

## I. ELIGIBLE GROUPS AND USES

- A. Groups having more than 50% of their membership composed of district residents or groups who propose uses which will result in a direct educational benefit to the district's youth may apply to use district facilities identified as available for community use.
- B. Schools may be used as polling places for municipal primaries and elections and registration of voters.
- C. Use of a district facility by a political organization must be authorized by a vote of the electorate at a district meeting as stipulated in Education Law 414-1e.
- D. District facilities may not be used for educational activities for which tuition or fees are charged to resident pupils when sponsored by individuals or organizations other than the district without approval from the Superintendent of Schools.
- E. Applications by other groups or individuals, or for uses not described above, must be authorized by the Superintendent of Schools.

## II. FACILITIES

- A. All district facilities will be made available to eligible groups and for eligible uses subject to, but not limited, considerations of district need for use of the facility, potential risk of harm to participants, potential damage to district facilities, and district abilities to provide staffing to maintain opening and closing of building.
- B. Workshops, science labs, and other similar specialized facilities are not appropriate for public use.
- C. Requests for use of a particular facility shall be consistent with the activity and the number of persons who will use the facility. No gymnasium will be available to less than 15 participants. Fields may not be used by non-school groups when school is session.

The schools may not be used for:

- A. Meetings and entertainments where the meetings are under the control of, and the proceeds benefit, a fraternal, secret or exclusive society, association or organization. However, meetings and entertainments may be held in the schools by and for the benefit of veterans' organizations and volunteer fire companies.

## III. CONDITIONS OF USE

### A. Application

All non-District groups or individuals desiring to use district facilities must apply to the district for permission to use district facilities. Such application shall be made in writing at least two (2) weeks in advance of the proposed use. Such applications shall set out at least:

1. The name, phone number and address of the organization or individual making application (hereafter referred to as "the applicant"). Individuals applying must participate in a program orienting them to school district policies, regulations and expectations regarding facility use prior to just use.

2. The name, address and phone number of the adult persons who will be directly supervising the activity (at least 2 persons must be listed).
3. The basis of the applicant's eligibility to use district facilities.
4. A detailed description of the proposed use, including the time, date, and duration of such use.
5. The facilities to be used.
6. The potential number of participants.
7. The approximate age range of the primary participants.
8. A description of any fees to be charged to participants.
9. Requests for district staff (e.g. custodians, food service workers, etc.) required by the applicant or the district.
10. Any other information requested by the district.

Application for use of any athletic facility or field shall be made to the Facilities Coordinator.

#### B. Approval of Application; Facilities Use Contract

The Facilities Coordinator shall grant or deny preliminary approval of the application. Denials of applications may be appealed to the Superintendent of Schools. Upon preliminary approval of an application, the applicant shall be required to enter into a Facilities Use Contract, supplied by the district, between the applicant and the district, which shall:

1. Incorporate the application.
2. Establish all conditions of use of the particular facility involved.
3. Include an agreement by the applicant to indemnify and hold harmless the District for any liability resulting from the use of district facilities (see Section C below).
4. Establish an agreement by the applicant to pay any facility use fees (see "Fees" Section below).
5. Establish an agreement to reimburse the district for any damage caused to district facilities as a result of the use.
6. Include any other terms required by the Assistant Superintendent for Support Services.

At least two weeks in advance of the proposed use, the executed Facilities Use Contract and application shall be forwarded to the Facilities Coordinator who shall review the same for compliance with all district policies and for submission of appropriate liability agreement documents. The Facilities Coordinator shall grant or deny final approval of the application. Denials of applications may be appealed to the Superintendent of Schools.

#### C. Liability agreement

1. An organization will be required, as a condition of the use of facilities, to defend the district and hold it harmless against any liability or loss arising out of the organizations use of the facilities. To meet this requirement, the organization must provide the district, at least 14 days in advance of the use of the facilities, with an acceptable evidence of insurance coverage (Certificate of Insurance) of not less than
  - \$1,000,000 each occurrence
  - \$2,000,000 general aggregate

The Certificate of Insurance must name Burnt Hills-Ballston Lake Central School District, PO Box 1389, Ballston Lake, NY 12019, as Certificate Holder and Additional Insured and include the following wording:

"On a primary and non-contributory basis with a waiver of subrogation and with a 30 day notice of cancellation as respects to the Commercial General Liability coverage."

