

TITLE: Community Use of School Facilities

CODE: H3

Policy

It is the policy of the Brattleboro Union High School District #6 to support the community use of school facilities in ways that complement regular school activities.

Implementation

1. School activities take precedence over all other uses of facilities.
2. Authorization to use school facilities does not imply endorsement or approval of any group or activity.
3. The Superintendent (Principal) shall be responsible for establishing criteria for the use of school facilities by community members and organizations. Whenever community members or organizations use school facilities pursuant to this policy they shall comply with the accompanying procedures.

Date Warned: November 20, 2008

Date Adopted: December 1, 2008

Legal Reference(s): *Boy Scouts of America v. Dale*, 530 U.S. 640, 120 S.Ct. 2446 (2000)
Boy Scouts of America v. Till, 2001 WL 315360 (S. D. Fla)
16 V.S.A. §563 (3), (5) (*Powers of school boards*)

Cross Reference:

BRATTLEBORO UNION HIGH SCHOOL
DISTRICT #6
Brattleboro, Vermont

**BRATTLEBORO UNION HIGH SCHOOL, MIDDLE SCHOOL & CAREER CENTER
FACILITIES USE POLICIES & PROCEDURES**

Statement of Purpose:

Brattleboro Union High School District #6 includes the Brattleboro Union High School (BUHS), Brattleboro Area Middle School (BAMS), and the Windham Regional Career Center (WRCC). The Administration wishes to make school facilities available to the community for educational, cultural, and civic events. School facilities will be made available for use in accordance with these procedures.

School campus buildings, facilities and resources may not be used by individuals or groups that, as determined in the sole discretion of school administration or the BUHS Board, advocate or engage in illegal activities; in any manner or for any purpose that is or threatens to be disruptive; or for sexually explicit, indecent, or lewd conduct or speech.

Procedure for Securing Use:

A. Any individual or group wishing to use Brattleboro Union High School #6 facilities must complete a Request for Facility Use Form, which can be obtained through each respective school's office. Any required deposits are to be forwarded to the Administrative Assistant at the specific school prior to final booking. Once an application for facilities use has been approved, user and related fee obligations have been met, and required documents submitted, the booking is considered secure.

B. The principal/director (or designee) will give scheduling priority to educational programs and programs directly benefiting the students. All others will be given scheduling priority as listed under Categories of Users, below. All Request for Facility Use Forms must be approved by the school administration before confirmation.

C. Request for Facility Use forms must be completed at least four weeks in advance of the scheduled event. Information about availability of specific facilities is available from school administrators. Requests for use of facilities submitted less than four weeks in advance will be considered on a case by case basis, and additional charges may be applied to such applications. Advance requests, including annual events, must be made in accord with these timelines. Consideration will be given in light of the school district's established annual use(s).

D. Use of equipment (i.e. projection equipment, sports equipment, tools and machines) will be booked through the event manager(s). Use of equipment is dependent on availability and user fees may be applied. A security deposit may be required to use school equipment, to be determined in the sole discretion of the administration. In most cases the event manager must supervise the use of equipment. Costs for the event manager's time will be added to the user agreement.

E. The principal/director is the approving authority in regards to spaces within their respective

school. Requests denied may be reconsidered by the Superintendent of Schools if warranted. The principal or director may decline to approve subsequent requests from people or organizations that have not complied with requirements or who have presented significant difficulty for any school personnel.

Categories of Use (Listed in order of priority):

1. BUHS #6 school related functions, organizations and associated programs, followed by public schools and their school related organizations within the Brattleboro Union High School #6 School District. Career Center facilities are available to member schools and associated programs throughout Windham County. No extra custodial, user, or technical fees will be charged to these users.
2. Community-based, civic, educational, and municipal not-for-profit organizations within the Brattleboro Union School district member towns. Career Center facilities are available to not-for-profit organizations throughout Windham County. Other government entities. Only minimal fees and charges will generally apply. Additional custodial, security or related charges may be charged in accordance with the intended use and these procedures.
3. Non-profit organizations outside the Brattleboro Union School District member towns. Reduced user and related fees will be charged.
4. For-profit and private organizations for approved activities and functions appropriate to a school setting.

Insurance:

School administration will determine, in its sole discretion, the amount of insurance coverage required for each event. Category 3 and 4 (see above) users must provide a certificate of insurance in the amount required by the administration for the period covered by the user agreement within one week before the event. If proof of insurance is not provided within this time, the event may be cancelled at the administration's discretion. The insurance shall name the Brattleboro Union High School District #6 as an additional insured. Generally, a certificate of insurance will be not required for a non-profit use except where some injury (i.e. athletics) could be likely. Generally a certificate of insurance will be required if a fee is charged for public entertainment provided by a producer not affiliated with a local school district or municipal government.

