

Use of School Facilities

Recognizing that public schools are created and supported by the citizens of Acushnet, the Acushnet School Committee encourages the utilization of its facilities for educational, cultural, and civic community activities. However, it must be understood that such usage involves additional costs in maintenance, operation, and care. Access to property will be provided consistent with provisions of Chapter 71 of the General Laws of the Commonwealth and regulations promulgated in connection therewith. This policy governs procedures for all organizations who utilize school facilities, including buildings and grounds.

I. General Policy

- A. A determination as to whether a proposed use of the school facilities is consistent with Chapter 71 and the policy will be made solely by the Acushnet School Committee. The committee delegates to the superintendent of schools and his/her designee the authority to approve facility usage consistent with the General Laws of the Commonwealth and policy guidelines.
- B. The Acushnet Public Schools assumes no liability for injury to persons authorized to use the facilities and further assumes no liability for loss or damage to equipment, materials, or other individual property.
- C. School activities, including those sponsored by the Acushnet PTO, shall receive precedence over those of non-school activities.
- D. The Acushnet Public Schools reserves the right to deny use of the facilities or to amend or cancel any approved use of the facilities for any reason including, but not limited to, any infraction of the stated regulations and state/federal laws.
- E. The Acushnet School Committee reserves the right to waive or adjust the fees as necessary.
- F. Those required to submit an Application for the Use of School Facilities during non-school hours shall do so through the business office. Such applications will be approved by the business manager. Use of the facilities during school hours will be coordinated by the principal, in conjunction with the business manager.
- G. The Acushnet Public Schools reserves the right to require CORI checks prior to final approval of a scheduled event.

II. Application Requirements

- A. Applications must be made in writing on the form provided by the district to the business office at least **30** days prior to the proposed use of the facility. Forms are available at the Acushnet Public Schools Business Office during normal working hours.
- B. Non-profit groups must provide proof of their non-profit status with their application.
- C. All athletic groups seeking to utilize the provisions of this policy shall submit a code of conduct for players, coaches, officials, parents, and spectators which has been developed and approved by the organization and is approved by the Acushnet School Committee. Any changes to this code shall also be submitted to the Acushnet School Committee who reserves the right to deny use of the facilities based upon provisions of the code of conduct. Each group is expected to enforce their own code of conduct.
- D. No group may use any facility for any time or date that is not scheduled in the permit request.
- E. The use of the building is confined to the area of the facilities stipulated in the application. All other areas of the facility are strictly prohibited.
- F. A custodian will be required whenever indoor facilities are used during non-scheduled workdays or hours.
- G. The following shall be required, with the exception of groups in Categories I and II (see Section III) with permission of the superintendent or his/her designee. Insurance coverage shall be required in the minimum amount of \$1,000,000 (one million dollars) for the period the facilities are used. Proof of insurance must be submitted along with payment (if applicable) prior to use of the facilities, including a provision holding the Acushnet School District harmless against any such claim and a Release of All Claims form. In addition, all organizations using school facilities shall execute a Prevention of Hazing Laws/Acknowledgement form (if applicable) acknowledging the receipt of, and compliance with, General Laws of Massachusetts, Chapter 268 Sections 17-19, including the distribution of the law to each member of a group and to collect acknowledgements of the receipt of law.
- H. When reviewing the application, consideration for the use of facilities by an organization will be given based on the following factors:
 - Availability of space at the time being requested;
 - Appropriateness of the use of that space for the event being proposed;
 - Overall demand of the use of the building by other groups during the same period;
 - Ability to provide custodial or cafeteria worker coverage;

- Previous experience with the rental of school facilities by the organization requesting space;
 - Other factors specified in this policy.
- I. All groups must fill out an Application for the Use of School Facilities form with the following exceptions: Acushnet School Committee meetings, school functions, town meetings, and the use by the town for emergency situations and public health needs.
 - J. For informational purposes, the Acushnet School Committee shall be provided with copies of all completed Applications for the Use of School Facilities.
 - K. Non-profit organizations shall not be allowed to rent the facilities for for-profit organizations.