**GROUPS WILL NOT BE ALLOWED TO USE THE DISTRICT FACILITIES UNLESS A VALID CERTIFICATE OF INSURANCE IS ON FILE.**

2. Applicants are responsible for the damage or loss to district facilities resulting from use by the applicant. The Facilities Coordinator at the recommendation of the Building Principal or the Physical Education Department Head may require the applicant to submit an appropriate security deposit in advance of the proposed use date to cover any potential damage to facilities.
3. Changes to these liability requirements can only be made with specific permission of the Superintendent.

**D. Conditions for use of special facilities:**

1. Gymnasium: Facilities of the district approved for public use will be cared for to the satisfaction of the Director of Physical Education, The Supervisor of Buildings & Grounds, and the Building Principal. Gym users must wear appropriate gym shoes or sneakers. Locker and shower rooms may be used at added expense for custodial care. Towels will not be supplied.
2. Auditorium: Special sound, lighting, stage curtains, and other equipment will be operated only by members of the staff or persons approved by the principal as competent and responsible.
3. Kitchen: Sanitary conditions require a school lunch employee of this district to be hired at the appropriate rate to supervise the activities. This cost is in addition to any rental fee and custodial care that may be required.
4. Swimming Pool: This area will be used only under the direct supervision of qualified school personnel or a person qualified and approved by the Physical Education Department Head to direct aquatic events.
  - i. Interscholastic Sports  
Interscholastic athletics will use the pool every day after school starting August through March for practice. The team will be able to conduct home meets and showcase the pool and the swimming/diving program by hosting events such as sectionals and select invitational meets.
  - ii. Community Use of the Pool  
The Facilities Coordinator provides opportunities for lap swims, swim lessons, aquatic aerobics, life guard training. We also rent to the Schenectady Swim Club. BH-BL Central School District is now renting to other community and non-resident groups, as pool time allows.
  - iii. Requesting Pool Rental  
To request rental of the swimming pool, groups must fill out a building use form and submit completed, signed form with specific dates/times to the Athletic Director. For more information, you may contact him at 518-399-9141 ext. 83309 or email him at [jscalise@bhbl.org](mailto:jscalise@bhbl.org). Lifeguards must be hired through BH-BL and the Athletic Director will decide how many lifeguards are required for a specific program. All regular facility use regulations apply.

**E. GENERAL RULES FOR FACILITY USE**

The use of any school facility is permitted only by a license issued by the school district. Users must adhere to rules applicable to space for which license is granted.

1. District need for facilities will always take precedence over other uses. In the event it becomes necessary for a district function to be scheduled at a time and place previously assigned to an applicant, the district function shall take precedence. If the applicant cannot reschedule the activity, any fees or deposits paid will be refunded by the district. In no event shall the district be liable for any losses or damages incurred by such a change.
2. The district requires a member of its staff to be on the premises whenever a facility is in use. Additional specialized staff may be required if school equipment will be used. Custodial service will be required for all applicant uses at the same level as for district functions (approximately one custodian staff person for 200 individuals).
3. Use of district facilities must be directly supervised by two or more adults attending the activity at all times. Group Contact Person: each group using school facilities must designate one person (and one alternate) who will serve as the contact for communication from and to district staff. The "Group Contact Person" will also assume certain responsibilities for enforcing district regulations:
  - a. Scheduling of activities, communication with group members and the school district, the conduct of the group members, the proper use of school property, and the payment of any fees due.
  - b. Each facilities license should include the name and phone numbers of the group contact person, coaches for the group and youth group team parents, as well as the participated schedule of activities.
4. In conjunction with the SAVE legislation and for the safety of our students, no building's doors should be propped open, and the group contact person should assure that all doors are properly closed after each group enters the building and after each group leaves for the night. Each group is responsible for evacuating its members in case of an emergency.
5. For any group using facilities more than occasionally, the group contact person or any other responsible members (coaches/team parents) shall attend a meeting at the beginning of each school year outlining the agreement between the district and the group concerning expected behavior and procedures for using BH-BL facilities. Each facility license should include the name and phone numbers of the group contact person, coaches for the group and youth group team parents who will assume responsibility for supervision of the youth while on district property), as well as the anticipated schedule of activities.
6. At any given event or activity, if it is expected that the usual number of participants will be exceeded by 25% prior approval by the designated school administrator must be received. The number of persons admitted to a function must not exceed room capacity.
7. The group contact person or his/her designee is expected to be aware of special circumstances, such as emergency weather conditions. He/she is expected to obtain building closure information via the BH-BL website (<http://bhbl.org/>). If necessary, the group contact person will take responsibility for making participants aware of any cancellation of activities if schools are unexpectedly closed.
8. As a general rule, buildings are closed to outside users by 10:00 pm. Licenses will not be approved for outside groups use past 10:00 pm without prior approval of the principal.
9. No alcoholic beverages are allowed on school property.
10. Smoking is not permitted **in or on** school property in accordance with State and Federal laws.
11. No applicant may alter, add to, or subtract from the equipment of facilities in place without specific written authorization from the Assistant Superintendent for Support Services and under the supervision of a qualified district employee. Staff assistance shall be limited to ordinary day-to-day