Bond:

School administration may require the user to post a performance bond to protect against the risk of damage to school property and facilities during or in connection with the event or activity. The amount of the performance bond will be determined by school administration in its sole discretion. The performance bond must be posted within one week before the event. If the performance bond is not posted within this time, the event may be cancelled at the administration's discretion.

Deposit:

A deposit is required for non-profit and for-profit organizations. The deposit will be one quarter (1/4) of the applicable user and related fees. The deposit is required once the principal/director

has approved the request.

Damages and Losses:

The user is financially responsible for any damage to the facilities. Brattleboro Union High School District #6 is not responsible for loss or damage of articles brought to the facility.

Fire and Safety:

School administrators may require that any electrical equipment that does not belong to the school be inspected and pre-approved for use in the facility by appropriate facilities personnel..

Supervision of Event and Facilities:

The user is responsible for the active supervision of those attending the event. Where required by the school administration or by state/local regulations, or board policy, event security must be provided at the user's expense.

Custodial Services:

Custodial services are required for all events in which the building will be utilized. Custodial services must be performed by personnel approved by BUHS #6 administration, and private, third party custodial service providers may not be substituted for this requirement. Approved BUHS #6 custodial personnel will unlock doors, provide necessary equipment, and clean and secure the facility following use. All equipment (school owned or other) to be moved must be done so under the supervision of the custodian or person designated by facilities manager(s). There will be no exceptions to this requirement.

Event Manager:

Any use of a facility resource which involves specialized equipment such as the kitchen for food preparation; lighting and sound in the auditorium or the BAMS Multipurpose Room; exercise equipment in the gymnasiums; computers in the classrooms and laboratories, etc. will require the employment of an Event Manager trained and approved by the school administration. The Event Manager will instruct users as needed and supervise the use of such equipment. Cost of the employment of the Event Manager will be in addition to any user fees.

Security:

School administration has the sole right to determine, in its discretion, the level of security required for each event, including local police or BUHS #6 security (or both) Security expenses, including local police or BUHS #6 security, will be paid by the facility user. If the administration requires police to be hired, the user will provide proof that this step has been taken.

Substance Use:

Alcohol possession or consumption and use of tobacco products are prohibited anywhere on school property and grounds.

Cancellation of an Event:

The Brattleboro Union High School District #6 Superintendent of Schools or his/her designee has sole authority in their discretion to decline or cancel a user agreement for reasons including but not limited to risk to public safety, building conditions, inadequate supervision, possibility of personal injury or property damage, and failure to comply with the user agreement. Notification that an event has been cancelled will be made as soon as possible. Cancellation of events will be made without penalty to either party. Efforts will be made where appropriate and reasonable to reschedule canceled events to a mutually acceptable date.

Long-Term Use:

Long-term use of any facility will be considered to be one or more successive weeks. Long-term use of facilities will be considered after it is first ascertained that there will be no detriment to existing programs from this use. If space is available without detriment, space may be used by groups whose activities are most consistent with the other activities taking place in the building. Therefore, service agencies, educational groups, and youth oriented activities would have preferences.

User Fees:

User fees will be established that cover operating costs for the spaces available for community use, including lights, heat, climate control, maintenance, and insurance. User fees for profit-making group also will reflect the limited availability of rental space in the community. Fees for use of spaces within the schools, including use of classrooms by individuals or private schools, will be as set forth in the attached rate sheet, as it may be revised from time to time by School administration with approval by the Board. Individual contracts for long term use may be prepared by the Superintendent of Schools and presented to the Board for their action. School administrators may, in their sole discretion, allow continued use by local non-profit groups at reduced cost (sufficient to cover the school's expenses) when the group is continuing a past use of school facilities, if the continuing use 1) does not require additional custodial services; 2) naturally includes students who are members of one of the District 6 towns; 3) involves an activity approved by the administrator; and, 4) requires no or only minimal additional expense or cost to the School.

REQUEST FOR FACILITIES USE FORM

Brattleboro Union High School, Brattleboro Area Middle School and the Windham Regional Career Center

PLEASE PRINT

Organization _____ Contact Name _____ Phone Number _____ E-mail _____ Day(s) Needed (circle) M T W T H F S S	Type of Activity _____ Date(s) facility to be used _____ Times _____ Specific Time of Event: _____
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_____ School Related	_____ Local Non-Profit	_____ Outside Non-Profit	_____ Private/For-Profit
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Requested Facilities: High School Middle School Windham Regional Career Center

_____ BUHS Gym	_____ *Auditorium	_____ Cafeteria	_____ Classroom(s)
_____ BAMS Gym	_____ *Practice Area	_____ *WRCC Kitchen	_____ *Computer Lab
_____ *Fitness Room	_____ *Library	_____ *Restaurant	_____ *TV Studio
_____ *Weight Room	_____ * Multi-Purpose	_____ Common Area	_____ Other
_____ Athletic Field:	_____ WRCC Learning Center	_____ T&I Center Shop	Specify Other:
Specify Field: _____	_____ Conference room:	Specify Shop: _____	_____

*** School trained Personnel must be present. See rate sheet.**

Name of person in charge of event: _____

Mailing Address: _____

Home Phone : _____ Work home: _____ Fax: _____

Name of Contact person: _____

Home Phone: _____ Work Phone: _____ Fax: _____

How many people do you anticipate attending? _____

Liability Insurance Company: _____

Insurance Policy/Certificate Number: _____

I understand and agree to comply with BUHS Board Procedure H3-R (copy attached), including all requirements set for this event by School Administration, and will take responsibility for damages or disarray that may occur and agree to

pay all fees within thirty (30) days of receipt of bill.