III. Order of Priority

The following categories will apply to groups using the facilities:

CATEGORY I: ACUSHNET SCHOOL RELATED ACTIVITIES

Includes: Acushnet PTO and Acushnet Teachers Association

CATEGORY II: TOWN FUNCTIONS & MEETINGS

Includes: Acushnet School Committee meetings, Town Meeting, Acushnet Library, and Acushnet Community Center

CATEGORY III: ACUSHNET-BASED ORGANIZATIONS (100% of the participants must be Acushnet residents and the organization must be non-profit)

Includes: AYAA, Acushnet Boy/Girl Scouts, Acushnet Lion's Club, and Acushnet Road Race

CATEGORY IV: NON-ACUSHNET-BASED ORGANIZATIONS (Participants make up less than 100% Acushnet Residents and the organization must be non-profit)

CATEGORY V: FOR PROFIT ORGANIZATIONS

School buildings and facilities are available for community use following the closing bell in the afternoon and in the evenings, provided such use does not interfere with the use of such buildings or facilities for school purposes. All requests for uses of school facilities will be granted in accordance with the order of priority established by the Acushnet School Committee.

School buildings and facilities may be made available for groups in Category I or II during the school day if related to a town or school event and approved by the building principal and superintendent or his/her designee. School buildings and facilities may only be made available during the school day for groups in Category III, IV, or V with the approval of the superintendent or his/her designee and the school committee.

Entities such as educational collaboratives that rent classroom space during the school day or summer shall only be able to do so with school committee approval. The fees associated with the renting of facilities for collaboratives will be negotiated and approved by the school committee on an annual basis. Educational collaboratives will be treated as a Category I entity when providing professional development activities that benefit Acushnet Public Schools staff. Other educational organizations that offer professional development to staff will be treated as Category I entities for the purpose of charging fees. Additionally, educational organizations, such as colleges and universities, who offer educational courses, will be treated as Category IV entities.

High schools that contain Acushnet students that the town pays tuition to shall be treated as Category I entities for the purposes of this policy. Non-profit organizations that provide extended day programs shall be treated as Category I or II for fees but must provide all documentation required by Category III or IV entities.

The superintendent or his/her designee shall have the authority to resolve conflicts of uses by groups in the same priority category. In exercising that authority in connection with the use of the gymnasium and fields for athletic events, the superintendent or his/her designee will give preference to an in-season sport or event over an out-of-season sport or a camp or clinic.

IV. FEE SCHEDULE

Indoor Facilities

Categories I and II

All fees are waived with the exception of cafeteria fees as applicable and/or custodial fees for non-scheduled workdays or hours for school affiliated groups (ATA, PTO, etc.) or town affiliated groups (Town Library, Community Center, etc.)

Cafeteria/custodial fees for Category I and II users who only use the facilities on non-scheduled workdays or hours once or twice on an annual basis may be waived at the discretion of the superintendent

Category III

Custodial and/or cafeteria fees as applicable (*see below)

Building use fee: \$5 for all day use per area (**see below)

Building use fees for Category III users who only use the facilities once or twice on an annual basis may be waived at the discretion of the superintendent

Category IV

Custodial and/or cafeteria fees as applicable (*see below)

Building use fee: \$10/hour or \$30 for all day use per area (**see below)

Category V

Custodial and/or cafeteria fees as applicable (*see below)

Building use fee: \$250/hour or \$750 for all day use per area or \$400 per day use and \$200 for half day use when renting for five or more consecutive days. (**see below)

*A custodian will be required whenever indoor facilities are used during non-scheduled workdays or hours. On these days, groups shall be charged the custodial rate per hour, with a minimum of 2 hours. The custodial rate per hour shall be determined based on one and one-half (1 1/2) the regular hourly rate of the highest paid custodial/maintenance staff member. The school committee will be notified whenever there is a rate change. An Acushnet Public Schools cafeteria worker that is ServSafe certified must be present whenever food is prepared without the approval of the Acushnet Board of Health or the kitchen is used. The cafeteria rate per hour shall be determined based on one and one-half (1 1/2) the regular hourly rate of the highest paid cafeteria worker. The school committee will be notified whenever there is a rate change. For more details on the serving of foods, concessions, admissions fees, or sales, see Section VI; G.

