

## **Business/Non-Instructional Operations**

### **Community Use of School Facilities**

The Board of Education recognizes that the school, building and grounds, is a community center and a valuable public resource. The Board is committed to making these facilities available to the community as much as possible under proper and appropriate conditions when such use does not conflict with school activities and functions. The Board of Education shall grant the use of school facilities for activities of an educational, cultural, civic, and other non-commercial uses consistent with the public interest when such use does not interfere with the school program or school-sponsored activities.

Consistent with guidelines in this policy, the Superintendent of Schools shall develop and distribute regulations and associated forms governing use of school buildings by community and other groups. Applications for the use of school facilities shall be submitted by outside groups to building Principal for approval at least three weeks prior to the date of the intended use. Agencies using the school on a long-term basis must submit applications annually

If a community group is denied use of Board of Education facilities by a Principal, the group may appeal that decision to the Superintendent of Schools and if necessary appeal the Superintendent's decision to the Board of Education.

The Superintendent of Schools is authorized to use his/her discretion in approving or disapproving applications under this policy. The decision of the Superintendent may be appealed to the Board of Education.

School facilities will be allocated according to the following priorities with all possible efforts to adjust schedules for mutual convenience and maximum usage.

1. School functions under the direction of the Principal and/or teachers.
2. Meetings and programs sponsored by the Board of Education, Town of Newtown Government, Recreation Commission, PTA/PTSA or non-profit agencies. (Non-profit agencies, recognized youth groups, scouts, athletic organizations, 4H groups, etc.)
3. Other non-profit community groups composed of local residents.

A custodian must be present when the school building is being used and may be required when using the building grounds to ensure building security, proper maintenance, and to see that it is used appropriately and left in proper order. Any group or organization may be required to pay any or all maintenance costs, including the hourly rate for custodial services when and if a custodian time extends beyond regular employment hours.

The district reserves the right to assign custodial and security staff as needed. Non-exempt groups will be billed for facility space used and any overtime incurred for staffing.

Any group or organization using the school building, grounds, or equipment, is responsible for and must assume the cost of all damages to any school property.

## **Business/Non-Instructional Operations**

### **Community Use of School Facilities** (continued)

The possession or consumption of alcoholic beverages and/or illicit drugs on school grounds or property is prohibited. Additionally, smoking and possession or use of tobacco products and nicotine products are prohibited in school buildings or on school property.

Parking is restricted to designated parking areas. Parking is prohibited on all grass areas, playgrounds, and those areas designated for emergency vehicles.

The Boy Scouts of America, Big Sisters of America, Boys and Girls Clubs of America, Future Farmers of America, Girl Scouts of America, Little League Baseball, Inc. and any other group intended to serve youth under the age of 21 listed in Title 36 of the U.S. Code may use school property upon payment of appropriate fees and costs according to the Board approved fee schedule.

(cf. 1300 – Public Activities Involving Staff, Students or School Facilities)

(cf. 1331 – Smoke Free Environment – Use of Tobacco Products)

Legal Reference: Connecticut General Statutes

10-239 Use of school facilities for other purposes

Equal Access Act, 20 U.S.C. ss 4071-4074

*Good News Club v. Milford Central School*, Sup. Ct., 6-11-01

20 U.S.C. 7905 (Boy Scouts of America Equal Access Act contained in No Child Left Behind Act of 2001)

## Business/Non-Instructional Operations

### Community Use of School Facilities

#### Application Procedures and Fee Structure

##### General Provisions

1. All applications for use of school facilities and grounds must be made in writing at least three weeks prior to the time of the proposed use. The prescribed form is available in the office of the school Principal where the activity is planned.

All applications must be completed and signed by an authorized person of the group making the application. Activity details and date availability will be reviewed and approved first by the Principal, or designee, of the school requested.

Upon initial approval and signature of the Principal or designee, the application will be forwarded to the district's Buildings & Grounds Department for final approval or rejection.

2. Use of school buildings or grounds by non-school organizations will be permitted only when there is no conflict with the use of these facilities by the school or its organizations.
3. All applications, even those initially approved, are subject to cancellation in the event of conflict with scheduled school activities, or if during prior use the facilities were misused by the applicant, or regulations were not followed, or full payment for previous and/or damages were not received, or for any other reason deemed necessary by the Superintendent of Schools or the Board.
4. Since Newtown Public Schools receives federal funds, we must require that all applicants comply with the provisions of Title IX comprehensive federal regulations prohibiting sexual discrimination in programs and/or activities conducted on school premises. If clarification is needed, applicant should contact the Superintendent's Office at 203-426-7620.
5. Alcoholic beverages are not allowed on the premises of any school in the district.
6. The Board requires proof of insurance from any organization or organized group using the school district's buildings or grounds. The group is required to provide a certificate of insurance (COI) stating commercial general liability minimum limits as:

|             |   |
|-------------|---|
| \$2,000,000 | General Aggregate                       |
| \$2,000,000 | Products/Completed Operations Aggregate |
| \$1,000,000 | Each Occurrence                         |
| \$1,000,000 | Personal and Advertising Injury         |
| \$100,000   | Fire Damage – Any One Fire              |
| \$5,000     | Medical Expense – Any One Person        |
7. Smoking is prohibited on school grounds as expressed in Board policy 1331, and in compliance with Connecticut State Statute.

**Business/Non-Instructional Operations****Community Use of School Facilities****Application Procedures and Fee Structure****General Provisions** (continued)

8. No school may be used by an individual group or society that teaches or preaches any doctrine or theory subversive to the Constitution or Laws of the State of Connecticut or of the United States, or advocates social or political change by violence or revolution.
9. No school facility may be used for any activity that would support, augment, or foster a business or an individual's personal financial gain unless the purpose of that use is to provide a direct service to educational programs of the school district. Service or contribution goals must be stipulated on the application.
10. The individual or group making application for the use of buildings or grounds must agree in writing to indemnify the Newtown Board of Education for any damage or loss resulting from such use.
11. The Board requires that at least one school custodian be present to represent its interests and enforce its regulations. Custodial service and school security (if required) will be at the expense of the applicant in accordance with the prevailing wage rate schedule. All other supervision, including fire/police protection, shall be provided by the using organization. The Superintendent of Schools may require fire/police protection when considered necessary. Fees for fire protection coverage are determined by Newtown's Fire Marshall and are billed through that office. Police fees are based on that department's schedule of rates and times and will be billed separately through the Newtown Police Department. The organization contracting for the use of school facilities is responsible for making all arrangements for police or fire protection coverage when required.
12. Applicants requesting use of cafeteria or kitchen facilities will be charged fees for staffing and use. The Food Service Manager will confer with applicants to determine their needs and will establish the appropriate charge.
13. Applicants using school buildings must confine themselves to designated areas approved for their use.
14. As per BOE Policy 3517, doors shall NEVER be propped open per Fire Code.
15. The high school gymnasium may be used for athletic events only. Participants must wear gymnasium-type shoes.
16. Groups using school buildings and grounds must remove all materials and equipment not belonging to the school before the next school day following the event.
17. Applicants must provide adult supervision for all activities when children are present; an adult must remain until all children have left the premises.
18. Some School facilities may have additional requirements for their use. For example, all individuals who participate in Project Adventure activities (or their parents or legal guardians, if under 18 years of age) must sign Project Adventure permission forms and hold harmless agreements.

## **Business/Non-Instructional Operations**

### **Community Use of School Facilities**

#### **Organizations and Fees**

1. The following organizations will be exempt from all facilities, custodial, and food services fees except when the size of the group and/or the nature of the event necessitate assigning custodians. This decision will be made by the Superintendent of Schools.
  - a. Town officials
  - b. Commissions
  - c. Duly-elected representatives of the town
  - d. Any commission appointed/elected by the town to perform a town function
  
2. The following organizations will be exempt from facilities rental fees, but will be required to pay all costs for custodial services, food services, technical support and security when these services are required as part of the application request. Extended use of facilities may be brought to the Board for approval.
  - a. Newtown Parks and Recreation Commission
  - b. PTA/PTO Councils
  - c. All school organizations and/or their parent/teacher units
  - d. All organized Newtown youth groups
  - e. Newtown Scholarship Association
  - f. Newtown Service/Civic organizations
  - g. Organized Newtown recreational or cultural groups that do not charge regular ongoing fees for instruction or lessons.

All other applicants, including commercial establishments, whose application is approved, will be responsible to pay all fees including rent, energy fee, costs for custodian, security, and technical fees. Commercial establishments shall be required to pay an additional 25% on the established facility rental fees.

The Board requires that only thoroughly trained high school personnel operate the lighting and sound systems.

The rental fee for the use of the high school auditorium includes the use of two dressing rooms. Makeup may be applied in dressing rooms or boys or girls lavatories only.

The Board requires that only thoroughly trained BOE personnel facilitate workshops and activities on a Project Adventure challenge course.

It is important that anyone using the high school understands that no food or beverages may be served anywhere in the school without the express written consent of the high school Principal.

When in the opinion of the building administrator the assignment of security personnel is essential for the adequate supervision and protection of the building and its grounds, and/or the applicant requests a security presence, the applicant shall be responsible for that cost.