Signature(s): _____ Date: _____

This contract must be submitted with a copy of the certificate of insurance, performance bond, and a deposit of at least 25% of the user fee. The balance of user fees and any additional fees must be paid at least one week before the scheduled event unless special arrangements have been made.

FEES REQUIRED

Facilities (rooms) to be used:

_____ \$ _____
_____ \$ _____
_____ \$ _____

Custodial Charges: _____ \$ _____
_____ \$ _____

Security Charges: _____ \$ _____

Food Service Personnel: _____ \$ _____

Event Manager: _____ \$ _____

Security Deposit: _____ \$ _____

TOTAL AMOUNT DUE: \$ _____

Signature of BUHS District #6 Administrator or Designee _____ Date _____

- Proof of insurance provided, if required
- Performance bond, if required
- Agreement With the Terms of this Contract

Signature of User _____ Date _____

COMMENTS:

Circle Category →	BUHS District & Member Schools	Local No-Profit	Outside Non-Profit	Private/For Profit
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Facility Location:				
BUHS Gym	No charge	\$75.00	\$200.00	\$800.00 or 10%*
BAMS Gym	No charge	\$75.00	\$200.00	\$800.00
Weight Room	No charge	No charge	\$50.00	\$200.00
Fitness Room	No charge	No charge	\$50.00	\$200.00
Field(s) _____	No charge	\$50.00	\$100.00	\$100.00
Auditorium** Climate controlled	No charge	\$100.00	\$200.00	\$800.00 or 10%*
Auditorium Rehearsal Use – <i>Climate controlled</i>	No charge	\$50.00	\$100.00	\$200.00
Practice Room	No charge	\$15.00	\$50.00	\$50.00
Library	No charge	\$50.00	\$100.00	\$200.00
BUHS Multi-Purpose Room <i>Climate controlled</i>	No charge	\$75.00	\$100.00	\$300.00
BAMS Multi-Purpose Room	No charge	\$50.00	\$100.00	\$300.00
BUHS Cafeteria	No charge	\$25.00	\$50.00	\$250.00
BAMS Cafeteria	No Charge	\$25.00	\$50.00	\$200.00
TV Studio	No charge (Event Manager Required)	No Charge (Event Manager Required)	\$100.00 (Event Manager Required)	\$500.00 (Event Manager Required)
Conference Rooms	No Charge	No Charge	\$25.00	\$50.00
WRCC Restaurant & Kitchen	No charge	No charge	\$50.00	\$300.00
WRCC Learning Center	No charge	No charge	\$50.00	\$100.00
Classroom(s)	No charge	No charge	\$15.00	\$25.00
Computer Lab(s)	No charge	No charge	\$50.00 per hr.	\$50.00 per hr.
T&I Center Common	No charge	No charge	\$50.00	\$150.00

T&I Center Shop	No charge	\$25.00 per hr.	\$50.00 per hr.	\$100.00 per hr.
Event Manager	\$25.00 per hr.	\$25.00 per hr.	\$25.00 per hr.	\$25.00 per hr.
Custodian(s)	\$25.00 per hr.	\$25.00 per hr. 2 HOUR MINIMUM	\$25.00 per hr. 2 HOUR MINIMUM	\$35.00 per hr. AFTER CONTRACT HOURS 4 HOUR MINIMUM
Security	\$25.00 per hr.	\$25.00 per hr.	\$50.00 per hr.	\$50.00 per hr.
Food Service	\$25.00 per hr.	\$25.00 per hr.	\$25.00 per hr.	\$35.00/hour
<p>Outside Field Lights - \$250.00 per event and only after 6:00 p.m. - if lights are turned on prior to 6:00 p.m. there will be a \$1,100.00 charge to user.</p> <p>*Whichever is greater.</p> <p>**Additional equipment fees may apply. Check Auditorium requirement sheet attached.</p>				

EXAMPLES:

Local Non-Profit

Rotary
Town of Brattleboro
Christian Fellowship
American Legion
Junior Pro
Relay for Life
Brattleboro Recreation Department
United Way
Governmental Agency

Outside Non Profit

Boys Scouts from Connecticut

Private for Profit

Vermont All Star Football camp
Brattleboro Country Club
Union Institute and University
Circus
Rudy Deweese (comedian)