

While the district's school buildings and grounds are maintained primarily for the purpose of educating students, school activities, and programs 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 district programs or activities.

After District programs and activities, scheduling preference will be given to use of school facilities for the Village of Hempstead community, youth and adult group activities. For the purpose of this policy, the term Village of Hempstead Community, youth and adult group activities shall mean any group in which the majority of the membership of the group is residents within the geographical boundaries of the Hempstead Union Free School District.

The use of school facilities must be in accordance with federal law, New York State law, local law and Board of Education policies. Every group or organization must have an approved resolution by the Board of Education to use a District facility.

Permitted Uses

Subject to the conditions and restrictions set forth in this policy, District facilities may be used for the following purposes:

- 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, entertainment and occasions where admission fees are charged, when the proceeds are to be spent for an educational or charitable purpose. Clear evidence of what the proceeds are to be used for must accompany the request for usage and signed off by the party approving the item for placement on the meeting docket.
- 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 permitted by this policy is prohibited. In addition, the following uses are specifically prohibited:

- a. Meetings sponsored by political organizations, except as provided in Education law 414, where the use has been approved by the voters.
- 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 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 for District Facilities

- a. Use of district facilities may be permitted unless such facilities are in use for school purposes, or during educational programs. The district reserves exclusive and non reviewable judgment to determine if a requested use would interfere with or disturb the district's educational programs.
- b. To ensure that district facilities are preserved for the benefit of the greater district community Hempstead based groups and organizations which are located within the geographic area covered by the district shall be given scheduling priority.
- c. Use of district facilities will be permitted only where the applicant agrees to pay the district a use 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 use fees for groups that are associated with or sponsored by the district.
- d. Where, in the judgment of the district, the requested use of district facilities requires 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. Use of district facilities will only be permitted where the organization provides the district timely evidence of adequate insurance coverage (pursuant to the District's insurance requirements, Exhibit 1500-E.3) to save the district harmless from all liability, property damage, personal injuries and/or medical expenses. The district will exercise complete and non-reviewable discretion regarding what constitutes adequate insurance coverage for each proposed use.
- f. 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 or the United State 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 o 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 distributed, consumed, promoted or possessed;
7. For any use prohibited by law.
8. Failure of applicant to show proof of insurance coverage in a timely manner as set forth in subsection f (below).

g. Failure to comply with District policy by any group will result in loss of use privileges.

Use of School Facilities by School Personnel

Any use of school facilities for school-related activities will be scheduled through the Building Principal. Any other use outside the regular school week will be scheduled through the Superintendent.

As per Board policies, no students are allowed in the school building unless a teacher is on duty. Scheduling in advance will ensure that space requested is available and not given to outside groups.

Application Procedure for Use of District Facilities

- a. All groups wishing to use facilities shall apply to the Director of Facilities in writing, forty-five (45) days prior to the date of requested use, and shall complete the "Public Use of Facilities Application and Agreement form found in Exhibit 1500-E.1. The Superintendent shall make recommendations to the Board. All use of district facilities must have the approval of the Board. Any such approval granted shall not be transferable to any other person(s) or entity (ies).
- b. Applications must be in writing. All applications shall identify groups as Hempstead or non-Hempstead as above defined; specify areas requested; state purpose of program or activity; and identify individuals responsible for supervising those in attendance.
- c. If the applicant is requesting a fee waiver, a statement of residency of the group or organization intending to use the facilities must be submitted with the application. In addition, the group or organization must disclose its principal place of business. The group or organization must provide rosters including the names and addresses of members and/or proof of residency for group/organization members to the District."
- d. The applicant must clearly and completely describe the intended use of the district facility in the application.

e. 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.

f. All applicants must agree to assume responsibility for all damages resulting from its use of district facilities. Proof of adequate insurance must be provided by the applicant at the time of the request for usage. See exhibit 1500-E.3

g. Permits shall be valid only for the facility, use, dates and time specified in the permit. No adjustment to the permit is allowed except with the prior written approval of the Superintendent. Permits shall not be transferable

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.

Fees

Fees shall be established to cover costs to the school district for all activities in school buildings and on school grounds, except: (1) those conducted by school personnel under board authority; (2) regular meetings of the Parent-Teacher Association of the district; (3) meetings of the District's staff organizations when requested by a staff member and approved by the Board.