**Business/Non-Instructional Operations**

**Community Use of School Facilities**

**Organizations and Fees (continued)**

Anyone using school facilities accepts the responsibility for any and all damage done to the building, site, or equipment. At the discretion of the Superintendent of Schools, a security deposit may be requested which will be refunded in all or in part after the building and site are inspected after use.

3. Per Diem Schedule of Room Fees:

| <u>Facility Rental Fees:</u>                             | <u>Minimum</u>  | <u>Hourly After 4 Hours</u> |
|--|-----------------|-----------------------------|
| High School Auditorium<br>(Including two dressing rooms) | \$1000.00       | \$250.00                    |
| Middle School Auditorium                                 | \$500.00        | \$125.00                    |
| High School Gym  | \$500.00        | \$125.00                    |
| Middle School Gym  | \$250.00        | \$62.50                     |
| Reed Intermediate School Gym                             | \$250.00        | \$62.50                     |
| Elementary School Gyms                                   | \$200.00        | \$50.00                     |
| Cafeteria  | \$200.00        | \$50.00                     |
| High School Kitchen                                      | \$250.00        | \$62.50                     |
| Middle School Kitchen                                    | \$200.00        | \$50.00                     |
| Reed Intermediate School Kitchen                         | \$250.00        | \$62.50                     |
| Elementary School Kitchen                                | \$200.00        | \$50.00                     |
| Classrooms   | \$100.00        | \$25.00                     |
| Library  | \$125.00        | \$31.25                     |
| Shop, Art Room, Science Labs                             | \$200.00        | \$50.00                     |
| High School Lecture Hall                                 | \$200.00        | \$50.00                     |
| Pool   | \$200.00 / hour | \$50.00                     |
| Stadium  | \$1,000.00      | \$250.00                    |
| High School Project Adventure<br>Challenge Course        | \$300.00        | \$75.00                     |

Service Fees:

|                                       |                |
|---------------------------------------|----------------|
| Sound & Lighting Supervisor           | \$42.50 / hour |
| Sound & Lighting Technician           | \$10.10 / hour |
| Computer Support                      | \$35.00 / hour |
| Trained Project Adventure Facilitator | \$75.00 / hour |

## **Business/Non-Instructional Operations**

### **Community Use of School Facilities**

#### **Organizations and Fees (continued)**

##### Sunday Energy Fees:

|                   |          |
|-------------------|----------|
| High School       | \$313.00 |
| Middle School     | \$313.00 |
| Reed Intermediate | \$313.00 |
| Head O'Meadow     | \$188.00 |
| Hawley            | \$125.00 |
| Middle Gate       | \$125.00 |
| Sandy Hook        | \$125.00 |

##### Security Fees:

Security fees are applicable on Saturday, Sunday, holidays, and weeknights when security is requested and/or deemed necessary by school administration.

\$29.44 - \$39.04 hourly rate (Weeknights and Saturdays)

\$39.25 - \$52.06 hourly rate (Sundays and Holidays)

##### Custodial Fees:

Custodial fees are applicable on Saturday, Sunday, holidays, and weeknights when a custodian needs to be called in for the activity.

\$40.50 - \$52.38 hourly rate (Weeknights and Saturdays)

\$54.00 - \$69.84 hourly rate (Sundays and Holidays)

#### FEES MUST BE PAID WITHIN TWO WEEKS

4. If a charge for custodial overtime is required, the rate shall be at time-and-one-half on weekdays and Saturdays and double-time on Sundays and holidays in accordance with existing labor agreement terms plus FICA and Medicare.
5. Fees for custodial services, if required, will be billed by the Building & Grounds Department and must be paid within two weeks of billing. Checks should be made payable to the Newtown Board of Education. Charges for custodial services begin when the custodian reports for duty and terminates when the building is restored for school use. Should cleanup require more time than estimated, the applicant will be responsible for actual time spent.
6. If food services are utilized, bills will be issued from the contracted food services company and must be paid within two weeks of billing.

## **Business/Non-Instructional Operations**

### **Community Use of School Facilities**

#### **Organizations and Fees (continued)**

7. When an organized service club, fraternal group, charity, or civic agency plans a special program or activity with an admission fee, and the proceeds are to be used for substantial scholarship awards to a Newtown resident, facility rental fees may be waived at the discretion of the Superintendent of Schools.
8. Each application will be reviewed to determine whether the purpose of the program, along with its admission charges, merit an increase in the rental costs.
9. Facility use fees must accompany applications.
10. A copy of the insurance certificate should accompany applications, or must be supplied prior to approval.

