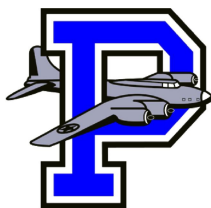


Palmerton Area School District
Use of Facilities
Terms and Agreement

1. Certain events will necessitate the user to provide liability insurance coverage which names Palmerton Area School District as additionally insured.
2. No smoking, alcohol or illegal substances are permitted on school property.
3. Due to the Depart. of Health & Dept. of Agriculture sanitation requirements, all kitchen access is strictly prohibited.
4. The organization shall assume all responsibility and liability for damage to school property, and shall assume full responsibility for all participants and spectators, and their orderly manner, under terms set forth by the school district. Users may be required to employ security personnel.
5. All building usage requires custodial coverage. Service, rental, & utility fees to be paid by the organization under the terms of the approved facilities usage policy. Custodial personnel shall not be responsible for participants/spectators.
6. All stage activity requires that an advisor and stage crew is present, with costs to be paid by the organization.
7. Building doors shall be unlocked for entrance at the listed time, provided a responsible individual is present to assume responsibility and control.
8. I/We certify that I/We have read and understand the regulations of the School District of the Palmerton Area concerning the use of school buildings and further that I/We forever release the Palmerton Area School District, the Palmerton Area School Authority, their Directors, Agents, Employees and Servants from all claims, actions, and charges whatsoever arising out of the event(s) conducted on the requested dates(s) for which this application is submitted. That upon prompt notice it will defend all actions, suits, complaints, or legal proceedings of any kind brought against the Board of Education and any of its Agents, Servants, or Employees and further it would hold harmless and indemnify the said School Directors, School District, and School Authority from any expense and judgments or decrees recovered against them as a result of said use of facilities.
9. In the event that the District closes due to weather or other emergency, all scheduled events are cancelled. Check District website or TV13 for details.
10. School District events take precedence.



Book	Policy Manual
Section	700 Property
Title	Use Of School Buildings, Facilities, And Equipment
Code	707
Status	Active
Adopted	January 24, 2006
Last Revised	February 21, 2012

Purpose

The Board recognizes that although the primary purpose of the school buildings, facilities, equipment and property (school facilities) is to provide students with an appropriate learning environment, the Board shall make school facilities available, without discrimination, to responsible persons and organizations of the community for educational, civic, cultural, or recreational activities that do not interfere with the educational program of the school.[\[1\]](#)

The Board shall grant permission as provided herein for the use of school facilities.

Authority

The Board directs that permission to use school facilities shall be granted to organizations for their safe use with the respect to the following types of activities:

1. Instruction in any branch of education, learning and the arts, consistent with the school district's curriculum and mission.
2. Social, civic and recreational meetings and entertainment, and other uses pertaining to the welfare of the community; but such use shall be non-exclusive and open to the public.
3. Polling places for holding primaries, elections and special elections as permitted or required by state law.
4. Recreation, physical training and athletics, including competitive athletic contests for children and adults.
5. Emergency/Rescue facilities in the event of a local or regional emergency, in accordance with state and federal guidelines.

Prohibited Activities

The following activities are strictly prohibited in school facilities when individuals and community groups are granted written permission to use school facilities:[\[2\]](#)

1. Possession, use or distribution of controlled substances, illegal drugs and/or alcoholic beverages.

2. Possession of weapons.
3. Conduct that would alter, damage, or be injurious to any school district property, equipment or furnishings.
4. Disrespect to school representatives.
5. Disorder or misconduct inside or outside the building prior to, during, or after the time for which use was granted.
6. Failure to leave the premises in reasonably good condition. The school authorities are sole judges for what constitutes good condition.
7. Permitting food and/or drink in the auditorium or gymnasium, except with the Superintendent's permission.
8. Parking vehicles on grass areas or any areas not designated as a parking area.
9. Conduct that would constitute a violation of the Pennsylvania Crimes Code, and/or state and federal laws and regulations.
10. Gambling, games of chance, lotteries, raffles or other activities requiring a license under the Local Option Small Games of Chance Act, unless such activity has been expressly authorized by the Board or administration. Money raised in this manner shall be to benefit school district students. [3][4]
11. Use of tobacco products in any form is prohibited in school district buildings, on buses, vans or other vehicles owned by, leased by or under the control of the school district, and on property owned by, leased by or under the control of the school district. Violations of this policy shall be punishable by the imposition of a fine of not more than fifty dollars (\$50) or, at the discretion of the discretion of the administration, a student may be admitted to an adjudication alternative program under 42 Pa. C.S.A. Sec. 1520 (public service programs and other adjudication alternatives). [5][6][7][8]
12. Use of, staging of and/or conducting partisan political rallies, meetings, etc., or handing out of any political literature.
13. Use for the staging of and/or concerning demonstrations which are, or may be, in the opinion of the Board contrary to the general public welfare.
14. Any purpose which could result in picketing, rioting, disturbance of the peace, damage to school property, or in any manner which would cast a reflection upon the race, color, or creed of any citizen of this state or of the United States.
15. Any meeting, the purpose of which is to overthrow the government of the United States or this state.

