnel.

All refreshments or food must be served within the cafeteria dining rooms, unless preapproved by the Director of Physical Plant.

Nails or screws may not be driven into floors or walls.

Sneakers or gym shoes shall be worn at all times when using the gymnasium for athletic purposes.

### **Equipment**

District-owned equipment may not be taken from school premises unless prior approval is obtained from an appropriate administrator.

Additional equipment needed by the organization cannot be installed without the approval of the Director of Physical Plant or designee.

Equipment belonging to the district may not be used unless specifically requested on the application and approved. Charges may be assessed for the use of district equipment.

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Equipment that may damage the floors or walls will not be permitted.

Equipment owned by the organization must be removed not later than the next day following use of the facilities and may not be removed during school hours.

School equipment may not be used or moved without the prior approval of the Director of Physical Plant or designee.

Thermostats, stage curtains, lights, stage equipment and/or projection equipment, organ, folding doors, bleachers, scoreboards and other school equipment requiring a skilled operator shall be controlled by approved school personnel only.

Any additional electrical equipment not provided by the district must have a UL label and must be inspected by the Director of Physical Plant or his/her designee.

When special lighting and/or sound system is requested in the auditorium, the appropriate technician must be present for sound and lighting. The organization may be charged the prevailing rate for the service and an hourly charge for use of special lighting and sound systems.

Smoke and/or mist may not be used in the auditorium or stage area due to activation of the fire alarm system.

**Prohibited Activity**

The following activities are strictly prohibited in school facilities when groups are granted written permission to use said school facilities:[\[4\]](#)

1. Use of tobacco products.[\[1\]](#)[\[2\]](#)[\[3\]](#)
2. Possession, use or distribution of illegal drugs and/or alcoholic beverages.
3. Possession of weapons.
4. Conduct that would alter, damage or be injurious to any district property, equipment or furnishings.
5. Conduct that would constitute a violation of the Pennsylvania Crimes Code and/or state and federal laws and regulations.
6. 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 and license has been produced.[\[5\]](#)[\[6\]](#)
7. Unauthorized operation and use of Mini-bikes, unlicensed motor scooters, go-carts, roller blades, roller skates, skateboards, other similar vehicles or equipment and flying of model airplanes.

**Use of Swimming Pool**

Groups are permitted to use the pool when such use conforms to established regulations and does not interfere with the school programs or pool maintenance. Approval for use of the pool shall be on first-come basis.

Life guards must be contracted by the group or organization and approved by the district. There shall be a minimum of two (2) lifeguards on duty plus one (1) additional if there are over seventy-five (75) swimmers. Lifeguards shall be certified by the American Red Cross.

**Use of Kitchen Facilities**

Kitchen facilities and personnel will be available to prepare a banquet or catered event. A separate contract for food preparation must be completed with the Food Service Director at least thirty (30) working days prior to the event. A fee for rental of the cafeteria facilities shall be charged according to the rental fee schedule. In addition organizations and groups holding banquets will be charged a rate for each meal ordered, at a rate to be established by the Food Service Director. This rate will cover the cost of food, supplies, and labor for preparation, serving, and supervision.

A cafeteria employee shall be on duty whenever the kitchen facilities are used. Only school cafeteria employees are allowed to operate the kitchen equipment. The kitchen will be locked unless a cafeteria employee is present.

No cafeteria staff need be present if the organization is requesting the use of the dining area only.

Kitchen facilities are not available during the summer for any purpose. The cafeteria dining area may be rented by outside groups during the summer only if it does not interfere in any way with the summer cleaning schedule.

Cafeteria equipment may not be loaned to outside groups, unless given prior Board approval.

Catering equipment and supplies shall be removed by the furnishing caterer no more than 24 hours after the conclusion of the event with the exception of permission from the building administrator.

**Fees**

All rental fees, security deposits, and other charges should be made payable to the Tyrone Area School District.

Invoices for rental fees and other charges are due within thirty (30) days after the billing date.

Security deposits will be refunded only after all conditions placed on the organization have been satisfactorily completed.



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No payments shall be made directly to school employees for services.

Custodial and security services will be assessed to Class B, C and D organizations. Personnel costs are assessed for the time spent beyond the employee's normal work day and/or assessed on the actual number of hours to complete all work. Whenever an employee's time is required, either as a result of overtime or as a result of an employee coming into the building when the school would normally be closed, a fee for services will be charged. All estimated costs may be adjusted (higher or lower) based on actual hours to complete the work.

Changes in the rental fee schedule must be approved by the Board of School Directors.

Under Class A, there may be times when it is necessary to pay money to cover extra custodial and/or security services to open and close buildings and move equipment as necessary.

Legal

[1. 20 U.S.C. 7182](#)

[2. 20 U.S.C. 7183](#)

[3. 35 P.S. 1223.5](#)

[4. 24 P.S. 511](#)

[5. 10 P.S. 328.101 et seq](#)

[6. 61 PA Code 901.701](#)

[7. 24 P.S. 775](#)

[20 U.S.C. 7181 et seq](#)

[20 U.S.C. 7905](#)

[22 PA Code 403.1](#)

[24 P.S. 779](#)

[61 PA Code 901.1](#)

[707 - Guidelines for Use of Facilities F.doc \(42 KB\)](#)[707 - Facilities Use Rules F.doc \(57 KB\)](#)[707 - Fees F.doc \(75](#)

[KB\) 707 - Application F.doc \(45 KB\)](#)