Legal Reference: Connecticut General Statutes

10-239 Use of school facilities for other purposes

Equal Access Act, 20 U.S.C. ss 4071-4074

*Good News Club v. Milford Central School*, Sup. Ct., 6-11-01

20 U.S.C. 7905 (Boy Scouts of America Equal Access Act contained in No Child Left Behind Act of 2001)

Regulation approved: July 21, 2016  
Regulation revised: December 6, 2016, July 18, 2017,  
October 10, 2017, January 24, 2018, August 22, 2018,  
September 13, 2018, July 1, 2019

NEWTOWN PUBLIC SCHOOLS  
Newtown, Connecticut



NEWTOWN PUBLIC SCHOOLS

Revised 7/1/19

APPLICATION FOR COMMUNITY USE OF SCHOOL FACILITIES

**(Campus Under Video Surveillance / No Alcohol Or Tobacco Allowed On Any School Campus)**

Name of School: \_\_\_\_\_ Date of Use: \_\_\_\_\_

Time You Want Access to the Building: \_\_\_\_\_ Time You Will Leave the Building: \_\_\_\_\_

Time Event Will Begin and End: \_\_\_\_\_

Specific Rooms Requested: \_\_\_\_\_

**NO FOOD OR DRINK IN LOBBY, AUDITORIUM, GYMNASIUMS OR POOL AREAS**

**Any Violation of these Rules Will Result In Loss of Facility Usage**

Reason for Use: \_\_\_\_\_

Will an admission be charged? \_\_\_\_\_ Yes \_\_\_\_\_ No If so, how much? \$ \_\_\_\_\_

How will these funds be used? (Please be specific) \_\_\_\_\_

How many people do you estimate will be at the activity? \_\_\_\_\_

Who will be the on-site supervisor for the people attending this activity? \_\_\_\_\_

Please indicate any special Equipment needed: Overhead Projector: \_\_\_ Screen: \_\_\_ LCD: \_\_\_ Other: \_\_\_

Is this activity in compliance with Title IX regulations that prohibit discrimination on basis of sex? \_\_\_\_\_ Yes \_\_\_\_\_ No

Security – Requirements for security and / or police will be reviewed by Security / Facilities Directors, and security will be assigned as needed. Fees for security will be added to any billable overtime as listed under facilities service fees on the back side of this form. **As per BOE Policy 3517, doors shall NEVER be propped open per Fire Code.**

If the cafeteria/kitchen area is being used, the Director of Food Services should be contacted at 426-7637.

A certificate of insurance must be on file at our Business Office before the date of use. Amounts of coverage required are \$1,000,000/\$2,000,000 Bodily Injury and \$100,000 Property Damage. We can expect a copy of your policy to be on file with us by \_\_\_\_\_ (date).

I (We) have read the Newtown Board of Education policy governing Community Use of School Facilities, and I (We) agree to comply with them. We understand that rooms are not to be considered as rented until official, signed approval notice has been received.

(Signed) \_\_\_\_\_

(Dated) \_\_\_\_\_

\_\_\_\_\_  
(Print or Type Name Signed Above)

\_\_\_\_\_  
(Phone)

\_\_\_\_\_  
(Name of Organization)

\_\_\_\_\_  
(Email Address)

Office Use Only: \_\_\_\_\_ Approval by Building Principal

\_\_\_\_\_  
(Reviewed by Director of Operations)

\_\_\_\_\_  
(Reviewed by Director of Security)

**(Please see other side of sheet for information regarding fees and charges.)**

Per Diem Schedule of Room Fees

**Revised 7/1/19**

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| Elementary School Gyms                                   | \$200.00        | \$50.00                   |
| Cafeteria  | \$200.00        | \$50.00                   |
| Kitchen (High School / Reed Intermediate)                | \$250.00        | \$62.50                   |
| Kitchen (Middle / Elementary Schools)                    | \$200.00        | \$50.00                   |
| Classrooms   | \$100.00        | \$25.00                   |
| Library  | \$125.00        | \$31.25                   |
| Shop, Art Room, Science Labs                             | \$200.00        | \$50.00                   |
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\$54.00 - \$69.84 hourly rate (Sundays and Holidays)

**FEES MUST BE PAID WITHIN TWO WEEKS**

**NEWTOWN PUBLIC SCHOOLS  
COMMUNITY USE OF SCHOOL FACILITIES**

**INDEMNIFICATION AND RELEASE**

This form is valid for a period of one calendar year from the date signed for each application of usage which is made.

