

Baldwin-Whitehall School District

Book	Policy Manual
Section	700 Property
Title	Use of School Facilities
Code	707
Status	Active
Adopted	May 10, 2006
Last Revised	May 11, 2016

Purpose

Community groups may be permitted to use school facilities and equipment for worthwhile purposes when such use does not interfere with the school program. The Board encourages the use of school facilities by resident community groups.

Authority

The Board directs that use of school facilities may be granted to individuals and community groups for the following types of activities:

1. Instruction in any branch of education, learning and the arts, consistent with the school district's mission.
2. Social, civic and recreational meetings and entertainment, and other uses pertaining to the welfare of the community.
3. Polling places for holding primaries, elections and special elections, as permitted or required by state law.
4. Recreation, physical training and athletics, including competitive athletic contests for children and adults.

The use of school property by any organization operated for private gain, or for any purpose involving private gain, shall be permitted only under the following circumstances:

1. Such use is sponsored by a nonprofit community organization.
2. The use will not benefit principally any profit-making organization secondarily involved.
3. A worthy educational, civic or charitable purpose shall be advanced.
4. A substantial community group will benefit from the use.

Guidelines

Schedules providing for fees, deposits and other charges in connection with the use of school facilities and equipment shall be established by the Board.[\[1\]](#)

Use of classroom facilities shall be permitted on a contractual basis only and shall be approved in each case by the Board.

The use of school facilities and equipment in accordance with this policy shall be approved by the Superintendent or designee.

The Superintendent is authorized to adopt and enforce such rules and regulations as may be deemed necessary or proper to implement this policy. Violation of such rules and regulations shall be sufficient cause for the revocation of any permit issued in accordance with this policy.

The Board reserves its full power and authority to regulate the use of school property, including, but not limited to, the power to make specific exceptions to any general policy, rule or regulation and to authorize or revoke any permit when deemed appropriate.

School programs shall have priority use of all school facilities, and any conflict shall be resolved in favor of the school program. Permits are subject to cancellation when such conflict arises.

Application Process

An individual or community group requesting permission to use school buildings, facilities or school property must submit a written request on the prescribed application form at least two (2) weeks in advance of the proposed date to the Superintendent or designee. For the high school auditorium, the application must be submitted at least four (4) weeks in advance.

The application must specify the portion of the school 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. Payment of the specified rental fee.
2. Evidence of organizational liability to limits required by district guidelines.
3. Documentation evidencing the school district shall be held harmless by the user for any liability that arises from use of school facilities by the individual or group.

Application Evaluation

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

1. Conflict with any school-sponsored activity.
2. Access to school facilities closed due to renovations, maintenance, cleaning, the school calendar, or Board action.
3. Access to school facilities containing equipment or furnishings which would be detrimental to the operation of a district program if damaged or operated by an unqualified operator.
4. The proposed use would prevent or encumber district personnel from preparing school facilities for their primary purpose, because of the nature or duration of the activity.

Limitations

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

1. Individuals shall not use, access or enter upon any portions of the school facilities or their contents not specified in the approved written request form.
2. Individuals shall refrain from any conduct or activities not specifically identified in the approved written request form.
3. When advertising or promoting activities held at school facilities, individuals and community groups shall clearly communicate that the activities are not being sponsored by the school district.
4. School equipment used in conjunction with requested facilities shall be identified when the application is submitted. Users of school 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 school.

5. Facility use, inclusive of any time needed for set-up or tear-down, shall be limited to time listed on the permit.
6. All activities must terminate and all individuals and community group members must exit the school premises by 10:30 p.m. Any extensions of time must be approved by the Superintendent or designee.
7. If the permit holder is having an event that will have spectators, professional security may be required as determined by the Administration. If they do not, security will be provided by the district and billed to the permit holder.
8. District personnel (coordinator and/or stage crew) must be employed during any use of the auditorium and/or stage.
9. A district assigned, certified life guard must be on duty during any use of the pool. A minimum of one (1) guard is required for thirty (30) people on the pool deck or in the pool. For every additional thirty (30) people an additional guard is required.
10. The rental for the kitchen facility may be permitted. If an organization wishes to use the kitchen facilities, a district food service employee must be assigned for the duration of the permit.

