

<b>Title:</b>	Facilities Use Regulations	<b>Approval Date:</b>	11/10/14
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The following Regulations are based upon Board of Education (“Board”) Approved Policy “Public Use of District Facilities 1330” (the “Usage Policy”).

**1) USER GROUP APPLICATION AND APPROVAL**

- a) Prior to any use of District facilities, new facility use applicants must be approved by the Board, Superintendent and/or designee following the completion of the District’s User Group Approval Form (“Approval Form”).
  - i) The Approval Form must be submitted to the Department of Facilities & Operations at least two weeks prior to the next regularly scheduled Board meeting.
  - ii) If approved by the Board, the applicant will complete the online Approval Form for group information, billing and insurance information.
  - iii) Once approved, the applicant will be allowed to make reservations online.
  - iv) Community Organizations under Category C are for groups comprised of at least 80% City of White Plains residents. Rosters would need to be provided to the Department of Facilities & Operations annually containing the names and zip codes of the current participants. Rosters need to be submitted at least thirty (30) days before the first approved event date.
  - v) Not-for-Profits organizations must submit their IRS Certificate 501(c)(3) and provide page 1 and 2 of their 990 form to the Business Office on an annual basis.

**2) FIELD AND FACILITY RESERVATIONS**

Requests by approved outside organizations for the use of any portion of a District facility shall be submitted to the Department of Facilities & Operations at least three weeks prior to the date of the event, wherever possible, with the understanding that the approval process may take one or more weeks.

- a) All requests shall be submitted electronically. The website is [www.myschoolbuilding.com](http://www.myschoolbuilding.com) (See Attached instruction Sheet)
- b) After approval by a school representative of the District facility in question, the Athletic Department and the Department of Facilities & Operations, an email will be sent to the applicant indicating the District’s approval or denial. If approved, an email will also be sent with an estimate of any fees that may be applicable to the use set forth in the application. The Athletic Department and the Department of Facilities & Operations may agree on a set of dates and times during which specified athletic facilities shall be blocked out for District activities. No user permits for such blocked facilities/periods shall be granted without the express permission of the Athletic Director or his/her designee. Permit issuance is conditioned on user agreeing in a signed writing to payment of any required fees, which may equal, exceed or be less than the estimate.
- c) No permits will be granted for the use of District facilities without proper, up-to-date Insurance Certificates.
- d) Fees will be assessed and invoiced to the permit holder for review and payment if required. (See Fee Schedule)
- e) New users, those users who are frequently delinquent in paying their bills and those users for which the

estimated fees exceed \$4,000.00 will be required to pay 50% of the permit fee upon permit approval and receipt of the estimated invoice. The remaining balance must be paid within 30 days of the permit holder's receipt of the final invoice at the end of the event.

- f) Permits are not transferable, nor can they be reassigned to a third party without written consent from the Department of Facilities & Operations.
- g) Indoor/Outdoor athletic facilities will be made available during school days only upon completion of District activities, as determined by the District. No permit holder will interfere with any school sport or activity that continues beyond the scheduled District use.
- h) Field lighting for practices and games will adhere to the following limits:
  - i) **(Sept-June)** Monday-Thursday: dusk- 10:30 PM;
  - ii) **(Sept-June)** Friday-Saturday: dusk- 11:00 PM ;
  - iii) **(July-August)** Monday: Saturday: dusk- 10:30 PM;
  - iv) **(Sunday)**– Dusk: 10:00 PM; and
  - v) **Exception:** Official District Games that extend beyond the limits because of delay or extra time added to break a tie may continue until 15 minutes after the completion of the game to allow for the safe exit of the field.
- i) Any use of portable generator/light sets will need to be requested on the permit application and will require approval by the Department of Facilities & Operations. Such use will be limited to certain fields and times.
- j) **Athletic Facilities/Field Use Group Permits:** Applications for the use of athletic facilities, courts, gyms & fields will be accepted on a seasonal basis and prioritized as set forth in Appendix A.

The District will determine priority in accordance with the Facilities Use Regulations, the District's "Public Use of District Facilities 1330" Policy and the availability of facilities.

