

# MUHLENBERG SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: USE OF SCHOOL FACILITIES

ADOPTED: January 11, 2012

REVISED:

707. USE OF SCHOOL FACILITIES	
1. Purpose	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, provided the use does not interfere with the educational program of the schools.
2. Authority	<p>The Board directs that use of school facilities may be granted to individuals and community groups in the following priority order:</p> <ol style="list-style-type: none"> <li>1. Educational programs and school functions for the school and school district.</li> <li>2. Meetings of parents/guardians and staff organizations.</li> <li>3. Community youth groups under proper supervision.</li> <li>4. Community sponsored events open to the public.</li> <li>5. Meetings of other community groups, i.e.               <ol style="list-style-type: none"> <li>a) Private parties/groups</li> <li>b) Government entities</li> <li>c) Sports practices and games</li> <li>d) Concessions</li> <li>e) Performances</li> </ol> </li> </ol>
SC 775	The Board shall establish a schedule of fees for the use of school facilities by approved groups.
3. Delegation of Responsibility	The Superintendent or designee shall implement administrative regulations or procedures for requesting and granting permission for use of school facilities and shall distribute the necessary information to individuals affected by them.

<p>4. Guidelines</p>	<p>The District shall have priority rights over all other groups. Principals will establish their school’s schedules for the use of the buildings and grounds in a fair and equitable manner. Conflicts will be resolved by the principal and/or appropriate administrator.</p> <p><u>Non-School Groups</u></p> <p>Requests for facility usage by an out-of-school individual, group, or organization shall be submitted at least thirty (30) days in advance of the event to the Buildings &amp; Grounds Office. (Note: All out-of-school individuals, groups, or organizations requesting facility usage will be defined, herein, as the “End-User”.</p> <p>Each request will be reviewed by Buildings &amp; Grounds for facility availability, needs, and services, and then forwarded to the appropriate administrator(s) for commentary and approval. Additionally, facility use on Sundays or holidays shall require Board approval. School District administrators shall determine final approval of the facility use application. If necessary, the District can modify a request to accommodate a schedule. A rental fee for use of the facility shall apply unless waived. The District has the right to assign employees, and/or employ police or security personnel as needed to staff the facility at the expense of the End-User but not without prior notification and concurrence. District administrators are in full charge of facilities at all times and shall be admitted to all activities. Use of District facilities is at all times subject to the provisions of the Public School Code and any other relevant laws or regulations.</p> <p>As a prerequisite for facility use, the End-User shall provide proof of liability insurance with Muhlenberg School District as the certificate holder, unless waived. Additionally, the End-User shall sign the District’s “Release and Indemnification Statement” agreeing to indemnify, hold harmless, and stay the District from all claims of liability pertaining to damages and/or injuries occurred while on District property. The End-User shall be responsible for those who may be admitted to the activity and agrees to assume all responsibility for oversight and security. The End-User shall contact emergency personnel as needed. When an admission fee is charged, the End- User is responsible for the payment of any admission tax required directly to the appropriate taxing agency. The End-User is responsible for all licensing and/or permits. There shall be no illegal activities conducted on District property at any time.</p> <p>The End-User shall not sublet or transfer its rights and responsibilities to any other individual, group, or organization.</p>
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<p>10 P.S. Sec. 311 et seq Title 61 Sec. 901.701</p>	<p>All District supplied utilities, lighting, sound, scoreboards, equipment, vehicles, tools/materials, etc. will be operated and managed by District employees and/or approved District volunteers unless otherwise arranged by the End-User and approved in advance by the appropriate administrator. End-User supplied compressed air, propellants, pyrotechnics, utilities, lighting, sound, scoreboards, equipment, vehicles, props, rides, tools, materials, etc. shall be operated or managed by licensed or authorized personnel as applicable and at all times. The End-User shall provide supplemental liability insurance, as necessary, specifically blanketing all extraneous activities including but not necessarily limited to the use of all the aforementioned items.</p> <p>All decorations shall be fire-rated and approved by Buildings &amp; Grounds Department.</p> <p>Immediately following the event, proper removal of all decorations, props, rides, equipment, debris, etc. shall be provided by the End-User. All surfaces, including grounds, shall be restored to pre-event conditions.</p> <p>No weapons, alcoholic beverages, controlled substances, tobacco, pocket knives, pellet/paint or stun guns, riot or intruder gas deterrents, explosives, rope, and harmful chemicals of any kind shall be permitted on District property at any time.</p> <p>Gambling, games of chance, lotteries, raffles, or other activities requiring a license under the Local Option Small Games of Chance Act is prohibited unless such activity has been expressly authorized by the School Board.</p> <p>When District facilities are being used by community organizations, the District will not prohibit the End-User from exercising the right of free expression to the extent that such expression is protected under the U.S. Constitution or the Constitution of the Commonwealth of Pennsylvania.</p>
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References:

School Code – 24 P.S. Sec. 511, 775, 779

State Board of Education Regulations – 22 PA Code Sec. 403.1

Department of Revenue Regulations – 61 PA Code Sec. 901.1, 901.701

Local Option Small Games of Chance Act – 10 P.S. Sec. 311 et seq.

School Tobacco Control – 35 P.S. Sec. 1223.5

Pro-Children Act of 2001 – 20 U.S.C. Sec. 7181 et seq.

Boy Scouts of America Equal Access Act – 20 U.S.C. Sec. 7905

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