Prohibited Activities

The following activities are strictly prohibited in school facilities when individuals and community groups are granted written permission to use said school facilities:[\[2\]](#)

1. Possession, use or distribution of alcoholic beverages and/or illegal drugs.
2. Possession of weapons.
3. Conduct that would alter, damage or be injurious to any district 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. 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.[\[4\]](#)[\[5\]](#)
6. Bags, Book bags, Purses - The Board prohibits members of the audience/public from bringing to any event held within a school district facility, any bag, book bag, backpack, fanny pack, etc. Exceptions shall include those items deemed medically necessary, child care items, and small purses.
7. Tobacco Use - Because of the exemplary role played by the adult members of the school community, the Board prohibits tobacco and/or nicotine use by any persons in its school buildings and on any property, buses, vans and vehicles that are owned, leased or controlled by the school district.[\[3\]](#)[\[6\]](#)[\[7\]](#)

For the purposes of this policy, **tobacco and/or nicotine use** shall be defined as use and/or possession of a lighted or unlighted cigarettes, lighted and unlighted cigars, e-cigarettes (electronic), vapor cigarettes, mechanical cigarettes, and pipes; other lighted smoking product; and smokeless tobacco in any form.

8. Outside Food or Drink - The Board prohibits members of the audience/public from bringing any outside food or drink to any event. This prohibition does not extend to baby formula, baby food or necessary items for medical purposes.

Searches

The Board reserves the right to randomly search any bag, back pack or other container for compliance with this prohibition. The board further reserves the right to conduct mandatory searches of any bag, back pack or other container prior to admission into a school activity or sponsored event. In addition, district personnel may inspect heavy clothing, jackets, hats, or blankets.

All items that do not pass security must be returned to vehicles. The Baldwin Whitehall School District is not responsible for items left at entrances.

Violations

The school district reserves the right to remove from school district premises any individual or community group who fails to comply with the terms and conditions of this policy and established procedures.[2]

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

Fee Schedule

Use of school facilities for activities directly related to the educational program and district operations shall be without cost to users, however, when such use causes extra or additional expenses to the district, the group will be assessed an amount equal to those costs.

Categories of Organizations Using School Facilities

Category 1 - School groups or school organizations with membership from the Baldwin-Whitehall School District student body under the direction of a member of the BWSD staff, who receives compensation or serves as volunteer of a Board approved group or activity.

Category 2 - District-associated/support groups (PTA, PTO, Boosters, SHASDA, etc.) that are recognized by the Baldwin-Whitehall School District or BWSD staff only groups (i.e. one hundred percent (100%) of the members of the group using the facilities must be from the BWSD staff).

Category 3 - Organized community groups consisting of at least ninety-five percent (95%) community members using the facilities for a non-profit activity. No fee or gate charges shall be charged.

Category 4 - Resident Groups (e.g. church groups, dance groups, non-profit organizations, private groups and community groups). Seventy-five percent (75%) or more of membership or participants must be residents of BWSD. Group must be registered with a BWSD address.

Category 5 -Nonresident Groups/Other - consisting of less than seventy-five percent (75%) of BWSD residents as members or participants.

Long-term use by any groups may result in lease agreement and charged negotiated rates based upon the amount of repeated use. All leases shall be Board approved.

The district has the sole right to classify any group or organization into the appropriate classification. The district has the right to request any supporting documentation necessary to establish membership of any group into the appropriate classification.

Utilization of Staff in Nonschool Activities

When an employee is directed by the school district to perform additional duties in connection with the use of school facilities by an outside organization, any compensation due the employee shall be paid by the school district. All fees for such services shall be paid by the permit holder to the Baldwin-Whitehall School District and submitted to the Business Manager in accordance with established fees and

procedures. No such employee shall receive direct payment from a community organization for performing such services.

Dogs and Domestic Pets Prohibited on School Property

Dogs and other domestic pets are prohibited on school property except in relation to approved curricular activities.

Public notice of this policy shall be given by posting notices in affected areas and by periodic news releases. School personnel shall cooperate with the municipal authorities in the enforcement of this policy.

Effectove 7/1/2016

Legal

1. 24 P.S. 775
2. 24 P.S. 511
3. 35 P.S. 1223.5
4. 10 P.S. 328.101 et seq
5. 61 PA Code 901.701
6. 20 U.S.C. 7182
7. 20 U.S.C. 7183

24 P.S. 779

22 PA Code 403.1

61 PA Code 901.1

20 U.S.C. 7181 et seq

20 U.S.C. 7905

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