The fees listed on the exhibit 1500-Exhibit.2 will not be changed or reduced for any entity applying for use of facilities without obtaining an approval from the Board of Education. The Board of Education may deny a request to change or reduce a listed fee if the entity applying for use of District facilities has not submitted proof of residency. The Board, however, reserves the right to deny a fee waiver request even if the required proof of residency is submitted. Requests for fee waivers must be accompanied by proof of residency of the group or organization submitting the request. Groups and organizations eligible to use the District's facilities shall meet the following requirements to qualify for a fee waiver: (1) at least eighty percent (80%) of the members shall be residents of the Hempstead Union Free School District; and (2) its principal place of business must be located within the geographic area covered by the Hempstead Union Free School District. Rosters, including the names and addresses of all members, must be made available upon request of the District. If rosters are not available, other residency documents must be provided. The Superintendent of Schools shall determine the appropriate residency documentation, if rosters are not applicable. Failure to provide such rosters and/or residency documents upon request by the District may result in the revocation of any permit issued to use the District's facilities and/or fields. The PTA, PTSA, and SEPTA, which have Administrators, Faculty and Professional Staff as members, are exempt from the above-referenced requirements to qualify for a fee waiver.

During a Contingency budget, all parties, except those conducted by school personnel under board authority, regular meetings of the Parent-Teacher Associations of the District, and meeting of the district staff organizations when requested by a staff member and approved by the Board,

that request use of the facilities will be responsible for paying the user fees, as well as any custodial and other technician fees as applicable.

In the event the approved group or organization does not notify the Director of Facilities that they are canceling their event at least forty-eight (48) hours prior to the event and as a result, the district incurs custodial costs, the group will be responsible.

Cross-ref:

1511, Advertising in the Schools

Ref:

Education Law §414

Adoption date: July 6, 2000

Revision Adopted: October 2, 2003

Revision Adopted: August 3, 2006

Revised and Adopted: December 15, 2011

THE FOLLOWING DOCUMENTS MUST BE ATTACHED:

1. A copy of the organization's not-for-profit certificate of incorporation.
2. Internal Revenue Service tax exemption.
3. If the use of the facility is by an athletic team, a roster of the names and addresses of the individuals on the team who will use the facility.
4. Proof of insurance coverage.
5. If the applicant is requesting a fee waiver, a statement that at least eighty percent (80%) of all members are residents of the Hempstead Union Free School District.

Note that a roster of the names and addresses of the members as well as other proof of residency may be requested by the District."

Adopted: August 3, 2006

Revision Adopted: December 15, 2011

**PUBLIC USE OF FACILITIES
HOURLY RATES FOR FACILITY USAGE
AND DAILY COST FOR USE OF FACILITIES EXHIBIT**

CUSTODIAN CLEANER SECURITY PERSONNEL A.V. TECHNICIAN LIGHTING TECHNICIAN	\$60.00- Monday-Friday 52.00-Monday-Friday 42.00-Monday-Friday 60.00-Monday-Friday 45.00-Monday-Friday	\$68.00 Saturday and Sunday 60.00 Saturday and Sunday 50.00 Saturday and Sunday 68.00 Saturday and Sunday 58.00 Saturday and Sunday
AUDITORIUM POOL CAFETERIA GYMNASIUM ATHLETIC FIELDLITTLE THEATERCLASSROOM	<u>Daily rates</u> \$175.00 175.00 113.00 175.00 175.00 105.00 75.00	<u>Capacities: High School</u> Auditorium: 965 Little Theater : 132 Gym: 804 Pool: 450 Student Café: 320 Classroom: 25

All prices include heating and cooling of Facilities.

Parking is limited to available parking slots only.

Adopted: August 3, 2006

**PUBLIC USE OF FACILITIES
APPLICATION AND AGREEMENT EXHIBIT**
(Please complete this form by typewriter or print clearly in black ink)

Date of Submission: _____

Organization Name: _____

Is this organization a non-for-profit or not-for-profit corporation?

Yes _____ No _____

Address: _____

City/Town: _____

Contact Person: _____ Daytime Phone No. _____

Requested School Building (site): _____

Type of Event: _____

Will a charge be made for admission?

Yes _____ No _____ If so, how much? _____

If a fundraiser, what will the proceeds be used for? *Please state clearly the intended use for the funds raised:* _____

Are you aware of the school district's charges which will be made for use of facilities and for personnel services rendered? Yes _____ No _____

Has this organization received tax exempt under section 501©(3) of the Internal Revenue *Code*?
Yes _____ No _____

Approximate number of people expected to attend the event: _____

Are the persons who using the facility all residents of the school district? Yes ____ No ____

Does this organization wish to apply for a fee waiver? Yes _____ No _____
(Refer to section "c" under Application Procedures for Use of District Facilities)

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AUDITORIUM TECHNICAL and STAFF NEEDS REQUEST FORM

