

Book	Policy Manual
Section	700 Property
Title	Use of Center (School) Facilities
Code	707 Vol I 2020
Status	First Reading
Last Revised	January 25, 2021

Purpose

The Joint Operating Committee recognizes that although the primary purpose of the center (school) buildings, facilities and property is to provide students with an appropriate learning environment, the Joint Operating Committee may make center (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 center (school). **This policy establishes conditions, restrictions and procedures for the use of center (school) facilities for noncenter (nonschool)-sponsored purposes.**

Authority

The Joint Operating Committee directs that use of center (school) facilities may be granted to individuals and community groups for the following types of activities:[\[1\]](#)

1. {X } Instruction in any branch of education, learning and the arts, consistent with the center's (school's) mission.
2. {X } Social, civic and recreational meetings and entertainment, and other uses pertaining to the welfare of the community; but such use shall be non-exclusive and open to the public without charge.
3. {X } Polling places for holding primaries, elections and special elections, as permitted or required by state law.
4. {X } Recreation, physical training and athletics, including competitive athletic contests for children and adults.

The Joint Operating Committee shall establish a schedule of fees for the use of center (school) facilities by approved groups.[\[2\]](#)

Delegation of Responsibility

The Administrative Director or designee shall implement administrative regulations or procedures for requesting and granting permission for use of center (school) facilities and shall distribute the necessary information to individuals affected by them.

An application for use of center (school) facilities may be disapproved because of noncompliance with established policy and procedures by the

- { } Administrative Director.
- { } Business Manager.
- { } Joint Operating Committee Secretary.
- { } building administrator.
- {X } Facilities Manager ~~Supervisor of Buildings and Grounds.~~

Guidelines

Application Process

An individual or community group requesting permission to use the center's (school's) buildings, facilities or property must submit a written request on the prescribed application form at least ten (10) days in advance of the proposed date to the

- { } Administrative Director.
- { } Business Manager.
- { } Joint Operating Committee Secretary.
- { } building administrator.
- { X} Facilities Manager ~~Supervisor of Buildings and Grounds.~~

The application must specify the portion of the facilities requested for use; proposed activities; number of individuals participating; and the date, time and duration of the proposed event.

Along with the completed application, the individual or group must submit the following:

1. { X} Payment of the specified rental fee.
2. {X } Evidence of organizational liability to limits required by center (school) guidelines.
3. {X } Documentation evidencing the center (school) shall be held harmless by the user for any liability that arises from use of facilities by the individual or group.

Application Evaluation

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

1. {X} Conflict with any center (school)-sponsored activity.
2. {X} Access to facilities closed due to renovations, maintenance, cleaning, the school calendar, or Joint Operating Committee action.
3. {X} Access to facilities containing equipment or furnishings which would be detrimental to the operation of a center (school) program if damaged or operated by an unqualified operator.
4. {X} The proposed use would prevent or encumber center (school) personnel from preparing facilities for their primary purpose, because of the nature or duration of the activity.
5. {} Individual or community group uses facilities in excess of five (5) times during any calendar year for the same purpose. This limitation shall not apply to individual athletic contests for children or adults that are part of an overall athletic season schedule, **when** the use is approved by the Joint Operating Committee.

Limitations

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

1. {X} Individuals shall not use, access or enter upon any portions of the facilities or their contents not specified in the approved written request form.
2. {X} Individuals shall refrain from any conduct or activities not specifically identified in the approved written request form.
3. {} All activities must begin after 5:00 p.m.
4. {X} All activities must terminate and all individuals and community group members must exit the premises by 9:30-_____ p.m.
5. {X} When advertising or promoting activities held at facilities, individuals and community groups shall clearly communicate that the activities are not being sponsored by the center (school).
6. {X} Center (School) equipment used in conjunction with requested facilities shall be identified when the application is submitted. Users of equipment must accept liability for any damage to or loss of equipment that occurs while in their use. Where rules so specify, no equipment may be used except by a qualified operator, provided by the center (school).

Prohibited Activities

The following activities are strictly prohibited in center (school) facilities when individuals and community groups are granted written permission to use said facilities: [\[3\]](#)

1. Possession, use or distribution of **controlled substances prohibited by state or federal law.**
2. Possession of weapons.
3. Conduct that would alter, damage or be injurious to any center (school) property, equipment or furnishings.
4. Conduct that would constitute a violation of the Pennsylvania Crimes Code, and/or state and federal laws and regulations.
5. Use of tobacco **and vaping** products, **including the product marketed as Juul and other e-cigarettes, as defined in the law.** [\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)
{ } , except as expressly permitted in designated areas which must be located at least fifty (50) feet from center (school) buildings, stadiums and bleachers.
Products approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such approved purpose are permitted, as long as the product is not inhaled.
6. **Medical marijuana products as prohibited by federal law.**
7. **{X} Possession, use or distribution of alcoholic beverages.**
8. {X-} 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 Joint Operating Committee or administration. [\[8\]](#)[\[9\]](#)

Violations

The center (school) reserves the right to remove from center (school) premises any individual or community group who fails to comply with the terms and conditions of this policy and established procedures. [\[3\]](#)

In the event an individual or community group violates this policy or the terms under which permission was granted to use center (school) facilities, that individual or community group forfeits the right to submit future written requests to use center (school) property, unless otherwise decided by the Joint Operating Committee.

Fee Schedule

Use of center (school) facilities for activities directly related to the educational program and center (school) operations shall be without cost to users.

{X} except that the user shall be responsible for extra custodial fees.

NOTES:

SC 777 Defacing, damaging school property

Watch for discriminatory language, i.e., not allowing Boy Scouts to use but allowing other nonschool groups.

Legal	1. 24 P.S. 1850.1
	2. 24 P.S. 775
	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