functions, and persons so employed by the District shall not be responsible for the supervision of the participants.

12. Applicants may charge admission fees to offset costs of facility usage or to be applied toward educational or charitable purposes. No fees may be charged to benefit the purposes of any society, association, or organization of a religious sect or denomination, or a fraternal, secret or exclusive society organization. Any other fees must be approved by a vote of the Board of Education.

13. Each group is expected to leave each facility in the condition in which it was found. In the event of misuse of facilities, misconduct of individuals, or other abuse of the privileges, the district will take appropriate action. This action includes, but does not limited to, suspension of license to use facilities, requiring replacement of Group Contact Person, requiring reimbursement for damages or extra expenses incurred, and denial of future requests for use of the facilities.

#### F. MAINTENANCE OF PUBLIC ORDER ON SCHOOL PROPERTY

It is our expectation that every member of the BH-BL community will contribute to and accept responsibility for an orderly and respectful climate while in our school buildings and on our school grounds, as described in the Code of Conduct for the Maintenance of Order on School Property (Board Policy 1500).

##### Prohibited Conduct

No person, either singly or in concert with others, shall on school district property:

- Intentionally cause physical injury to any other person, or threaten to do so for the purpose of compelling or inducing any other person to perform or refrain from performing any act.
- Engage in threats, intimidation and/or extortion of any other person.
- Physically restrain or detain any other person, nor remove such person from any place where he is authorized to remain.
- Use, possess, or distribute alcoholic beverages or tobacco.
- Willfully damage or destroy property of the school district or property under its jurisdiction nor remove or use such property without authorization.
- Engage in theft of, or damage to, or defacement of any school district property or property of any other person.
- Enter into and remain in any building, facility, office or room for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others. - Obstruct the free movement of persons and vehicles in any place to which these rules apply.
- Refuse to leave any building or facility after being required to do so by any person responsible for the maintenance of order in a building or facility.
- Loiter in school buildings or on school grounds. Loitering is remaining in or near school buildings and grounds with no reason for being there and with no authority or written permission to remain.
- Willfully set fire to school district property, tamper with or obstruct any safety measures such as fire extinguishers, alarm systems, posted fire regulations, water sprinklers, and fire doors, fail to conform to fire drill procedures or tamper with any communications, heating, lighting or power systems.
- Make or cause to be made bomb threats, false alarms or false reports of school closing or cancellation of events.

- Deliberately disrupt or prevent the peaceful and orderly conduct of classes and meetings or other activities taking place in school buildings or on school grounds or deliberately interfere with the freedom of any person to express his views, including invited speakers.
- Use language or gestures that are profane, lewd, vulgar or abusive.
- Knowingly have in his/her possession any weapon including a firearm upon any premises to which these rules and regulations apply. A firearm is any weapon (including a starter gun) which can fire a projectile (bullet).
- Gamble on school district property.
- Violate school District rules and regulations concerning the use of motor vehicles on school district property and school district parking regulations.
- Cause disruption or interference with the operation of school district buses.
- Fail to comply with directions of school district officials acting in the performance of their duties.
- Willfully incite others to commit any of the acts herein prohibited with specific intent to procure them to do so.
- Sexually harass any person. Sexual harassment is all unwelcome behavior of a sexual nature which forces a person to cooperate as a condition of participation, or which creates an intimidating, hostile or offensive situation. Any alleged incident should be reported promptly.

