



## Mars Area School District

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Book	Policy Manual
Section	700 Property
Title	Community Use of School Facilities
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Legal	<u>1. 24 P.S. 775</u> <u>2. 20 U.S.C. 7182</u> <u>3. 20 U.S.C. 7183</u> <u>4. 35 P.S. 1223.5</u> <u>5. 10 P.S. 328.101 et seq</u> <u>6. 61 PA Code 901.701</u> <u>7. 24 P.S. 511</u> <u>8. Pol. 913</u> <u>9. Pol. 915</u> <u>24 P.S. 779</u> <u>22 PA Code 403.1</u> <u>61 PA Code 901.1</u> <u>20 U.S.C. 7181 et seq</u> <u>20 U.S.C. 7905</u>
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### **Purpose**

The Board recognizes the fact that public schools are established, maintained and operated at public expense. The Board holds the philosophy that school facilities and grounds shall be made available to individuals and community groups without discrimination and in accordance with this policy, so long as such use does not interfere with the operation of the school program or result in undue operational costs to the School District.

### **Authority**

The Board shall provide for the use of school facilities in accordance with the following order of priority:

1. **Class A:** Public schools of the District, including approved school-related organizations, groups or individuals,.

2. **Class B:** School-Affiliated Organizations, including Board-recognized booster groups, PTO, and Mars Planet Foundation. The primary purpose of these groups is to supplement and/or augment the District's educational programs.
3. **Class C:** District non-profit civic, recreational and church groups.
4. **Class D:** Private individual/groups and commercial uses.

The Board shall establish a schedule of fees for the use of school facilities by approved groups.[\[1\]](#)

### **Delegation of Responsibility**

The Superintendent or designee shall develop administrative procedures and regulations for requesting and granting permission to use school facilities and shall distribute the necessary information to individuals affected by them.

### **Guidelines**

School facilities shall be made available to responsible organizations, groups or individuals of the community according to Board policy and administrative procedures and regulations. The Board reserves the right to deny a request for use of facilities because of non-compliance with established policy and administrative procedures and regulations. Fees charged, if any, shall be determined by the nature and profit status of the organization/group/individual and activity. Costs for services of District personnel shall be the responsibility of the person(s)/organization approved to use the facility.

In the event of rescheduling of school activities, such activities shall take precedence over any other scheduled use of facilities. The responsible administrator shall provide prompt notice and shall assist in rescheduling or relocating the displaced activity. On days when school is canceled or dismissed early due to any circumstances, all activities shall be canceled.

Online requests for use of school facilities shall be required, using the link on the District's website ([www.marsk12.org](http://www.marsk12.org)). Requests should be submitted at least thirty (30) days in advance of the intended use. The District shall not be responsible for timely responses to requests received on shorter notice.

The applicant of the use of facilities must be an officer/director/manager of the organization requesting the facility, and he/she must be present for the duration of the use of facilities. If the applicant will not be present for the duration of the use of facilities, then the applicant must provide the name, cell phone number and affiliation for each adult who will be present in lieu of the applicant. The named responsible adult (designee) must be directly affiliated with the applicant's organization. A third party is not permitted to be a designee. The designee(s) must be provided at the time of the request. Any change in a designee(s) must be made in writing to the District.

The following persons shall be responsible for reviewing all applications and determining availability of the requested facility and District personnel:

1. Superintendent, Building Principal, Director of Buildings and Grounds, Technology Director.
2. The Athletic Director will review all applications for athletic facilities.

A contract with estimated fees charged will be issued prior to the use of the facility. Payment and any additional information requested must be received by the business office ten (10) days prior to the use of the facility. Any additional costs due for services will be billed following use of the facility and shall be due within thirty (30) days of invoice date.

No request for use of facilities will be considered for periods extending beyond six (6) months.

The contact person/applicant must be the person in charge of the event and must accept responsibility for the group and the event. The renting organization/group/individual must oversee the event, including advertisement/promotions, fee collections from participants, and, RSVPs/attendance/registrations, and ensure direct, on-site supervision. The renting organization/group/individual is responsible for all event costs as well. Checks from registrants must be made payable to the renting organization/group/individual. A copy of the flier, pamphlet, invitation, or announcement of the event/activity must be provided.

**Contracting With a Third Party:** the renting organization/group/individual may contract with a third party to provide services for the event. A copy of the contract between the renting organization/group/individual and the third party must be submitted to the District. The third party must provide a certificate of insurance following the guidelines listed in this policy. The renting organization/group/individual must have authority over the third party at all times during the event.

It is expressly prohibited for a renting organization/group/individual to request the facilities and then allow another group, organization or person to supervise, manage or direct the event. The contact person/applicant or designee must be present and in charge at all times.

