

Ithaca City School District Public Use of School Facilities Guidelines

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 educational activities. This policy is intended to identify the uses wherein educational partners, community groups and outside agencies may make of district facilities.

Conditions of Use for District Facilities

Unless such facilities are in use for school purposes or during educational programs, the use of district facilities may be permitted within the parameters outlined below. The district reserves exclusive and non-reviewable judgment to determine if a requested use would interfere with or disturb the district's educational programs.

Use of district facilities will be permitted only where the applicant agrees to pay the district a user 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 any additional fees associated with the use of added 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 superintendent or his/her designee has the right to waive user fees for groups that are in partnership with or sponsored by the district.

Where, in 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 the above conditions. Only authorized personnel shall operate district equipment.

Use of district facilities will only be permitted where the organization provides the district timely evidence of adequate insurance coverage (\$1,000,000 minimum) to hold the district harmless from all liability, property damage, personal injuries and/or medical expenses. The district will exercise complete and unreviewable discretion regarding what constitutes adequate insurance coverage for each proposed use.

The Board reserves the discretion to deny use of district facilities described above, or to terminate use of district facilities:

- By an applicant who has previously misused or abused district facilities or property or who has violated this policy;
- For any use which could have the effect of violating the Establishment Clause of the United States Constitution or other provisions of the United States or New York State Constitutions;
- For any use which, in the estimation of the Board, could reasonably be expected to or actually does give rise to a riot or public disturbance.

- For any use which the Board deems inconsistent with this policy;
- 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;
- In any instance where alcoholic beverages, tobacco, or unlawful drugs are sold, distributed, consumed, promoted or possessed;
- For any use prohibited by law.

Permitted Uses

District facilities may be used for the purposes listed below, subject to the conditions and restrictions set forth in this policy.

- Instruction in any branch of education, learning or the arts.
- Public library purposes, subject to provisions of the Education Law, or as stations of public libraries.
- Social, civic and recreational meetings and entertainments, or other uses pertaining to the welfare of the community so long as such uses are nonexclusive and open to the general public.
- Meetings, entertainment and occasions where admission fees are charged, when the proceeds are to be spent for an educational or charitable purpose.
- Polling places for holding primaries and elections, for the registration of voters and for holding political meetings.
- Civic forums and community centers.
- Recreation, physical training and athletics, including competitive athletic contests of children attending a private, nonprofit school.
- 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.
- Graduation exercises held by not-for-profit elementary and secondary schools, provided that no religious service is performed.
- For licensed school-based health, dental or mental health clinics.

Prohibited Uses

Any use not permitted by this policy is prohibited. In addition, the following uses are specifically prohibited.

- Meetings sponsored by political organizations.
- 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 or 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.

- Direct solicitation of charitable funds from children in the public schools or on school property during school hours.

Application Procedure for Use of District Facilities

1. All applicants must review and accept this policy prior to submitting an application for the use of district facilities. Submission of the request indicates that the applicant agrees to use District facilities in strict accordance with the use described in the request and to comply with all Board policies and regulations.
2. All applications for use of school facilities will be made by creating an account through the facility use system on the Ithaca City School District web page.
3. A valid certificate indicating adequate insurance must be submitted before requesting the use of District facilities. Once verified, all applicants will be notified and will be able to request facility usage via the facility use system. Insurance certificate will continue to be deemed valid unless voided or expired.
4. After insurance verification, applicants may submit a request through the facility use system at least 14 days prior to the date of the request. Applicants must clearly and completely describe the intended use of the District facility in the request.
5. All applicants will be notified of request approval or request denial.
6. Requests that are approved shall be valid only for the facility, use, dates, and time specified in the request. No adjustment to the request is allowed except with the explicit approval of the Superintendent or designee through the facility use system.
7. Facility use approvals are not transferable.
8. The Superintendent or designee is authorized to alter or cancel any facility use approval if it becomes necessary to use the facility for District purposes or for other justifiable reasons.
9. Issuance of a facility use approval shall not limit the right of access to the facility by District staff.
10. The district retains the right to give preference to groups and organizations which are in partnership with or sponsored by the District.
11. All applicants must agree to assume responsibility for any and all damages resulting from use of district facilities. In addition, applicants shall indemnify and defend the District with respect to all claims, liabilities, injuries, losses, expenses, and/or damages occurring as a result of applicant's actions with use of District facilities.