In consideration of the permission granted to it by the Newtown Board of Education to use the school building, grounds, facilities, and/or equipment, the undersigned does hereby indemnify and hold harmless the Newtown Board of Education and the Town of Newtown (CT), their employees, agents, contractors and assigns against any and all loss or expense, including attorneys' fees, court costs, damages, liability and any other amounts for any and all bodily injuries, including death, and/or for any and all property damage sustained accidentally or otherwise sustained by any person arising out of or connected with the undersigned's use of the school building, grounds, facilities, and/or equipment.

The undersigned further waives the right to initiate and/or pursue in any manner any and all lawsuits and any other claims in any forum against the Newtown Board of Education or the Town of Newtown, its individual Board members, officers, employees, agents, contractors and assigns for any injury or harm connected to the undersigned's use of the Board's facilities, including but not limited to claims for negligent acts or omissions and/or claims for death and/or serious bodily injury and/or claims for property damage.

The undersigned assumes responsibility for any damage to and/or theft or loss of any school district property arising out of the use of the buildings, grounds, facilities, and/or equipment.

The undersigned has read and agrees to abide by the terms of the Newtown Board of Education policies and procedures pertaining to the use of Board buildings, grounds, facilities, and/or equipment.

IN WITNESS WHEREOF, I hereunto set my hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Name of Group/Agency/Program

**Newtown Public Schools**  
**Important Information for Outside Organizations**  
**Application for Community Use of School Facilities**

Outside organizations that wish to use Newtown Public Schools' Facilities need to be aware of the below policy as regards the prevention of life-threatening allergies. To highlight, for any Community/PTA and any school sponsored events use of school facilities:

- a. No food is allowed in any classroom for Community/PTA or school sponsored events;
- b. Any event in which food will be served or consumed must be held in an appropriate place designated by Administration or outdoors;
- c. Outside organizations are encouraged to serve only nut-free food items;
- d. All outside organizations shall receive notice of the prevention section of this policy when reserving school facilities.

**Life-Threatening Allergies and Glycogen Storage Disease Management**  
**Students with Special Health Care Needs – Policy 5141.25**

**Prevention Section**

- A. The District's Leadership Team will develop a Pre-K-12 Plan for the management of life-threatening allergies, including food allergies, aligned to the CSDE Guidelines for Managing Life-Threatening Food Allergies and Glycogen Storage Disease. The District-wide team shall factor into the plan the developmental and psychological needs of all students.
- B. The District-wide, K-12 Leadership Team will annually review the Management Plan, Procedures, and Guidelines.
- C. Food in Schools
  1. Peanut and tree nuts cause the most allergic reactions in schools. In classrooms and clusters designated by schools as "peanut/nut free", parents/guardians sending snacks from home for consumption in the classroom must be mindful of this heightened risk and those snacks must not contain peanuts and/or tree nuts. The District, in partnership with school staff, shall counsel all parents against providing children with food items containing tree nuts and peanuts to consume as classroom snacks in peanut/nut free classrooms; all stakeholders share in the responsibility of keeping children safe in the classroom by complying with this policy.

2. Building Principals will provide the following information to parents:
  - a. A link to a F.A.R.E. approved website for information on nut-free and allergy friendly snacks for children:  
<https://snacksafely.com/safe-snack-guide>
  - b. An intervention plan for students who bring nut-containing snacks to the classroom.
3. All in-school birthday celebrations shall be food free.
4. All classrooms will provide hand wipes for students to use after snack if hand washing is not available. Students will be required to remain at their desks while eating snacks to contain the spread of allergens.
5. All cafeteria tables will be cleaned with soap and water or other approved cleaning agents.
6. Community/PTA and any school sponsored events use of school facilities:
  - a. No food is allowed in any classroom for Community/PTA or school sponsored events;
  - b. Any event in which food will be served or consumed must be held in an appropriate place designated by Administration or outdoors;
  - c. Outside organizations are encouraged to serve only nut-free food items;
  - d. All outside organizations shall receive notice of the prevention section of this policy when reserving school facilities.

D. Food in Schools – Curricular Instruction Use

1. Peanuts and tree nuts and substances containing peanuts and tree nuts must not be present in or used in any K–8 classroom for any instructional purpose, including but not limited to curricular activities, school nutrition, class projects, arts, crafts, science experiments, food for laboratory or other classroom work.
2. In view of the developmental age and maturity of high school students, in grades 9 – 12, staff will communicate directly with students in courses where peanuts/tree nuts may be used in the curriculum (e.g. Culinary classes). Such activities will be held in appropriate areas as designated by administration.
3. If a clearly non-compliant food is present in a classroom or restricted area, the non-compliant food will be removed from the K–8 classroom or restricted area.