In the event the renting organization/group/individual does not need the facilities on a scheduled day, the renting organization/group/individual may not allow access to any other group. Approval for any group is non-transferrable.

The District may enter into separate facility rental agreements with applicants that seek to rent a particular District facility or facilities on a regular, long-term basis. Such rental agreements, including rental fees and other charges, shall be separately negotiated between the applicant and the District and approved by the Board.

All advertising and promotional materials distributed by the applicant (Class B, C and D Groups) must clearly state that the event or activity is not sponsored by the District.

### *Specific Requirements for Use*

Whenever a facility is used, a District custodian or other responsible District or contracted employee must be on duty. Use of a kitchen requires the presence of a cafeteria employee. Use of the high school auditorium requires the presence of the District's stage manager or his/her designee and two (2) to four (4) supervisors/roamers, as required by the District. Costs are the responsibility of the user. Additionally, security and/or supervisors/roamers may be required for any event as determined by the Superintendent.

The renting organization/group/individual shall provide sufficient, competent adult supervision whenever use involves activities by minors. The amount and type of supervision shall be specified when use is requested. A supervising adult must stay until all minors have left the premises.

All organizations granted permission to use the District's buildings and facilities under this policy must provide adequate supervision of all spectators and attendees at all times, and shall provide police and/or security protection if so required by school administration, in its sole discretion. The requesting organization is required to present written verification that the required security arrangements have been made prior to and as a condition precedent to its use of the building and/or facility requested.

The District shall assume no liability for accidents or injury. Insurance for participants shall be the responsibility of the renting organization/group/individual. Certificates of insurance, naming the District as an additional insured must be provided prior to confirmation of any Class C or D rental. The amount of business comprehensive general liability insurance must be satisfactory to the District, with a combined single limit not less than \$1,000,000 for bodily injury/property damage. Renting organizations/persons contracting with third-party organizations on District premises must provide copies of the contract and insurance certificates to the District's business office.

Keys to District facilities shall be used only by authorized District employees. Keys may be issued temporarily to non-District employees for District-related purposes only with authorization from the Superintendent or designee.

Any damage to school facilities shall be the responsibility of those using them. All areas of the building and grounds being used are included in this responsibility.

Use of any District building shall conform to the general rules established for that building by the Building Principal.

### *Public Use of School Facilities*

The District's exterior facilities shall be made available for use by the public whenever such facilities are not in use for school-related sports, activities or other

functions. Exterior facilities may also be closed to the public when in use by pre-approved Organizations/Groups/Individuals.

### *Restrictions*

The following are **strictly prohibited** at any time in a school building and on any property, buses, vans and vehicles that are owned, leased or controlled by the School District.

**Tobacco** — includes a lighted or unlighted cigarette, cigar, pipe or other smoking product or material and smokeless tobacco in any form, as well as look-alike items/devices including, but not limited to, electronic cigarettes and vapor pipes.[2][3][4]

**Controlled Substances** — include, but are not limited to, those prohibited by federal and state laws; look-alike drugs; alcoholic beverages, anabolic steroids; drug paraphernalia; any volatile solvents or inhalants, such as but not limited to glue and aerosol products; substances that when ingested cause a physiological effect that is similar to the effect of a controlled substance as defined by state or federal laws; and prescription or non-prescription (over-the-counter)

**Weapons** — include, but are not limited to, any knife; straight razor; cutting instrument; cutting tool; nunchaku (nun-chuck stick); brass or metal knuckles; firearm; shotgun; rifle; pellet gun; BB gun; look-alike gun; taser/stun gun; chemical agent such as mace; explosives; noxious, irritating or poisonous gases; poisons; replica of a weapon and/or any other tool, instrument or implement capable of inflicting serious bodily injury. The term includes any object purported by the possessor to be a weapon.

Any and all fund-raising activities taking place in a school building or on school property may not incorporate tobacco products, controlled substances (including alcohol), and/or weapons, as defined above, in any raffles or prize drawings associated with the activity.

### *Additional Restrictions*

- No organization/group/individual will be permitted to use school facilities if the use interferes with official school programs or activities. The Use of Facilities Coordinator may cancel any permits for use of school facilities in the event that such use conflicts with official school programs or activities. In the event of such a cancellation, the Use of Facilities Coordinator will provide as much advance notification as possible and offer alternative sites or dates.
- No food or beverages shall be served in indoor areas other than cafeterias and all-purpose rooms unless specified by Building Principal.
- Gambling, games of chance, lotteries, raffles or other activities requiring a license under the Local Option Small Games of Chance Act shall be prohibited, unless such activity has been expressly authorized by the Board

or administration.[5][6]

