

Book	Policy Manual
Section	700 Property
Title	Use of School Facilities
Code	707
Status	Active
Legal	<ul style="list-style-type: none"> <li>1. <a href="#">24 P.S. 775</a></li> <li>2. <a href="#">24 P.S. 510.2</a></li> <li>3. <a href="#">24 P.S. 511</a></li> <li>4. <a href="#">18 Pa. C.S.A. 6306.1</a></li> <li>5. <a href="#">20 U.S.C. 7972</a></li> <li>6. <a href="#">20 U.S.C. 7973</a></li> <li>7. <a href="#">Pol. 904</a></li> <li>8. <a href="#">10 P.S. 328.101 et seq</a></li> <li>9. <a href="#">61 PA Code 901.701</a></li> <li><a href="#">24 P.S. 779</a></li> <li><a href="#">20 U.S.C. 7905</a></li> <li><a href="#">20 U.S.C. 7971 et seq</a></li> <li><a href="#">61 PA Code 901.1</a></li> </ul>
Adopted	December 7, 2020

## **Purpose**

The Board recognizes that although the primary purpose of the school buildings, facilities and property is to provide students with an appropriate learning environment, the Board may make school facilities available to individuals and community groups without discrimination and in accordance with this policy, provided the use does not interfere with the educational program of the schools. This policy establishes conditions, restrictions and procedures for the use of school facilities for nonschool-sponsored purposes.

## **Authority**

The Board directs that use of school facilities may be granted to individuals and community groups for the following types of activities:

### Category 1

School groups or school organizations with membership from the USCSD student body under the

direction of a member of the USCS D staff, who receives compensation or serves as a volunteer of a Board approved group or activity and Upper St. Clair High School club sports recognized by the District.

#### Category 2

PTA, PTO, PTSO, PTC, or booster groups.

#### Category 3

Non-profit community organizations or groups with purposes and objectives related to education and recreation with membership from USCS D student body or Township residents of school age (USCAA or other Upper St. Clair athletic governing bodies).

#### Category 4

Upper St. Clair Township nonprofit community organizations or groups, that are public school-related, youth or public service oriented (e.g., Community Foundation, Community Band South, Boy Scouts, Girl Scouts, service clubs, civic groups, Fire Company, Town Hall South, USCS D Alumni groups, and League of Women Voters). These community organizations must have an 85% Upper St. Clair township resident membership.

#### Category 5

Other nonprofit community organizations with a minimum 50% USC resident membership that do not qualify for Category 4 (e.g., church or church-affiliated, social groups, fraternal organizations, political organizations, resident private groups, and other USC Township non-structured social or recreational groups).

#### Category 6

For-profit groups, non-resident private groups, non-community groups and/or non-profit organizations whose membership and/or audiences consist of less than fifty percent (50%) of persons residing in the Township of Upper St. Clair.

Nothing in this policy shall prohibit the Board from entering into partnership agreements or memoranda of understanding with organizations that include the use of facilities on terms and conditions set forth in the applicable agreement or MOU, which shall be approved by the Board.

### **Delegation of Responsibility**

The Superintendent shall ensure that this policy is posted on the district's publicly accessible website. [\[2\]](#)

The Superintendent shall establish a schedule of fees for the use of school facilities by approved groups. [\[1\]](#) The Superintendent will review the schedule with the Board on an annual basis and determine if adjustments are necessary. The schedule of fees shall be set forth in an administrative regulation to this Policy.

The Superintendent or designee shall implement administrative regulations or procedures for requesting and granting permission for use of school facilities and shall distribute the necessary

information to individuals affected by them.

An application for use of school facilities may be disapproved because of noncompliance with established policy and procedures by the Superintendent and/or Designee(s) or for other lawful reasons.

## **Guidelines**

### **Application Process**

An individual or community group requesting permission to use school buildings, facilities or school property must submit a written or online request using the designated application to request access to the District's online facility program. Once the form is completed, the organization and individuals will be entered into the online system to request access to the facility program. The online application will not accept requests without all required areas completed.

Following approval of the application, the individual or group must submit the following:

1. Payment of the specified rental fee, prior to use, if applicable.
2. Evidence of organizational liability insurance to limits required by District guidelines. Proof of insurance is required on application form for online access.
3. Certificate of Insurance with the minimum limits for property damage and personal liability shall be a minimum \$1,000,000 for all outside groups with the exception of those exempt by the District.
4. All permits must be submitted 45 days prior to the date of requested use.
5. All permits must be completed by the party using the designated space.

The Superintendent or designee has the authority to approve or deny a request for use of any facility, as well as, categorize all requests for use of facilities.

