

USE OF PUBLIC SCHOOL FACILITIES

Within the limits as set forth in §414 of the New York State Education Law, the Board of Education of the Lindenhurst Public Schools will provide for the use of school facilities by organizations and groups serving the community.

Permitted Uses

District facilities may be used for the purposes listed below, subject to the conditions and restrictions set forth in this policy.

1. Instruction in any branch of education, learning or the arts.
2. Public library purposes, subject to provisions of the Education Law, or as stations of public libraries.
3. Social, civic and recreational meetings and entertainments, or other uses pertaining to the welfare of the community so long as such uses are non-exclusive and open to the general public.
4. Meetings, entertainment and occasions where admission fees are charged, when the proceeds are to be spent for an educational or charitable purpose.
5. Polling places for holding primaries and elections, for the registration of voters and for holding political meetings.
6. Civic forums and community centers.
7. Recreation, physical training and athletics, including competitive athletic contests of children attending a private, nonprofit school.
8. Child-care programs when school is not in session, or when school is in session for the children of students attending schools of the district and, if there is additional space available, for children of employees of the district.
9. Graduation exercises held by not-for-profit elementary and secondary schools, provided that no religious service is performed.

Prohibited Uses

Any use not permitted by this policy is prohibited. In addition, the following uses are specifically prohibited.

1. Meetings sponsored by political organizations.
2. Meetings, entertainments and occasions that are under the exclusive control of and the proceeds are to be applied for the benefit of a society, association or organization or a religious sect or denomination or of a fraternal, secret or exclusive society or organization, other than veterans' organizations or volunteer fire fighters or volunteer ambulance workers.

Priorities

1. Activities that are a part of the educational program of the school district will take precedence over all applications for the use of school facilities. However, every effort will be made to schedule these activities during the time school employees

are on regularly assigned duties and no charges will be assessed such organizations.

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2. Regular day school activities will be given first priority in the assignment of the all public school space. Thereafter, priority for early use of the gyms (6:00 pm) is to be given to Lindenhurst community youth organizations. All adult groups, including Adult Education classes, shall not be assigned the use of school gymnasiums before 8:00 pm. Consistent with the above parameters, space will be assigned according to the order in which applications are received. In the event that any conflict should arise with the regard to such scheduling, the Board, or its designee, has final authority to make such scheduling determinations.

Rules and Regulations

1. The Superintendent or his/her designee shall have the authority to make assignments for the use of school facilities to organizations and groups serving the community within the Lindenhurst U.F.S.D. so as to accommodate worthwhile community activities with the provision that balanced use is made of special facilities.
2. The organizations or groups using a school facility will:
 - a. provide adequate adult supervision
 - b. abide by all school regulations
 - c. defray any costs incurred by the school district due to the use of school facilities within limits of the regulations as stipulated by the Board. All such costs must be paid within 30 calendar days from the date of billing. The person who signs the applications is directly responsible for payment.
 - d. Community groups will submit a Certificate of Insurance for liability for special events upon request.
 - e. No smoking is permitted on school grounds. No alcoholic beverages are to be brought or consumed in school buildings or on grounds.
3. Use of district facilities during hour(s) when school is not open will be permitted only where the applicant agrees to pay the district a user fee according to a schedule adopted by the district to cover the costs of heat, electricity, maintenance, custodial services and any other expenses associated with the requested use. Use is further conditioned upon the applicant's agreement to pay additional fees associated with the use of any additional services or equipment. The district retains the right to condition use upon an applicant depositing with the district a sum equaling the estimated costs and fees associated with the proposed use 10 days in advance of the requested use. The district retains the further right to waive user fees for groups that are associated with or sponsored by the district.

4. All groups permitted must strictly adhere to all fire and safety regulations adopted by the Board and local authorities. The use of any device, such as a smoke machine, which could set off the smoke alarms, is strictly prohibited. Ticket sales may not exceed the maximum occupancy of the facility. Assigned seating for the Performing Arts Center shall be mandatory. The sale of “general admission” tickets is prohibited. Decorations, exhibits, displays and similar materials installed by the applicant must comply with all fire and safety regulations. Such materials must be completely removed and the facility made ready for school use by the applicant before the expiration hour indicated on the authorization.
5. In order to facilitate compliance with the regulations of the Health Department, cafeteria facilities may be used only under the supervision of appropriate cafeteria personnel. Preparation of coffee/tea by non-cafeteria personnel is permissible.
6. All groups using school facilities must comply with all Board policies and regulations.
7. The organization or group using the school facilities will be financially liable for any damage that may be inflicted on said school facilities by any and all of its individuals, members or spectators.
8. School personnel will be assigned, where appropriate, while the school facility is being used for the purpose of insuring the care, protection and maintenance of the school facility. Any group or organization sponsoring an activity which results in the assignment of a school district employee to extra duty will pay a fee to cover the cost incurred by the school district for said staff assignment. The fee will include the cost for such time as may be necessary to prepare the facility before and after use. The estimated fee will be stated on the approved application. (See 3c.)
9. All uses of school facilities must be open to the general public.
10. Groups or organizations whose membership majority resides outside the Lindenhurst School District must receive special authorization by the Board of Education for the use of school facilities and must abide by any special conditions set forth by the Board of Education.
11. The Board reserves the right to change these regulations in any manner it may deem necessary.
12. The Board reserves the discretion to deny use of district facilities described above, or to terminate use of district facilities:
 1. By an applicant who has previously misused or abused district facilities or property or who has violated this policy;
 2. For any use which could have the effect of violating the Establishment Clause of the United States Constitution or other provisions of the United States or New York State Constitutions;

3. For any use which, in the estimation of the Board, could reasonably be expected to or actually does give rise to a riot or public disturbance;

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4. For any use which the Board deems inconsistent with this policy;
5. For any use by a private for-profit entity that has the direct or indirect effect of promoting the products or services of such entity;
6. In any instance where alcoholic beverages or unlawful drugs are sold, distributed, consumed, promoted or possessed;
7. For any use prohibited by law.

