

## COMMUNITY USE OF SCHOOL FACILITIES

DEFINITION: “School Facilities” are buildings and grounds, parking lots, playing fields and fixed or movable equipment.

It is the Board of Director’s desire that the local taxpayers should be able to obtain maximum use of the facilities, to the extent consistent with the primary educational function of the school. It is intended that community uses for educational, recreational, social, civic, philanthropic and like purposes be approved by the administration, in accordance with this policy, the regulations, and the fee schedule.

The Superintendent is responsible for developing administrative procedures which provide for the following: timely applications, uses which do not interfere with educational or extracurricular programs of the public school students, preference to local, not-for-profit organizations, and the acceptance of appropriate responsibility and liability.

The policies, procedures and any fees referred to herein apply to all RSU No. 5 facilities with the exception of the Freeport Performing Arts Center and the Joan Benoit Samuelson Track and Field. For policies, procedures and fees related to the FPAC, please see KF-R1: Guidelines for the Freeport Performing Arts Center, and KF-R2: Guidelines for School Use of the Freeport Performing Arts Center. For policies and procedures related to the Track and Field, please see “Guidelines for the Use of the Joan Benoit-Samuelson Track and Field.”

These factors are to further guide community use:

- I. Groups that may use School Facilities include the following:
  - a. RSU No. 5 school curricular-related groups;
  - b. RSU No. 5 Board of Director’s sanctioned co-curricular and extra-curricular groups;
  - c. RSU No. 5 Board of Director’s sanctioned Community Programs groups;
  - d. School-related organizations, such as booster groups or parent-teacher associations;
  - e. Municipal-sponsored groups and organizations from within Durham, Freeport or Pownal;
  - f. RSU No. 5 based non-profit organizations. Such groups are considered district-based if greater than 75% of members are RSU No. 5 residents.
    - i. Community youth groups
    - ii. Community adult groups
  - g. Non-RSU No. 5 based non-profit groups
    - i. Youth groups
    - ii. Adult groups
  - h. Commercial, profit-making groups
- II. Availability of Facilities and Scheduling:
  - a. Use of RSU No. 5 School Facilities beyond the end of the school day shall be at the sole discretion of RSU No. 5 Community Programs in conjunction with the Superintendent. Use may be denied when groups cannot meet the requirements

set forth in the policy or when it is not in the interests of RSU No. 5 to offer these spaces or facilities for public or private use.

- b. Application for use of School Facilities is to be made through RSU No. 5 Community Programs.
  - c. In order to attain the highest and best use of the facilities, consideration may be given to the following factors:
    - i. Intended use; length of use; number of participants served; length of time since reservation of space has been approved; building-based programs; RSU No. 5-based programs; curricular versus extra- or co-curricular use; history/longevity of user within the space; other factors as deemed necessary for consideration.
  - d. Application for building use will ideally be submitted a minimum of twenty working days in advance.
  - e. A master schedule of all events scheduled in all of the School Facilities will be maintained by RSU No. 5 Community Programs and made available to district administrators.
  - f. Community adults and children are free to use outdoor grounds and facilities outside the school day for recreational purposes whenever the spaces are not otherwise scheduled. However, formal approval of buildings and grounds use will only be granted to recognized organizations and groups.
  - g. Repeat use may be denied to any group that has not demonstrated appropriate conduct and care.
- III. Use of Facilities for School-Sponsored Activities
- a. The use of any facility by a school activity or directly related co-curricular activity is dependent upon faculty advisorship. Each activity shall have a faculty advisor present and in attendance during all building/facility uses. The advisor is responsible for preserving order and compliance with the provisions for facility use as outlined within this policy or related form KF-R. The advisor shall be responsible for controlling and restricting entry and exit to one entrance during rehearsals and other activities. The advisor shall provide for unlocking and locking of doors as necessary. The participants shall be required by the advisor to remain in the immediate area for which he/she has received prior permission to use.
  - b. Athletic events and extracurricular activities shall be planned, executed and controlled by the appropriate principal, athletic director, coaches or appropriate approved school personnel.
- IV. Use of Facilities for All Groups
- a. Insurance: Any non-RSU No. 5 group requesting to use a facility must provide proof of insurance naming Regional School Unit No. 5 as an additional insured in an amount deemed appropriate to the particular use. The superintendent or his/her designee has the sole right to determine the amount of insurance for each event;
  - b. No Alcohol: No alcoholic beverages may be brought onto school property at any time;
  - c. No Tobacco: Tobacco use shall not be allowed on school property;
  - d. Illegal Uses: School facilities may not be used for any illegal purposes;