#### Consequences

- Any person who violates the provisions of Board Policy 1500, *Public Use of School Facilities*, will not be allowed to remain on school grounds or at an activity and will be directed to leave the premises. If the violator refuses to leave, he/she may be subject to arrest. A group's building use license may also be revoked.

#### Expected Conduct

- Participants are responsible for:
  - Their own behavior,
  - Being respectful of all other participants, and to respect the values and views of others,
  - Being positive members of the school community with regard to themselves, others and property.
- Participants are expected to:
  - Listen and follow the directions of their coaches, group leaders and all school district personnel,
  - Behave in a way that will promote a safe and productive environment for all.
- Parents are expected to:
  - Play a key role in the maintenance of good discipline in all BH-BL buildings and grounds,
  - Support school district staff through awareness, understanding and support of the rules of facility use,
  - Model appropriate behaviors expected of our students.

#### G. ABUSE OF FACILITIES

In the event that misuse of facilities or equipment, misconduct of individuals or groups, or other abuse of the privileges extended is reported to the building principal and the Facilities Coordinator, the district may take action considered appropriate. This may include but is not limited to: suspension of license to

use facilities, requiring replacement of the group contact person, requiring reimbursement for damages or extra expenses incurred and denial of future requests for use of school property.

**H. EVENT PROFIT**

All admissions received by any organization for activities using the school facilities must be dedicated to educational and/or charitable purposes within the geographical limitations of the district. Admission fees are monies collected at the event to gain entrance to the premises. They are not the same as a fee or dues paid by an individual to belong to or participate with an organization. Profit-making organizations/businesses are only allowed to use the facilities for charitable purposes within the local area.

**I. FOOD SERVICE**

The district strongly encourages all outside groups and school affiliated groups to use the District Food Service for catering all activities held on/in district facilities.

**J. FEES**

A. Use fee

1. District-sponsored groups, PTA, Community Not-For-Profit, Travel & Rec Programs proposing uses which will result in an educational benefit may use district facilities according to the fee schedule.
2. Groups exempt from paying a use fee for their own activities may not extend their exempt status to applicants that would otherwise be charged a fee.
3. Fee Considerations:
  - i. Class level of user
  - ii. Purpose of event (meeting, fundraiser, etc.)
  - iii. Type of facility needed (auditorium, gymnasium, classroom, field)
  - iv. Length of use
  - v. Day of use (i.e. Monday, Saturday, etc.)
  - vi. Number of participants.
4. Class levels:

	<b>Who/What</b>	<b>Examples</b>
<b>Group I</b>	School Events, PTA and/or Booster Club Meetings	Clubs, Teacher Use, Business meetings ONLY, Community Education
<b>Group II</b>	Community Based Groups Community Not-for-Profit and/or Travel/Rec Programs	Rotary, Boy Scouts, Girl Scouts, Rec Soccer, Basketball, Any fundraiser, Student and Adult Recreational Groups, local town events, 501 ( c ) 3 event
<b>Group III</b>	Non-Residents Not-for-Profit with area membership	Recreational groups, towns and other agencies, college, not located within Burnt Hills- Ballston Lake boundaries, Music groups (i.e. Music Co.) Union College

\* **NOTE:** There will be a \$50 per hour charge for weekend custodial service when custodians are not normally on duty.

**SECURITY DEPOSIT AND FEE STRUCTURE**

The district will assess a \$100 security deposit for the year for those community groups who utilize buildings and grounds for their activities. This security deposit will be used in the event of any damage to the buildings and grounds. If no damage has occurred the deposit will be applied towards final payment for facility use.

