



Oysterponds Union Free School District
 23405 Main Road, Orient, NY 11957
 631-323-2410 www.oysterponds.org

APPLICATION FOR USE OF SCHOOL FACILITIES

Today's Date _____ Date(s) Requested _____

Facility Requested _____ Room _____

Name of requesting organization or individual _____

Time: _____ to _____ Supervisor in charge _____

Mailing address: _____

Phone (Day) _____ (Night) _____

Purpose of intended use _____

Total participants expected: _____ adults _____ children

Residents (number) _____ Non-Residents (number) _____

Is equipment required? If so, state what type and for what purpose:

Is an admission fee charged? _____ yes _____ no

If so, what will proceed be used for? _____

If refreshments are served, give details: _____

Agreement: The undersigned is over 21 years of age and had read this form and attached regulations and agrees to comply with them. He/she agrees to be responsible to the District for the use and care of the facility. He/she, on behalf of _____ does hereby covenant and agree to defend, indemnify, and hold harmless the District from and against any and all liability, loss, damages, claims, or actions (including costs and attorney fees) for proposed use of District's property, facilities and/or services by Organization.

Signature of Organization's representative: _____

Address: _____ Phone: _____

Signature of Superintendent _____ Date: _____

Please read attached requirements and return application and proof of insurance to: Superintendent, Oysterponds UFSD, 23405 Main Road, Orient, NY 11957

Rev: 12/2017

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OYSTERPONDS

POLICY 1500

PUBLIC USE OF SCHOOL FACILITIES

The Board of Education authorizes the use of school district facilities for purposes consistent with the provisions of section 414 of the Education Law, subject to Administrative Regulations approved by the Board of Education.

Request for permission to use school district facilities shall be forwarded to the Board of Education for approval.

Adoption date: 17 January 2012

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PUBLIC USE OF SCHOOL FACILITIES

While the district’s school buildings and grounds are maintained primarily for the purpose of educating students within the district, the Board of Education recognizes that the buildings and grounds are a valuable community resource and believes that this resource should be available to the community for specific uses that will not interfere with educational activities. However, public use is contingent upon passage of the annual budget. This policy is intended to identify the uses that community groups may make of those facilities.

Permitted Uses

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

- A. Instruction in any branch of education, learning or the arts.
- B. Public library purposes, subject to provisions of the Education Law, or as stations of public libraries.
- C. 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.
- D. Meetings, entertainments and occasions where admission fees are charged, when the proceeds are to be spent for educational or charitable purposes.
- E. Polling places for holding primaries and elections, for the registration of voters and for holding political meetings.
- F. Civic forums and community centers
- G. Recreation, physical training and athletics, including competitive athletic contests of children attending a private, nonprofit school.
- H. 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.
- I. Graduation exercises held by not-for-profit elementary and secondary schools, provided that no religious service is performed.

Prohibited Uses

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

- A. Meetings sponsored by political organizations.
- B. 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.

Conditions of Use of District Facilities

- A. Use of district facilities is permitted unless such facilities are in use for school purposes, or during such times when educational programs are in session including the summer program.
- B. The district reserves exclusive judgement to determine if a requested use would interfere with or disturb the district's educational programs.
- C. Use of district facilities 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 as determined by the superintendent of his/her designee.
- D. Where, in the judgement of the district, the requested use of district facilities required 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 additional fees in accordance with paragraph C above. Only authorized personnel shall operate district equipment.
- E. 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;
 - 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.
- F. The Superintendent is directed to establish and monitor rules, regulations and procedures for use of district facilities. Any violation of these rules and regulations may result in the withdrawal of permission for use of these facilities.

Application Procedure for Use of District Facilities

- A. All applications for use of school facilities shall be made in writing on a form approved by the Board. Such form should be submitted to the Superintendent at least one week prior to the monthly meeting of the Board. All requests must be acted upon by the Superintendent.
- B. The applicant must clearly and completely describe the intended use of the district facility in the application.

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- C. All applicants must review this policy prior to submitting the application. All applications must be signed by an authorized agent of the group or organization requesting use. The applicant's signature on the application shall attest to the group or organization's intent to comply with all Board policies and regulations and to use district facilities strictly in accordance with the use described in the application.
- D. 1. The user hereby agrees to effectuate the naming of the district as unrestricted Additional insured on the user's policy.
2. The policy naming the district as an additional insured shall:
- Be an insurance policy from A.M. Best rated "secured" New York State licensed insurer.
 - Contain a 30 day notice of cancellation
 - State that the organization's or individual's coverage shall be primary coverage for the District, its board, employees and volunteers
 - Provide an additional insured status via an ISO endorsement CG20 26 or its equivalent.
3. The user agrees to indemnify the district for any applicable deductibles.
4. Required Insurance: Commercial General Liability Insurance: \$1,000,000 per occurrence/\$2,000,000 aggregate
5. User acknowledges that failure to obtain such insurance on behalf of the District constitutes a material breach of contract and subjects the user to liability for damages, indemnification and all other legal remedies available to the district. The user is to provide that district with a certificate of insurance, evidencing the above requirements have been met. The failure of the district to object to the contents of the certificate of insurance or the absence of same shall not be deemed a waiver of any and all rights held by the district.
- E. Organizations sponsoring events involving large public attendance must arrange for appropriate law enforcement personnel as specified by the Board during the period the building is occupied.
- F. Permits shall be valid only for the facility, use, dates and time specified by the Board during the period the building is occupied.
- G. No permits will be granted for school facilities or equipment which would conflict with normal school activities.
- H. The Superintendent is authorized to alter or cancel any permit if it becomes necessary to use the facility for school purposes or for other justifiable reason.
- I. With regard to scheduling activities, the district retains the right to give preference to groups and organizations which are associated with or sponsored by the district.
- J. Issuance of a permit shall not limit the right of access to the facility by district staff.

Ref: Education Law 414

20 U.S.C. 7905 No Child Left Behind Act (Equal Access to Public School Facilities; Boy Scouts of America Equal Access Act)

20 U.S.C. 7908 No Child Left Behind Act (Access of Military Recruiters)

Note: Policy added, replacing prior policy 1000-1

Adoption date: September 10, 2008

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Revised: January 17, 2012

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