### **3) CANCELLATION OF PERMITS**

- a) Cancellation of permits or events approved on a permit must be made at least five (5) days prior to that date of the event wherever possible. The District acknowledges that five (5) days notification may not be possible when weather-related issues are the cause for cancellations.
- b) Fees for usage will be refunded or credited to the permit holder within 30 days.
- c) Failure to notify the Department of Facilities & Operations of a cancellation prior to the event will result in the permit holder being responsible for all applicable rental and custodial fees.

### **4) USE OF FACILITIES BY DISTRICT EMPLOYEES**

- a) District employees using the facilities for other than school activities must follow the above procedure to become an approved organization (see Section 1).
- b) District employees using the facilities for other than school activities must have an approved permit and will be charged applicable fees.
- c) District employees conducting school camps out of sports season must have approval from the Athletic Director and must follow New York State Public High School Athletic Association Regulations and Standards.

### **5) FIELD MARSHALS**

- a) The permit holder agrees to obey all rules and regulations governing facility use permits. The District may use school staff to make sure permit holders are complying with the terms of the permit ("Field Marshals").
- b) Field Marshals have the right to question any facility user, review permits and give direction to any facility user during an event, including closing fields due to weather or unsafe conditions.

**6) USER RESPONSIBILITIES**

- a) No group, organization, company or individual shall use the District's facilities without prior approval and a proper use permit. During use, permit holders must keep a physical copy of the permit with them for verification.
- b) In the event of damage or loss of property traceable to activities conducted under a permit, the group, organization, company or individual to whom the permit is granted shall be required to pay in full the amount of such damage or loss or both. Adults are to supervise and be responsible for safe and proper behavior of participants.
- c) It is understood and agreed that the applicant assumes responsibility for the preservation of order and enforcement of the following regulations governing conduct:
  - i) the activity will be orderly and well-governed, and the facility will be left in the same condition it is found;
  - ii) appropriate and ample security will be provided sufficient to protect persons and property;
  - iii) no illegal or discriminatory (as defined herein) acts or actions will be permitted;
  - iv) no smoking, drinking of intoxicants, or using of any mind-altering substance(s) will be permitted in any District facility or property;
  - v) no part of the District facility, except the lobby, corridors, rest rooms, and the space requested in the permit will be entered or used;
  - vi) the times indicated on the permit shall govern the permitted hours of usage. In all cases, the District facilities must be vacated before 10:30 PM unless an extension of time is granted by special permission of the Department of Facilities & Operations; Custodial Charges may occur beyond 10:30 PM to allow staffs time to clean the facility;
  - vii) the permit holder will act in all respects to protect the safety and security of the pupils and employees of the District and to protect the District's facilities;
  - viii) the District maintains a smoke-free environment. No person shall smoke or carry a lighted cigar, cigarette, pipe or any other form of smoking object or device in any District facility or on District property at any time; and
  - ix) all permit holders will follow the City of White Plains' noise ordinance (85 decibels) and will limit the use of the Public Address system to after 9:00 AM (Mon-Sat) and 12:00 PM on Sundays.
- d) The number of persons in attendance at indoor events shall not exceed the occupancy capacity of the applicable room or space. The permit holder shall comply with all applicable school, local fire, police, and safety regulations, or ordinances.
- e) Events with an attendance of more than one hundred (>100) people will require a security and/or traffic control person.
- f) No animals, domestic or otherwise, except for seeing-eye and service dogs, are permitted on District facilities and/or District property. Permits requesting use with animals will not be approved. The exceptions to the preceding will be those animals, which are classroom pets, which are used in science experiments, which perform a security or safety function and/or which are part of any cultural arts programs provided for the pupils. In the case of all exceptions, the principal of the school must provide advance approval and secure assurance from the applicant that the presence of the animals will not do harm or damage to the District facilities.
- g) If the permit user plans to sell or distribute products at the event or allow a vendor/vendors to sell products and/or services at the event, the school system must be notified in advance and grant approval to do so. A vendor fee will be applied in accordance with the fee schedule. Vendors must be named in the permit application. Vendors must be listed as additionally insured on the permit holder's certificate of insurance and a hold harmless agreement must be in place.