### **Application Evaluation**

No application to use school facilities shall be approved if the proposed activity would result in any of the following:

1. Conflict with any school-sponsored activity. The District reserves the right to reject or modify applications at any time.
2. Access to school facilities closed due to renovations, maintenance, cleaning, the school calendar, or Board action.
3. Access to school facilities containing equipment or furnishings which would be detrimental to the operation of a District program if damaged or operated by an unqualified operator.

4. Access to school facilities that would prevent or encumber District personnel from preparing school facilities for their primary purpose, because of the nature or duration of the activity. The District reserves the right to reject or modify applications at any time.
5. Access to portions of school facilities used for academic purposes that is not supervised by a school employee (i.e., Category 1 or Category 2 groups may be permitted to reserve these areas for school related events).
6. Conflicts with the mission or has the potential to damage the reputation of the school district.
7. Competing activities/events that create an unmanageable hardship on District resources and facilities.
8. If the permit surpasses 11:00 p.m.

### **Limitations**

When individuals and community groups receive approval to use school facilities under this policy, such use shall be conditioned upon strict compliance with the following:

1. Individuals shall not use, access or enter upon any portions of the school facilities or their contents not specified in the approved request form.
2. Individuals shall refrain from any conduct or activities not specifically identified in the approved request form.
3. All activities must terminate and all individuals and community group members must exit the school premises by the time specified on the approved application.
4. When advertising or promoting activities held at school facilities, individuals and community groups shall clearly communicate that the activities are not being sponsored by the School District and comply with all applicable zoning/sign restrictions.
5. School equipment used in conjunction with requested facilities shall be identified when the application is submitted. Users of school equipment must accept liability for any damage to or loss of equipment that occurs while in their use. Where rules so specify, no equipment may be used except by a qualified operator, provided by the District at a specified hourly rate.
6. Use of selected facilities (e.g., pool, stadium, gymnasiums) are subject to facility specific School District procedures, rules, and regulations.
7. The individual or organization requesting use of the school facility shall indemnify and hold the School District harmless for any injury or loss incurred by any guest of the individual/organization using the facility.
8. All users shall be responsible for any extra custodial, security, maintenance, and/or food service equipment operator fees as deemed necessary by District Administration.

9. All activities will have appropriate adult supervision.
10. Security requirements will be at the discretion of the District. In the event security personnel are not available from the District, only the Upper St. Clair police department may be used to cover events.
11. Gambling, games of chance, lotteries, raffles or other activities requiring a license under the Local Option Small Games of Chance Act is the responsibility of the group or organization. [\[3\]](#)  
[\[4\]](#)

### **Prohibited Activities**

The following activities are strictly prohibited in school facilities when individuals and community groups are granted written permission to use said school facilities: [\[3\]](#)

1. Possession, use or distribution of controlled substances prohibited by state or federal law.
2. Possession of weapons.
3. Conduct that would alter, damage or be injurious to any District property, equipment or furnishings.
4. Conduct that would constitute a violation of the Pennsylvania Crimes Code, and/or local, state or federal laws and regulations.
5. Use of tobacco and vaping products, including the product marketed as Juul and other e-cigarettes, as defined in the law. [\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

*Products approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such approved purposes, are permitted, as long as the product is not inhaled.*

6. Medical marijuana products as prohibited by federal law.

### **Use of Facilities by Staff**

District facilities and equipment shall be available for staff use only if one or more of the following apply:

1. A valid use of facilities permit has been issued pursuant to this Policy and corresponding administrative regulations.
2. The Staff member has received prior written permission from the Superintendent, Director of Facilities, or Building Principal or one of their designees.
3. Use of the facilities/equipment is part of a District/School curricular or extra-curricular activity or District/School sponsored event.
4. Use of the facility or equipment is set specifically permitted by an applicable collective

bargaining agreement or employment agreement.

### **Violations**

The District reserves the right to remove from District premises and deny future requests from any individual, organization or community group who fails to comply with the terms and conditions of this policy and established procedures.[\[5\]](#)

In the event an individual or community group violates this policy or the terms under which permission was granted to use school facilities, that individual or community group forfeits the right to submit future written requests to use District property, unless otherwise decided by the Board.

A District staff member who violates this policy will be subject to employee discipline, up to and including termination.

Replaces Policy 7003 - Use of School Facilities adopted November 25, 2019

[707-AR-1 - Use of School Facilities - Daily Fee Schedule by Category.pdf \(75 KB\)](#)

[707-AR-2 - Use of School Facilities - Rates.pdf \(64 KB\)](#)