Representatives of organizations requesting the use of school buildings and facilities shall be required to satisfy the Superintendent or designee that they are responsible persons and officially represent responsible organizations. They must guarantee orderly behavior and, through the signing of an agreement form, indicate their willingness to abide by the Board's rules and regulations. The primary responsibility for the proper use of the buildings and facilities rests upon the individual who signs the agreement form.

Definitions

School Organizations - are groups whose activities are directly or indirectly sponsored by the School Board and under the direct supervision of the administration. Examples include, but are not limited to,

non-curricular and co-curricular events, school clubs, evening instructional activities, meetings with parents/guardians and others, curriculum-related groups, student concerts and theater arts productions, et al. (Category A)

School-related Organizations - are groups developed as an outgrowth of an educational programs sponsored by the school district. Examples include, but are not limited to, community advisory councils, Parent Teacher Organizations, Parent Advisory Groups, school athletic team parent support groups, etc. (Category B)

Recreation Organizations - are local organizations which have been headquartered or recognized by the school district as groups approved to use the school facilities. Examples include, but are not limited to community sponsored youth sports teams. Participants in these organizations must be comprised of, at a minimum, eighty-five percent (85%) Palmerton Area School District residents. (Category C1)

Local Civic and Service Organizations - are organizations headquartered and whose primary function is to provide service to the community at large. Such organizations shall have the majority of membership composed of residents of the school district or have its headquarters located within the school district. Examples include, but are not limited to, Girl and Boy Scout troops, alumni association, nonprofit youth associations and municipal sponsored organizations headquartered within the municipality located within the school district. (Category C1)

Events held by Recreation Organizations and Local Civic and Service Organizations for which admission is charged will be considered as Category C2.

Commercial Organizations - are businesses or other entities which are for-profit. (Category D)

Other Organizations - organizations not defined within any other category and are within or outside the boundaries of the Palmerton Area School District. (Category E)

User - any organizations defined herein or any other person or legal entity granted permission by the Superintendent or designee to use school facilities.

Administration - Superintendent or designee or as specifically provided for herein.[\[1\]](#)

Delegation of Responsibility

The Superintendent or designee shall develop procedures for granting permission to use school facilities and shall promulgate rules and regulations for such use.

FACILITIES AND CHARGES

The Board shall establish a schedule of rental fees for the use of the district facilities. These fees shall be listed in the district's administrative regulations. Rental fees shall be periodically reviewed and revised as necessary. At a minimum, they shall be reviewed every two (2) years.

A charge will be made for custodial services, including preparation and clean-up, at an hourly rate established by the school district and a fee for materials used. This charge will be the average wage of the custodial staff (including benefits) as established annually by the collective bargaining agreement between the district and the support staff. The number of custodians required shall be solely determined by the school district. Likewise, a charge for a site manager may be applicable based on the scope of the event and the facilities needed. Also, a fee may be charged for the extraordinary use of one facet of the facility.

Costs for repair or replacement of lost or damaged property shall be charged to the responsible lessee.

All groups are encouraged to hold their events at times when custodians are regularly present.

Employee Use

Employee requests to use school facilities must be made through the Office of District Facilities. School facilities will be available only to the employee who has made the arrangements. That employee must be present to take possession of the facilities and must remain present during use. Permission granted to employees to use school facilities shall be limited to a period of time not to exceed one (1) month. If the employee desires to use school facilities for a period in excess of one (1) month, the employee shall be required to reapply.

Requests by employees to use a school facility prior to the beginning of the school day must be made through their supervisor.

VIOLATIONS

In the event any user fails to comply with this policy and the rules and regulations promulgated hereunder, the school district reserves the right to (1) remove that person and/or organization from the school facilities, (2) to deny future requests for the use of school facilities, and (3) impose other sanctions.[\[2\]](#)

Legal

1. 24 P.S. 775
2. 24 P.S. 511
3. 10 P.S. 311 et seq
4. 61 PA Code 901.701
5. 35 P.S. 1223.5
6. 42 Pa. C.S.A. 1520
7. 20 U.S.C. 7182
8. 20 U.S.C. 7183
- 24 P.S. 779
- 22 PA Code 403.1
- 61 PA Code 901.1
- 20 U.S.C. 7905