- e. No Marijuana: No marijuana may be brought onto school property at any time;
- f. Billing: RSU No. 5 Community Programs will bill Applicants at the appropriate rate. Payment of charges will be forwarded promptly after receipt of billings, in any case no later than 30 days;
- g. Use of Special Equipment: A minimum of one-week advance notice shall be given for any special equipment required. Additional charges may apply;
- h. Use of Electrical Equipment: Approved school personnel shall supervise or control all electrical arrangements and use of equipment as deemed necessary;
- i. Use of Technology: A member of the technology staff shall be consulted to determine the availability of technology;
- j. Preserving Order: Applicant is responsible for preserving order and shall detail in advance supervisory plans for school authorities, which retain final authority. Police security will be provided and arranged for by Applicant at Applicant's expense when required by the school administration and/or by state/local regulations;
- k. Staff Member Present: A staff member must be present during the entire time the facilities are in use. The building administrator and RSU No. 5 Community Programs must approve any exception to this rule in advance. No keys will be provided; instead, building must be secured and opened by a staff member. If the facility is being used during a time when no such staff is present, the applicant will assume all expenses related to the costs of having staff present;
- l. Kitchen Facilities may not be used for non-school purposes unless approved by the Director of Nutrition. A member of the kitchen staff will be on duty for supervisory purposes and any expense involved must be paid by the user in addition to any other charges;
- m. Gambling: Gambling on school property is prohibited unless allowed as an approved, legal, fundraiser (i.e. casino nights, fifty-fifty raffles and bingo) for school or community booster groups. Such activities must be approved by the superintendent (or his/her designee);
- n. Weapons/Flames: The use of weapons, open flames or other incendiary special effects is prohibited at all facilities unless approved in advance by the superintendent (or his/her designee).
- o. Animals on Premises: Individuals seeking to bring animals into school facilities shall follow RSU No. 5 Board policy IMGA: Service Animals in Schools;
- p. Loss or Damage: Any non-RSU No. 5 group shall assume liability for the loss or damage of articles brought to the facility and any damage to the building, grounds or equipment that may occur during use;
- q. School Furnishings or Fixtures may be moved only with prior approval. It is the responsibility of the user to restore the facility to its original condition or to pay custodial staff for this service;
- r. Responsible Party: The individual whose signature appears on the facility use form application will be considered the person responsible for supervision of the facility requested. He/she will also be responsible for the safety and well-being of all people at the facility. In the case of non-RSU No. 5 users, he/she will also be the contact to resolve disputes related to costs incurred due to damages to the facility or equipment during the permitted time period;

- s. Cancellations: The superintendent, or his/her designee, has sole authority to determine whether the facilities should be closed for reasons of public safety. Notification will be made as soon as possible. Contracts in force for periods during which the school is closed for reasons of public safety are cancelled automatically without penalty to either party. However, every effort will be made to reschedule any cancelled event to a mutually acceptable date. If the user finds it necessary to cancel an event, RSU No. 5 Community Programs must be notified at least 24 hours prior to the event. If no notice is received, the person or group renting the space will pay the costs of any expenses incurred.
  - t. Hold Harmless: Any individual or group utilizing RSU No. 5 School Facilities for any purpose (including non-permitted walk-on use) agrees to save, indemnify and hold harmless RSU No. 5 and all its employees, RSU No. 5 Board of Directors and all of its members, and RSU No. 5 Community Programs and all of its employees or designees, from and against, any and all liabilities, actions, courses of action and damages arising out of any negligent or tortuous acts on the part of the facilities' applicant, applicants' employees or agents, and from any and all fines, suits, claims, demands and actions of any kind or nature of any and all persons by virtue of or arising from the use of said facilities, equipment, or activity participation. It is also important to note that participation in recreational and athletic activities can cause bodily injury, sickness, disease, or death or injury to or destruction of tangible property, including the loss or use thereof. Therefore, all of the aforementioned groups and individuals shall also be held harmless from and against all claims, damages, losses, and expenses, just or unjust, including but not limited to costs of defense, including attorney's fees arising out of or resulting from the performance of any facility use agreement.
- V. Rental and Other Fees
- a. Rental Fees. Users shall pay rent on a multi-increment scale that reflects highest amounts for groups engaging in a profit-making enterprise on school grounds, as shown on Procedure KF-R: School Facilities Rate Chart.
  - b. User Fees.
    - i. Custodial fees and other staff costs will be charged when necessary to the use of the facility for users as shown on Procedure KF-R and/or KF-R1.
    - ii. Equipment use fees will be charged as deemed appropriate. Requests for the use of equipment must be made to RSU No. 5 Community Programs at least 10 working days prior to the requested date. Not all equipment is available for public use.
    - iii. To the extent feasible, the hours during which school facilities are used shall coincide with the hours during which custodians are on regularly scheduled duty. To the extent after-hour use results in overtime pay for custodians or other staff, additional costs will be the permitted user's expense. Custodial services may include set-up, breakdown, locking/unlocking doors, and general maintenance.
    - iv. A regular RSU No. 5 food services worker shall be required when renting any school kitchen facility. Associated costs shall be charged at the existing contract rate, and overtime may be assessed as appropriate.

- c. Regional educational organizations that are led by RSU No. 5 staff members may be granted waivers from room use fees provided that no expenses are incurred by RSU No. 5 as a result of the use of the facilities and no fee is collected from participants to attend the meeting or event. Such waivers must be requested in writing to RSU No. 5 Community Programs prior to the event.

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