**An area equals the use of two classrooms. An area equals the use of the gym, cafeteria or library.

Outdoor Facilities (soccer areas)

Categories I and II

All fees are waived

Categories III

\$5/area/hour or \$15/area for all day use (**see below)

Soccer area use fees for Category III users who only use the facilities once or twice on an annual basis may be waived at the discretion of the superintendent

Category IV

\$10/area/hour or \$30/area for all day use (**see below)

Category V

\$50/area/hour or \$150 for all day use (**see below)

***There are two areas as defined by this policy: the south soccer fields and north soccer fields. Only one set of fields should be used per season so as to prevent wear and tear.

Outdoor Facilities (softball fields)

Categories I and II	All fees are waived
Categories III	\$5/ softball field for all day use <i>Softball field area use fees for Category III users who only use the facilities once or twice on an annual basis may be waived at the discretion of the superintendent</i>
Category IV	\$5/softball field/hour or \$15/softball field for all day use
Category V	\$50/softball field/hour or \$150/ softball field for all day use

V. PAYMENT OF FEES

All non-recurring rental fees are payable upon approval of a permit. Recurring rental fees shall be made in 2 installments: Half of the rental fees upon approval of the permit and the second half paid at the conclusion of the season. In the event of inclement weather or other unforeseen circumstances that result in the cancellation of an event by the School Department, that event may be rescheduled to a later date pending authorization of the superintendent or his/her designee. Checks should be made payable to the **Acushnet Public Schools**. No organization will be permitted to use school facilities if an unpaid charge exists from a prior use.

VI. REGULATIONS

- A. **NO SMOKING AND NO ALCOHOLIC BEVERAGES** are allowed in school buildings or on school grounds. Any violations of the smoking and drinking prohibitions will result in the revocation of the facilities use permit.
- B. A school custodian and/or administrative staff member designated by the superintendent or his/her designee must be on duty when the building is in use. An administrator must be on duty when the building is in use by the PTO or for any overnight events. All use of facilities requests by the PTO must first be approved by the building principal.
- C. The using organization representative will be admitted by the custodian or administrative staff member designee. Once in the building, the using organization will be responsible for the admittance of all individuals and for door security.
- D. All school outside doors will be left in the locked position.

- E. The organization using the facility shall be held responsible for the preservation of order and shall secure all permits and licenses including the hiring of police officers if required by the superintendent or his/her designee.

The organization using school property shall be responsible for the behavior of persons using or attending the buildings or grounds by ensuring the following:

1. One responsible adult in charge and present at all times.
 2. No one is to enter the building until a responsible person is present. Such person shall remain until all students or minors are released to a proper adult.
 3. Children must be supervised by responsible adults at all times.
- F. Decorating the school or moving equipment such as pianos or other furniture is prohibited unless arranged and coordinated in advance with school representatives.
 - G. No concessions, admissions fees, or sales will be allowed on district property or facilities unless prior approval is granted by the Acushnet School Committee. See Policy KHA Solicitations and Fundraising for exceptions.

Groups in Category I through IV may not serve prepared foods that are not pre-packaged without approval from the building principal and superintendent. In addition, these groups must also gain the approval of the Acushnet Board of Health unless the food is prepared with a ServSafe certified cafeteria worker present. In the latter case, the scheduling of a cafeteria worker that is ServeSafe certified to cover the special detail is subject to availability.

Like the groups in Category I through IV, the groups in Category V may not serve prepared foods that are not pre-packaged without approval from the building principal and superintendent or his/her designee. In addition, these groups must gain written authorization from the Acushnet Board of Health unless the food is prepared with a ServSafe certified cafeteria worker present. In the latter case, the scheduling of a cafeteria worker that is ServSafe certified to cover the special detail is subject to availability. As with all concessions and sales, groups in Category V must first obtain school committee approval.

Please note that in all cases where food that is unpackaged is handled, the servers are required to wear gloves.

- H. All groups must complete an Application for Concessions, Admissions Fees, and Sales of School Property with the following exceptions: Acushnet School Committee meetings, school functions, town meetings, and the use by the town for emergency situations and public health needs, or if an organization answers “no” to questions 13-15 on the Application for the Use of School Facilities.
- I. The using organization will be responsible for parking violations. The driveways and fire lanes must be kept free of parked cars. Violations should be reported to the Acushnet Police Department.