**FEE SCHEDULE:**

- Group I      School Related Groups**  
Examples: School events, PTA, Booster Clubs, Community Education
  
- Group II      Community Based Groups**  
Examples: Student and adult recreational groups, local town events, community non for profit
  
- Group III      Non-residents/ not for profit area membership**  
Examples: Recreational groups, towns and other agencies, college, not located within Burnt Hills-Ballston Lake boundaries.

	<b><u>GROUP I</u></b>	<b><u>GROUP II</u></b>	<b><u>GROUP III</u></b>
<b>Security Deposit **</b>	N/A	\$200/group/yr.	\$200/group/yr.
Classroom	N/A	\$9/hr.	\$25/hr.
Red/Blue/Band/Library	N/A	\$10/hr.	\$25/hr.
Wrestling Room	N/A	\$11/hr.	N/A
Cafeteria**	N/A		
HS Upper		\$20/hr.	\$100/hr.
Elem/HS Lower		\$15/hr.	\$50/hr.
MS Cafetorium		\$20/hr.	\$100/hr.
Auditorium			
Middle School		\$20/hr.	\$100/hr.
High School		\$25/hr.	\$125/hr.
Gyms			
Small Gyms (Elementary, Middle School)		\$15/hr.	\$50/hr.
(Middle School back gym)		\$10/hr.	\$45/hr.
Large Gyms (High School)		\$25/hr./court	\$75/hr.
Regular Athletic Fields		\$12/hr.	\$25/hr.
Varsity Athletic Fields		\$15/hr.	\$50/hr.
Turf Football Stadium		\$20/hr. track	\$100/hr. no lights
		\$40/hr. field	\$120/hr. w/lights
Tennis Court		\$12/hr.	N/A
Pool (hourly rental rate plus hourly lifeguard charge)		\$25/hr.	\$75/hr.
Press Box Fee/Concession		\$75/event	

**\*\*\*“Special Event” Fee -      To be determined on a case by case basis**



School-related groups will only incur fees where incremental costs are incurred (i.e. custodial).

\*\* To be applied to large groups using cafeterias, gyms, multiple classrooms, multiple fields, etc.

The \$100/\$200.00 security deposit may be applied to billing for fees. The deposit will be \$100.00 even if multiple buildings are used.

\*\*\*Schenectady Swim Club \$375/week and Club provides lifeguards - Summer Recreation Program \$2,000 (gym/pool/cafeteria/classroom – does not include transportation)

YMCA - \$400 / month

\*\*\*\*Any group that used our facility over 150 hours during the school year will receive a 15% discounted rate off their facilities fees.

## TOURNAMENT RULES

All groups holding tournaments at BH-BL must follow the guidelines. Please take note of the following rules as they pertain to use of facilities:

1. Each sponsoring organization must fill out and submit to the Facilities Coordinator a Request for Use of Facilities License for approval to use BH-BL's facilities.
2. Each sponsoring organization must provide a certificate of insurance to the Administrative Office at least 2 weeks prior to the tournament. Please contact the Facilities Coordinator at the Administrative Office concerning the specific requirements for the insurance certificate.
3. All groups are responsible for making sure no food or drink enters the gymnasiums. Each group must reserve a cafeteria to serve as a concession area to help alleviate the problem of food and drink in the gyms. Group representatives should be posted at the doors to the gym to keep food and drink from entering the gym.
4. All groups must make sure that all children are supervised at all times. Everyone attending the tournament should remain in the designated tournament areas and not wander the halls of the schools. It is important to ensure that no spectators (especially children) go under the bleachers in the gym. This can be a danger to the individual and may result in damage to the equipment.
5. In case of a fire alarm, all participants and spectators must evacuate the building.
6. All groups should notify the Facilities Coordinator regarding the individual who will be responsible each day of the tournament for the sponsoring organization. Please provide a name and cell number for our use in case of questions or an emergency. The Facilities Coordinator will provide the group with the on-duty cleaner's names and any phone number if available.
7. BH-BL will provide trash cans for use by the group during the tournament. Please ensure that attendees use these cans for trash to minimize clean up time.
8. Each sponsoring organization should provide the Facilities Coordinator with any table and chair requests for the tournament prior to the beginning day of the tournament. Our custodial staff will do their best to meet these needs.
9. There should be no electrical cords taped to the floor. Depending on location, these cords may create a tripping hazard. Electrical/duct tape also takes the finish off the gym floors. BH-BL does not provide electrical cords for use by community groups, and any cords used must be arranged so as to not create a safety hazard.