- Sneakers or gym shoes must be worn while playing or coaching in gyms or all-purpose rooms.
- Parking is restricted to paved areas and areas approved for overflow. Overflow areas shall be used only when paved areas are full.
- School equipment shall not be used unless previous arrangements have been made and appear on the application.
- Groups are restricted to the areas specifically requested.
- No equipment shall be stored in the buildings on a regular basis between uses. Temporary storage may be provided by the responsible principal if space is available and prior written authorization is obtained with the application.
- The District has the right to cancel use of fields and facilities due to weather conditions.
- Groups that cancel less than forty-eight (48) hours prior to the reserved date/time may still incur a charge for custodial time.
- Applicants are prohibited from requesting use of facilities on behalf of another organization. The applicant may not request use of facilities with the intention of allowing another organization to use the facilities, independently or simultaneously.
- Any school-related organization, group or individual, including school-sponsored activities and sports teams, that are associated with an approved School-Affiliated Organization, must apply for Use of Facilities through that approved School-Affiliated Organization. Any school-related organization, group or individual that is not associated with an approved School-Affiliated Organization must first obtain approval from the Building Principal, before completing a Use of Facilities request.

#### *Advertising/Promotional Materials*

All parties interested in seasonal/annual advertising on fences at outdoor District facilities and/or all District scoreboards must do so through Mars Planet Foundation, which will coordinate the purchase and/or production of such materials.[8][9]

The Mars Planet Foundation has exclusive permission to affix/remove seasonal/annual advertising on fences at outdoor District facilities and/or all District scoreboards through its fundraising campaign.

The District reserves the right to enter into independent contracts that may include advertising in District facilities outside of the Mars Planet Foundation fundraising campaign.

Any promotional materials associated with approved events taking place in District facilities or on school grounds must comply with all District policies.

### *Special Provisions*

Objections by District residents or employees to use of facilities by non-school organizations will be considered only if made in writing to the Superintendent and bearing the signature(s) of the individual(s) or group making the complaint. When a complaint or objection to use is received, the following action may be taken:

- A. At the discretion of the Superintendent, use of the facilities by the specified applicant may be suspended temporarily to afford the Superintendent sufficient time to meet with the proper Board committee and all concerned parties for the purpose of a hearing. The applicant shall be duly notified in time to contact the members of the group regarding any temporary suspension of use and the pending hearing.
- B. Within ten (10) days of temporary suspension, the Superintendent, the Board Committee, the complainant and the applicant shall convene at a specified time and location to review the matter. A recommendation shall then be made by the appropriate committee to the Board.
- C. The Board shall be the deciding authority and the decision shall be final. A copy of the written decision may be obtained by any and all members of either the complainant group or the applicant group by request.

### *WPIAL/PIAA Competitions*

Use of District fields and/or gymnasiums by the Western Pennsylvania Interscholastic Athletic League (WPIAL) and/or Pennsylvania Interscholastic Athletic Association (PIAA) shall be exempt from the fee schedule of this policy. All costs associated with such events shall be the responsibility of WPIAL/PIAA. The Athletic/Activities Director shall be responsible for invoicing WPIAL/PIAA for all costs related to associated events and shall submit reimbursement to the District General Fund. All facility fees that are collected shall be payable to the Mars Area School District and be deposited into the District's General Fund.

The Athletic/Activities Director shall be responsible for entering any facility requests from WPIAL/PIAA into the District's online facility calendar. The Athletic/Activities Director shall be responsible for providing the WPIAL/PIAA with the District's Community Use of School Facilities policy, as all other terms of this policy apply. District fields and/or gymnasiums are available to the WPIAL/PIAA if there are no other approved/pending usage applications by Class A, B, C and/or D requesters.

Fees for the use of District fields and/or gymnasiums by WPIAL/PIAA shall be determined after an annual discussion and agreement among area athletic

directors. The Athletic/Activities Director shall annually communicate in writing to the Superintendent and Business Manager the regionally accepted, consensus fee arrangement.

### *No Smoking Policy*

As an organization using the Mars Area School District facilities, please be advised of the following law:

- Act 128 of 2000 requires all school districts to implement a zero tolerance policy on the use of tobacco by persons in school buildings, school buses and on school property owned, leased or under the control of a School District.
- School property includes: All buildings, stadiums, ball fields, bleachers, parking lots, lawns, school buses, etc.
- Use includes smoking the following: cigarette, cigar, pipe or other smoking product or material and smokeless tobacco in any form, as well as look-alike items/devices including, but not limited to, electronic cigarettes and vapor pipes.

The Mars Area School District is obligated to adhere to the law as well as all persons using our facilities. Please make sure your participants/spectators adhere to this law.

- Failure to adhere to this law will result in your organization not being permitted to use our facilities in the future.

### **Violations**

The School District reserves the right to remove from School District premises any individual or community group who fails to comply with the terms and conditions of this policy and established procedures.[\[7\]](#)

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 School District property, unless otherwise decided by the Board.