Procedures

1. Normally, applications will be received at least one month prior to the requested date of use and will be considered only when the official school form is properly completed and submitted to the Community Service Office.
2. School groups or organizations must complete and submit an application only when the facility is used before or after school hours or when school is not in session. Furthermore, once the Adult Education program is approved by the Board, an application need not be submitted.
3. When an application is approved, an authorization stating the facility, the school building, hours, date(s), and fees, if applicable, will be issued to the applicant.
4. Cancellations should be made by a using organization at least 24 hours in advance. If costs are incurred by the school system due to a cancellation the actual costs involved will be billed to the organization. In the event of cancellation by the school system, notice of such cancellation will be given as far in advance as possible. The Board reserves the right to make such cancellations in cases of emergency at any time without liability to the Lindenhurst School District.
5. The adult signing the application will be responsible for the supervision and conduct of the group and spectators using the school facilities. The group or organization must provide adult supervision at a reasonable ratio of sponsors or advisors to participants, as determined by the Administration.

Practices and Procedures Which are Prohibited

1. Agents or representatives of business concerns, except as approved by the Superintendent of Schools and the Board of Education, or their designee, are forbidden to:
 - a. Sell merchandise within the school buildings;
 - b. Personally distribute advertising material on the school premises.

2. Outside organizations may not make use of school time or the time of students to promote projects not connected with the schools.

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3. School premises may not be used for meetings, entertainment and occasions where admission fees are charged when they are under the exclusive control, and the said proceeds are to be applied for the benefit of a society, association or organization of a religious sect or denomination, or of a fraternal, secret or exclusive society or organization other than organizations of veterans of the military, naval or marine service of the United States and organizations of volunteer fireman.
4. No dances other than those which are school sponsored may be held in the school buildings of the district, without special action by the Board.
5. There shall be no gambling or use of intoxicating beverages at any time on school property. Nevertheless, Bingo, Wingo and other similar games may be permitted under the following conditions:
 - a. The event is sponsored by the PTA or other school based group and the proceeds are used solely for the benefit of the children of the district.
 - b. The organization obtains the necessary permits from the Town of Babylon and/or the Village of Lindenhurst; and
 - c. The organization obtains the prior written approval of the Superintendent.
6. There shall be no smoking anywhere on school grounds.
7. It would be deemed non-professional and unethical for a teacher, before or after school hours, to tutor for pay student that is in the teacher's class unless approved by the Superintendent and the Board, or their designee.
8. School premises may not be used by any personnel to pursue any activity not contracted for, for which a fee is charged unless approved by the Superintendent and the Board, or their designee.

Regulations for use of fields

1. A team applying for a district field must submit a team roster with the district application. Seventy-five percent of the roster members must be resident of Lindenhurst and provide proof of residency.
2. A Certificate of Insurance specifying liability coverage of at least \$1,000,000.00 and proof of residence must be submitted, if requested, to the Community Service Office before a permit can be issued.
3. There is to be no alteration or modification of a field not intended for its original purpose. A field is awarded for a designated use.

4. School Athletic Teams have priority over outside teams/clubs for field use. However, because of inclement weather changes in the interscholastic game schedule, an outside team will have to alter their practice/playing schedule because of school usage.

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5. There are situations whereas interscholastic contests continue beyond the normal playing time because of extra innings, overtimes, and unforeseen late start. Consequently, an outside team will be delayed from commencing their activity on their assigned time.
6. Permits are to be available at all times for verification by school security or supervisory personnel.
7. The organization or group using the school facilities will be financially liable for any damage that may be inflicted on said school facilities by any and all of its individuals, members or spectators.
8. School personnel will be assigned, where appropriate, while the school facility is being used for the purpose of insuring the care, protection and maintenance of the school facility.

Any group or organization sponsoring an activity which results in the assignment of a school district employee to extra duty will pay a fee to cover the cost incurred by the school district for said staff assignment. The fee will include the cost for such time as may be necessary to prepare the facility before and after use. The estimated fee will be stated on the approved application. (See 3c.)

9. The organization or group using the school facilities will abide by the regulations at each facility. No alcoholic beverages are to be brought or consumed on school grounds or in buildings.
10. The individual signing the application will be responsible for the supervision and conduct of the group and spectators while using the school facilities. The group or organization must provide adult supervision at a reasonable ration of sponsors/advisers to participants, as determined by the Administration.
11. No vehicles will be permitted on any district athletic field.
12. The Board reserves the right to change these regulations in any manner it may deem necessary.
13. Any violation of the above rules and regulations may result in the termination of permit privileges.

Ref: Education Law §414

Adoption date: February 4, 2009