- h) Permit holders must cancel space that they will not be using to allow the opportunity for other users. Any group found signing up for facilities but not using them and not cancelling the permit will be given one written warning. A second instance of not using areas and not cancelling the permit may result in suspension of active and/or submitted permits.
- i) All users of District facilities both inside and outside of such facilities shall address all potential fire/emergency concerns, as follows:
  - i) Open flames, including burning candles, are not permitted in any District facility.
  - ii) Permit holders for the use of any District facility must make sure that all participants—including supervisory personnel, audiences, and all others in attendance are cognizant of proper evacuation procedures and are aware of the multiple exits from the space being used. Fire evacuation signs are posted throughout the District's facilities. Permit holders must ensure that all fire evacuation signs are read, understood, and followed by all participants/attendees.
  - iii) Drivers attending any events at a District facility—or dropping off or picking up individuals from a District facility—must NOT park in a fire safety zone. The permit user must remind all drivers of this law for the common safety of all. Those individuals failing to follow this law may be subject to a parking ticket and/or the towing of their vehicle at the owner's expense.
  - iv) If a fire alarm sounds or if someone calls the fire department to report a gas odor or other potentially dangerous situation, all persons in the building must immediately exit the building and remain outside the building until the fire department official on the scene permits the building to be reoccupied.
  - v) All District buildings are equipped with automated external defibrillators (AEDs). The permit holder will be provided with a map showing the location of the AED(s) "INSIDE" the building(s) to which the use permit applies. AEDs will not be available to permit holders utilizing District fields.
  - vi) Individuals using the AEDs should have received both CPR and AED training in advance. Organizations are urged to have members of their group so trained.
  - vii) If a member of an organization, or an individual participating in or attending an organization's program, uses an AED, the organization alone assumes any resulting liability and agrees to hold the District harmless from any such usage.
  - viii) All who supervise a permit holder's program(s) must be cognizant and consequently responsible for the instruction of participants, audiences and others in attendance of evacuation procedures and exits. At the beginning of a permit holder's program the audience and/or the participants must be informed of these procedures.
  - ix) If the permit holder has any questions on emergency procedures or contacts please immediately contact the principal of the building to which the use permit applies and/or the Department of Facilities & Operations.
  - x) In the case of after-school programs, events or performances (hereinafter "programs") which are conducted within a District building, and which include persons who do not regularly attend classes in such District building, the principal or other person in charge of the building shall require the teacher or person in charge of such programs, to notify persons in attendance at the beginning of the procedures to be followed in the event of an emergency so that they may be able to leave the building in a timely, orderly manner. In addition, per Section 807 of the Education Law, as amended, all those who use the District's facilities must be instructed in, and become most familiar with, the fire evacuation procedures.
  - xi) Permit holders must arrange and pay for any special supervision required (i.e. police protection, parking supervision, etc.)
  - xii) Signs, emblems, banners, pennants, etc. may not be affixed to any building surfaces, steps, walls or light fixtures. Signs, emblems, banners, pennants, etc. that are self-standing may be put into place one (1) hour before the scheduled start of the program and must be removed at the conclusion of

the program. A copy of any sign, emblem, banner, pennant, etc. to be used shall be included in the permit application form.

#### **7) SERVING FOOD**

- a) No food and/or drinks(except water bottles) are allowed in the following areas of any District facility:
  - i) Auditorium
  - ii) Classrooms
  - iii) Library
  - iv) Computer Rooms
  - v) Gyms
  - vi) Pool
- b) Food and/or drinks are allowed in the following designated areas: the corridor, lobby areas, cafeteria, and conference rooms. Permit holders should see the head custodian for setup.
- c) Permit holders serving refreshments are responsible for cleaning up the areas when the event is over.
- d) Permit holders must have and organize ushers to be stationed at each entrance to the auditorium and gym to actively prevent individuals from entering with food and/or beverages, except water bottles.
- e) Requests to serve food must be submitted by the applicants in the original user permit request.

#### **8) PARKING**

- a) Programs may utilize District parking facilities without charge for District building and field use.
- b) Use of parking facilities for other than parking requires a permit and any associated fees.
- c) Participants/attendants must park in designated parking spaces only and must obey Fire Lanes and restricted parking areas. Parking on lawns and/or fields is strictly prohibited.