**Mars Area School District**  
**FACILITIES RENTAL FEE SCHEDULE**

<b>OUTDOOR FACILITIES</b>	<b>Class A&amp;B</b> (usage fees may apply)	<b>Class C</b>	<b>Class D</b>
<b>Mars Athletic Complex**</b> (1775 Three Degree Road)	\$0	\$100/hr	\$300/hr
<b>Stadium Lights</b> (Additional fee applies)	\$0	\$50/hr	\$50/hr
<b>Concession Stands</b> (Additional fee applies, See Policy 915.1)	\$0	\$0 or \$120/hr	\$120/hr
<b>Baseball Field</b> (Davidson Road)	\$0	\$35/hr	\$110/hr
<b>Basketball Courts</b> High School (520 Route 228)	\$0	\$0	\$0
<b>Multipurpose Field</b> (1746 Three Degree Road)	\$0	\$100/hr	\$150
<b>Parking Lots</b> (All buildings)	\$0	\$10/hr	\$10
<b>Soccer Fields</b> North & South (Three Degree Road)	\$0	\$35/hr	\$110
<b>Softball Fields — Grass**</b> #1/#2 (545 Route 228) #3 (Officer Edward Brooks Drive)	\$0	\$35/hr	\$110/hr
<b>Softball Fields — Turf**</b> #4 (Officer Edward Brooks Drive)	\$0	\$100/hr	\$150/hr
<b>Tennis Courts</b> High School (520 Route 228)	\$0	\$0	\$0
<b>INDOOR FACILITIES</b>	<b>Class A&amp;B</b> (usage fees may apply)	<b>Class C</b>	<b>Class D</b>
<b>Auditorium</b> (\$1,000 deposit required for Groups B & C) High School (520 Route 228)	\$0	\$60/hr	\$225/hr
<b>Cafeteria/Commons/Kitchen*</b> (All buildings)	\$0	\$35/hr	\$135/hr
<b>Classroom/Conference Room</b> (All buildings)	\$0	\$25/hr	\$65/hr
<b>Gymnasium**</b> High School (520 Route 228) Middle School (1775 Three Degree Road) Centennial School (100 Winfield Manor Drive) Elementary School (549 Route 228)	\$0	\$35/hr	\$150/hr
<b>Large Group Instruction (LGI)</b> High School (520 Route 228) Middle School (1775 Three Degree Road)	\$0	\$35/hr	\$135/hr
<b>Wrestling Room</b> High School (520 Route 228) Middle School (1775 Three Degree Road)	\$0	\$10/hr	\$10/hr

**Class A&B (Approved school-related or affiliated organizations, groups or individuals)**

Ex. School District employees, Board-approved School-Affiliated Organizations (SAOs), Mars Area Elementary PTO and Mars Planet Foundation.

**Class C (Community-based organizations, groups or individuals — residents)**

Ex. Non-profit civic, recreational or church groups based with the School District's borders (As per the above Rental Fee Schedule, additional charges incurred by the specific requirements of the activity may apply. Exceptions are in place for those organizations, groups or individuals with Board-approved lease agreements for facility use.) Hourly rates or usage fees are applied when school is in session. There is no charge for any activities occurring before 6 p.m. The listed hourly rates apply for the entire day for any requests for activities/events taking place on weekends or during school breaks.

**Class D (Privately-based organizations, groups or individuals and all commercial uses — non-residents)**

Note: As per the above Rental Fee Schedule, all charges apply with the advance rental deposit and any addition charges.

**Additional Personnel Fees:** (minimum)

Cafeteria Employee*	\$30/hr	(3 hours)
Chaperone	\$65/hr	(up to 4 hours)
Custodian	\$40/hr	(3 hours)
Lights (Auditorium)	\$40/hr	(3 hours)
Roamer	\$50/hr	(up to 3 hours)
Scoreboard**	\$25/hr	(3 hours)
Security	\$25/hr	(4 hours)
Sound System (Auditorium)	\$40/hr	(3 hours)
Stage Manager (Auditorium)	\$40/hr	(3 hours)
Technology	\$40/hr	(3 hours)

**Usage Surcharge Fees:**

Auditorium	\$60/hr
Cafeteria	\$35/hr
Classroom	\$35/hr
Gymnasium	\$35/hr
Kitchen	\$35/hr
Large Group Instruction	\$35/hr
Stadium Lights	\$50/hr
Wrestling Room	\$10/hr

\*\*The School District recommends that organizations, groups for individuals that regularly use scoreboards purchase a control board at their own expense rather than paying District personnel.

**Insurance** — Mars Area School District does not cover liability for accidents or injury. Insurance for participants shall be the responsibility of the renting organization, group or individual. Certificates of insurance, naming the Mars Area School District as the additional insured must be provided prior to rental confirmation. See Policy 707 Community Use of School Facilities for additional information.