Angel A. Perez, Director of Fine Arts, Music & Library Media
Auditorium / Little Theater / Cafeteria / Media Center

Type of Program/Usage (Description): _____

Date (s) of Program: _____

Time in (start): _____

☐ AM ☐ PM

Time out (leave): _____

☐ AM ☐ PM

Date this request was submitted: _____

Check (one or more):

☐ Auditorium

☐ Little Theater

☐ Cafeteria (student)

☐ Cafeteria (faculty)

☐ Media Center

☐ Commons

☐ Gymnasium

EQUIPMENT (Head Custodian)

Circle if desired

Chorus Risers:

On Stage / On Front Carpet
Number of People: _____

Piano:

On Stage / On Front Carpet

Lectern:

On Stage / On Front Carpet

Table (s): # _____

Chair (s): # _____

On Stage / On Front Carpet

AUDIO NEEDS:

FULL THEATER SOUND SYSTEM

Microphone (s): # _____

Wireless Hand Microphone (s): # _____

Cassette Deck: _____

Amplifier: _____

Compact Disc Player: _____

Control Console: _____

MODIFIED HOUSE SOUND SYSTEM

Microphone (s): # _____

Microphone Stand (s): # _____

Compact Disc Player: _____

Sound Mixer: _____

Video Services: _____

Cassette Deck: _____

EVENT RECORDING

Recording on Video Tape: _____

Recording on Cassette Tape: _____

LIGHTING (Technicians)

FULL THEATER LIGHTING SYSTEM

Control Console: _____

Full Stage Lighting: _____

Background Lighting Effect: _____

Front Chorus Lighting: _____

Front Stage Lighting: _____

Spotlights (circle): 1 or 2

CURTAINS (Custodian)

Main Closed: _____

Main Open: _____

Mid-Stage Closed: _____

Cyclorama: _____

Backdrop: (Specify Below) _____

SECURITY & CUSTODIAL

Corridor Monitors: # _____

Head Custodian: _____

Cleaners: # _____

CONTACT PERSON: _____

TELEPHONE: () _____

ADDITIONAL INFORMATION: _____

**PUBLIC USE OF FACILITIES
INSURANCE REQUIREMENTS FOR USE OF FACILITIES EXHIBIT**

An organization using the facilities must comply with the Hempstead Union Free School District's Use of Facility Standards. It is required that the organization maintain at a minimum the following, giving evidence of same to the Hempstead UFSD in the form of a certificate of Insurance, copy of the General Liability Declarations Page and copy of the Additional Insured Endorsement and provide 30 days notice of cancellation, non-renewal or material change. New York State licensed carrier *are* preferred *and* any non-licensed carrier will be accepted at the Municipalities discretion. The insurance carrier must have an AM Best Rating of a least A-IX. Workers Compensation and NYS Disability is required for any organization that *has* employees that will be working on the premises.

I. COMMERCIAL GENERAL LIABILITY

Coverage	Occurrence B 1988 ISO or equivalent	
Limits	General Aggregate	\$2,000,000
	Products-Comp/Ops Aggregate	\$1,000,000
	Personal & Advertising Injury	\$1,000,000
	Each Occurrence	\$1,000,000
	Fire Damage (Any one Fire)	\$ 50,000
	Medical Exp. (Any one Person)	\$ 5,000
Additional Insured	Hempstead UFSD and all appointed and elected officials, employees and volunteers. Using ISO form CG2005 or equivalent.	
Unacceptable Exclusions	Athletic Participants and Sexual Abuse & Molestation.	

II. UMBRELLA LIABILITY B Recommended

Coverage	Umbrella or Excess Form providing excess of General Liability and Automobile liability.
Suggested Limit	\$2,000,000
Additional Insured	Hempstead UFSD and all appointed and elected officials, employees and volunteers.

III. WORKERS COMPENSATION AND NYS DISABILITY

Statutory coverage is required if the Organization has employees that will be working on the premises.

IV. HOLD HARMLESS

The undersigned, an officer of the organization requesting use of the _____ facilities, guarantees observance of all regulations governing the use of the facilities of the _____, payment of any charges incurred and states that the organization agrees to indemnify and save harmless the district, its agents, trustees, members, representatives, employees and volunteers against any and all claims, costs and expenses (including, but not limited to, attorneys fees) for damages or injury to persons or property that may be occasioned by, or arise from, the use of such facilities, or arising out of any act of or negligence of the organization, its agents, employees, officers, members, volunteers, attendees, participants or invitees.

Adopted: August 3, 2006

Revision Adopted: December 15, 2011