#### **9) CANCELLATIONS/INCLEMENT WEATHER**

- a) The regular school activities and organizations of the school ("School Purposes") shall have first preference in the use of any District facility or part thereof. Such a preference shall not, however, override the use of a facility, or part thereof, when such use is already the subject of a prior reservation and a permit issued hereunder, unless an unforeseen conflict arises necessitating use of the facility for School Purposes. Even in such a case, the previously issued permit holder will be notified immediately by email notification of the cancellation and the District will help make other accommodations at another District location or on another date.
- b) While the District will not permit or deny use based solely upon the viewpoint of an organization requesting use, it does retain absolute discretion to deny a permit application in the best interests of the District, even if the requested usage is not prohibited by law.
- c) Except as provided in Regulation 2, the Athletic Director and/or designee will review and approve all permit requests for the use of athletic space (i.e., fields and/or gyms) to avoid conflicts of schedule.
- d) During significant rain of ½ inch or more, all natural grass fields are automatically closed for a period of twenty-four hours after the rain stops to allow the fields to drain.
- e) The White Plains High School field complex will have a Red/Green Traffic type light and signage that will be lit green when the fields are open and red when they are closed.
- f) In the event of inclement weather, the Superintendent and/or his/her designee has the final authority on whether athletic fields throughout the District are usable. Should the Superintendent close the District's fields, unauthorized field use shall result in automatic cancellation of any permit(s).
- g) When the District is closed for after-school, evening, or weekend activities due to inclement weather, all permits issued for use of District facilities on the same day are also cancelled. Only the Superintendent and/or his/her designee may issue a waiver to this automatic cancellation. The permit holder is

responsible for determining whether the District is closed on inclement weather days.

#### **10) POOL USAGE**

- a) Permits are required for all user groups; pool use contracts will be required for large swim clubs or organizations.
- b) The permit holder shall comply with all pool rules and regulations as issued by the District and the Westchester County Health Department.
- c) Use of the District pool requires the presence of a Custodian/Certified Pool Operator and Certified Lifeguard(s). The requirements concerning the number of lifeguards will be determined by the number of participants.

#### **11) INSURANCE REQUIREMENTS**

- a) All users must provide the following insurance prior to using facilities. FAILURE TO DO SO PRIOR TO USE WILL RESULT IN REVOCATION OF YOUR PERMIT.
- b) The user hereby agrees to name the District as an unrestricted additional insured on the permit holder's policy; it must be as follows, "WHITE PLAINS CITY SCHOOL DISTRICT".
- c) The policy naming the District as an additional insured:
  - i) shall be an insurance policy from an A.M. Best rated "secured" New York State licensed insurer;
  - ii) shall contain a 30 day notice of cancellation;
  - iii) shall state that the organization's coverage shall be primary coverage for the School District, its employees and volunteers;
  - iv) shall provide additional insured status with ISO endorsement CG 2026 or its equivalent; and
- d) The permit holder agrees to indemnify the School District for any applicable deductibles.
- e) Required Insurance:
  - i) Commercial General Liability Insurance \$1,000,000.00 per occurrence/\$2,000,000.00 aggregate.
- f) The permit holder acknowledges that failure to obtain such insurance on behalf of the District constitutes a material breach of contract and subjects it to liability for damages, indemnification and all other legal remedies available to the District. The permit holder is to provide the District with a certificate of insurance, evidencing the above requirements have been met. The failure of the District to object to the contents of the certificate shall not be deemed a waiver of any and all rights held by the District.
- g) The District is a member/owner of the NY Schools Insurance Reciprocal ("NYSIR"). The permit holder further acknowledges that the procurement of such insurance as required herein is intended to benefit not only the District but also the NYSIR, as the District's insurer.
- h) Any athletic related activities will state on the permit holder's insurance certificate: "Claims from participants are covered."
- i) The permit holder shall hold the District harmless and shall indemnify the District should the activity result in any legal actions or proceedings or damage claims against the District. This hold harmless and indemnifications agreement shall cover any damage awards or judgments against the District as well as the expense of defending against any such action, proceeding, or claim. The permit holder shall fully cooperate with the District and provide all information at its disposal in the event of such action, proceeding, or claim.

#### **12) EQUIPMENT**

- a) The use of District equipment is prohibited unless there is a written request and approval from the District. Such requests must be included in the permit application.
- b) Special permission must be obtained to decorate, to install scenery and/or to move or tune pianos or

organs in the auditorium or any other special rooms.