10. Each group should have a representative available to periodically check the areas used by the tournament to ensure that no damage has occurred and youth are not unsupervised. Groups will be billed for any damage that should occur while a facility is in use for a tournament.
11. Each sponsoring organization should have an alternate plan should the shot clock and/or scoreboard in the gym(s) not work at the time of your tournament.
12. The Administrative Office will bill each sponsoring organization for the use of BH-BL's facilities at the conclusion of your tournament. Please contact the Facilities Coordinator at 518-399-9141 ext. 83309 to determine your specific fee for renting the facilities.

### CANCELLATIONS

Groups who need to cancel their activity must call the Facility Coordinator at 518-399-9141 ext. 83309 24 hours in advance for weekday activities, and by the Wednesday prior for weekend activities. If a group's activity needs to be canceled as a result of a school activity, the group will be notified via email or phone as soon as possible. If you need to cancel your activity as a result of dangerous weather, you should call the Facility Coordinator by 9 am on the day in question.

### CROWD CONTROL

Additional security or parking coordination may be required for certain events. The group will be charged for security above and beyond the usual coverage.

### SCHEDULING PRIORITY

Events and activities will be scheduled according to the following priorities:

1. Activities associated with regular pupil instruction.
2. Activities, clubs, interscholastic sports, and childcare related to regular instruction.
3. Activities associated with the district sponsored continuing education program.
4. Activities of school related groups such as PTA, booster clubs, etc.
5. Activities for district students sponsored by community organizations.
6. Activities of district employee organizations.
7. Activities for adult district residents.
8. Activities sponsored by non-resident groups.

Summer use of facilities is severely limited during the summer break in order to carry out heavy cleaning, building and field maintenance, reconstruction, and new construction projects. Facility use is significantly limited during school vacation periods as well.

### SPECIAL FACILITIES USE

1. Gymnasiums: Facilities of the district approved for public use will be cared for to the satisfaction of the Director of Physical Education & Athletics, the Supervisor of Building & Grounds and the building Principal. Users must wear appropriate gym shoes or sneakers. Locker and shower rooms may be used at added expense for custodial care. Towels will not be supplied.
2. Auditorium: Special sound, lighting, stage curtains, and other equipment will be operated by staff members or persons approved by the Principal as competent and responsible.

3. Kitchens: Sanitary conditions require a school lunch employee of the district to be present to supervise activities when the kitchen is in use. The cost will be in addition to any custodial care that may be required.

### SCHOOL CLOSING

Decisions to close school or cancel activities will be made by the Superintendent of Schools or his designee. A decision regarding after school and evening activities will be made between noon and 2:00 pm, immediately followed by announcements to school staff, radio, and TV.

When school is closed for the day or when school activities are canceled, all school buildings will be closed.

Cancellation announcements are broadcast over TV channels 6 (WRGB), 10 (WTEN), and 13 (WNYT), as well as radio stations WROW (590), WGY (810), WTRY (980), WWSC (1450), WFLY (92.0), WYJB (95.5), WCQL (95.9), WAJZ (96.3), WCKM (98.5), WZMR (104.9) and WGNA (107.7).

Such announcements will normally first be given between 6:00 and 6:45 am and will be repeated. Unless otherwise noted, all scheduled use of the schools is canceled on a day that schools are closed for emergency or weather-related reasons.

### PLEASE NOTE

*The Burnt Hills-Ballston Lake Central School District, the Board of Education of the Burnt Hills-Ballston Lake Central School District, its agents, and employees are not responsible for any injury or damage to persons or property arising out of any participation in any course, activity, or program offered or operated by community individuals or organizations.*

*Any and all risks involved in participation in programs offered by community individuals or organizations are assumed by the participant.*

Revised July 2014  
Revised November 2014  
Revised May 2015  
Revised June 2016  
Revised July 2017