- c) If kitchen facilities and equipment are requested, approval must be obtained by the Director of Food Services. A member of the food services staff must be assigned to oversee the activities of the kitchen. The permit holder will be billed for the use of food services staff assigned.
- d) It is understood that when a permit holder provides its own stage equipment and/or accessories, it shall not interfere with school activities. In the event the auditorium is used for two consecutive evenings, such property may, with special permission, be properly stored as designated by the facility's designated person.
- e) Use of equipment in auditoriums, music rooms, special equipment; e.g., stage lighting, sound systems, etc., shall be subject to approval by appropriate District personnel who regularly are responsible for this special equipment. The District will assign a stage manager for the use of the auditorium equipment and the permit holder will be subject to additional fees for said assignment.
- f) No computer equipment may be utilized unless permission is expressly allowed in writing in advance.

### 13) FEES - PAYMENTS

- a) Permit holders shall pay the Facility Use Fee calculated in accordance with the attached schedule, which shall be reviewed annually and updated to reflect current costs. Failure to make payment in a timely manner will invalidate the permit and prohibit the permit holder from the use of District facilities for future events. All payments must be paid by check or money order payable to White Plains City School District.
- b) A deposit shall be paid (if and as required under Section 2(e) of 50% of the estimated fees, prior to the issuance of permit.
- c) The remaining balance will be due within 30 days of receipt of the final invoice, which shall include any additional fees so invoiced. Failure to pay in a timely manner will result in future permits being canceled.
- d) School Sponsored Groups (Category A&B, see Policy) – PTA's, clubs, and other organizations that exist for fund-raising purposes supporting the school or are otherwise directly connected with the District shall not be charged a facility use fee.  
However, custodial fees will be charged to such groups for fundraisers and gatherings of more than 100 people and/or on non-school days and holidays.
- e) Fee schedule (Appendix B) is based on the Categories described in the Public Use of District Facilities Policy.
- f) Facility Use Fees are based on a *per hour rate except* where noted. Necessary custodial, grounds, cafeteria, and technology help is not included in these fees. Equipment rentals are extra.
- g) Fees may be offset by in-kind donations/services to White Plains School District resident students. Those groups that have 100% resident participation will be allowed to apply the offset for resident students not to exceed a maximum of 50% of the rental due. For those programs that have less than 100% resident student participation, the offset will be applied not to exceed 25%. The attached form E-1 must be sent to Business Office and the fees will be adjusted accordingly upon approval. – not to exceed 50% of the total rental due. The attached form E-1 must be sent to Business Office and the fees will be adjusted accordingly.

### 14) Comments/Additional Fees

- a) Custodial Service Fee will be charged for large events which require a deviation of an hour or more from a custodial worker's regular work schedule and wherever overtime costs are incurred.
- b) Custodial Service Fee – **\$64.00/hour/per person**, Saturdays till 6 PM

- c) Custodial Service Fee - **\$84.00/hour/per person**, Saturdays after 6 PM, Sundays, & Holidays

**Additional Fees:**

- d) Lining of Field for Game, Baseball/Soccer - **\$30.00**; Football -**\$55.00**
- e) All field lighting **\$50.00** per event (2 hours); **\$25/hour** for each additional hour
- f) Stage sound equipment and lighting manager **\$120.00 for 1<sup>st</sup> 2 hrs.**; **\$50/hour for each additional hour**, unless permit holder has someone experienced and approved by the District.
- g) Piano use fee **\$25.00/hour**
- h) Press Box/ Scoreboard equipment-announcer - **\$35.00** per hour
- i) Tables - **\$4.00 each** (limited number per event)
- j) Chairs - **\$1.00 each** (limited number per event)
- k) Security person - **\$36.00/hour**
- l) Grounds Worker - **\$66.00/hour**

**Pool additional Fees:**

- m) Equipment use - **\$75.00** per day
- n) Vendors fee: **\$55.00** per vendor

APPENDIX A

<u>Group</u>	<u>Group</u>	<u>Season</u>	<u>Application Period; Approval Period</u>	<u>Events During</u>
School, Athletics & School Sponsored groups*	A & B (1)	Fall	June 1 – June 30; July 1 – July 10	August 16 – Nov 30
City & Educational Groups**	B(2) & C(1)	Fall	June 15 – June 30; July 1 – July 15	August 16 – Nov 30
Youth Sports	C(2)	Fall	July 1 – July 20; July 21 – July 31	August 16 – Nov 30
Community & Adults, Other Groups	C(3) & C(4)	Fall	July 21 – August 5; August 6 – August 15	August 16 – Nov 30
School, Athletics & School Sponsored groups*	A & B (1)	Winter	September 1 – September 30; October 1– October 15	December 1 – March 31
City & Educational Groups**	B(2) & C (1)	Winter	October 1 – October 15; October 16 – October 25	December 1 – March 31
Youth Sports	C(2)	Winter	October 16 – October 31; November 1 – November 10	December 1 – March 31
Community & Adults, Other Groups	C(3) & C(4)	Winter	November 1 – November 15; November 16 – November 30	December 1 –March 31
School, Athletics & School Sponsored groups*	A & B (1)	Spring	January 1 – January 31; February 1 – February 10	April 1 – June 30
City & Educational Groups**	B(2) & C (1)	Spring	January 15 – January 31; February 1 – February 15	April 1 – June 30
Youth Sports	C (2)	Spring	February 1- February 20; February 21 – March 5	April 1 – June 30
Community & Adults, Other Groups	C(3) & C (4)	Spring	February 21 – March 10; March 11 – March 25	April 1 – June 30
School, Athletics & School Sponsored groups*	A & B(1)	Summer	April 1 – April 30; May 1 – May 10	July 1 - August 15

<u>Group</u>	<u>Group</u>	<u>Season</u>	<u>Application Period; Approval Period</u>	<u>Events During</u>
City & Educational Groups**	B (2) & C (1)	Summer	April 15 – April 30; May 1 – May 15	July 1 - August 15
Youth Sports	C (2)	Summer	May 1 – May 20; May 21 – June 5	July 1 - August 15
Community & Adults, Other Groups	C(3) & C(4)	Summer	May 21– June 10; June 11 – June 20	July 1 - August 15
School, Athletics & School Sponsored groups*	A & B(1)	Fall	June 1 – June 30; July 1 – July 10	August 16 – Nov 30

\*As stated in Section 2(c), the Athletic Department, with the agreement of the Department of Facilities & Operations, may block out a set of dates and times during which specified athletic facilities shall be blocked out for District activities. They may do so for one season or more (up to one school year).

\*\*The City of White Plains Recreation & Parks Department may need more flexibility to schedule their extended seasons. They may do so provided that they submit their schedule requests (a) by June 30 for the period from September through March and (b) by January 31 for the period from April through August.

APPENDIX B

Location/ Room	Group (A)	Group (B)	Group (C)	Comments/ Notes Additional Fees
Classroom Single	NC	NC	\$18	a, b, \$20
Classrooms > 3 rooms	NC	NC	\$18	a, b, \$20
Computer Lab	NC	NC	\$35.	a, b,
Auditorium Elementary	NC	NC	\$45	a, b, g, k
Auditorium Secondary	NC	NC	\$65	a, b, g, k
Cafeteria Elementary	NC	NC	\$40	a, b,
Cafeteria Secondary	NC	NC	\$50	a, b,
Library	NC	NC	\$35	a, b,
Media Center	NC	NC	\$35.	a, b,
Large Gym	NC	NC	\$45	a, b, k
Small & Half Gyms	NC	NC	\$35	a, b,
Pool	NC	NC	\$125	a, b, m, n
Field- Baseball	NC	NC	\$15	e, j, l \$20
Tennis Courts	NC	NC	\$15	\$20
Multi-Purpose Rm	NC	NC	\$35	a, b,

Location/ Room	Group (A)	Group (B)	Group (C)	Comments/ Notes Additional Fees
Field Soccer Field-Half Field	NC	NC	\$30 \$15	e, k, l \$35 \$20
Artificial Turf Field- Full Field	NC	NC	\$55	a, b, e, f, j, k, l
Artificial Turf Field- Half Field	NC	NC	\$35	a, b, e, f, j, l
Track	NC	NC	\$30	a, b, f, k, l
Parking Lot	NC	NC	TBD	a, b, k, l
Field House	NC	NC	\$50	a, b,