- J. All rules and procedures governing the use of indoor facilities shall also apply to outdoor facilities and ball fields. Requests for the use of ball fields will be approved by the superintendent or his/her designee. All organizations using outdoor facilities will be issued permits. Organizations will be required to sign a waiver and hold harmless agreement before any permits are issued.
- K. The right to revoke a permit for violation of rules is reserved by the Acushnet Public Schools.

VII. GENERAL RELEASE

The applicant agrees to abide by all rules and regulations of the Acushnet Public Schools. As a condition of access to the property, the requesting organization and the undersigned applicant agrees: (a) to pay for and assume full liability for any and all losses or damages to person or property or claim therefore resulting to or arising from the use of district property or facilities by such organization or individual (and those granted access to the facility thereby) whether from an occurrence at the property or facility itself during use, before or after such use, going to and from such use, in or about available parking areas or otherwise, (b) to indemnify, reimburse and hold harmless the district and the members, agents and employees thereof against and from any such loss, damage or claim, including but not limited to its or their attorney's fees, and (c) to pay any attorney's fees and costs paid or incurred by the district to enforce any obligation imposed under this paragraph or otherwise in the application. If any portion of this general release is held to be invalid, the remainder shall be in effect.

CROSS REFS: KHA Solicitations and Fundraising

Policy adopted: 5/8/90

Revised: 12/18/90; 5/25/93; 9/7/93; 6/3/97; 5/15/01; 9/6/05; 6/16/09;
1/19/10; 4/13/10; 2/15/11; 5/3/11; 10/18/11

Acushnet School Department

RELEASE OF ALL CLAIMS

In consideration of the use of school facilities at a fee of _____ ,
the _____ and its participants,
agents and employees assume all risk of injury or death or property damage
while on school property and participating in the sponsored event and further
releases the Town of Acushnet, Acushnet School Committee, its officers,
employees, agents and servants from any liability therefore and contribution
as a joint tort feisor and will indemnify and save harmless the Town and
School Committee from any such liability.

As a further condition, I agree to provide liability insurance in the amount of
one hundred thousand dollars (\$100,000) per occurrence and one million
dollars (\$1,000,000) in the aggregate for personal injury, death and property
damage and the Town of Acushnet and Acushnet School Committee will be
named insureds in said policy.

Name: _____

Title: _____

Date: _____

WAIVER AND HOLD HARMLESS AGREEMENT

The undersigned in consideration of being permitted to use the premises, buildings, facilities or equipment of the Acushnet Public Schools, does hereby agree that he/she or his/her heirs or assigns will not make any claim or demand against said school district for bodily injury, personal injury or damage to his/her property.

The undersigned does hereby further agree that in the event that any other person makes a claim or demand against said school district arising out of his/her activities or the use of the premises, buildings, facilities, or equipment of the school district or of others that he/she or his/her heirs or assigns will indemnify, defend and hold harmless said school district from said claims or demands.

Signature: _____ Date: _____

Organization: _____

Address: _____

Telephone: (work) _____ (home) _____

Witness: _____ Date: _____
(Acushnet School Representative)

Prevention of Hazing Laws / Acknowledgement Form

Massachusetts General Law Chapter 269, Section 17-19

Section 17: Hazing; organizing or participating; hazing defined. Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

The term “hazing” as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

Section 18: Failure to report hazing. Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

Section 19: Copy of Secs. 17 to 19; issuance to students and student groups, teams and organizations; report. Each institution of secondary education and each public and private institution of post secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution’s compliance with this section’s requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution’s recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post secondary education shall file, at least annually, a report with the board of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution’s policies to its students. The board of higher education and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report.

I hereby certify that I:

- Have received a copy of Sections 17, 18, and 19 of Chapter 269 of the General Laws of Massachusetts on the crime of Hazing, Definition and Penalty.
- Agree to comply with the provisions of Sections 17, 18, and 19 of Chapter 269 of the General Laws of Massachusetts.
- I understand the failure to comply with the provisions of Sections 17, 18, and 19 of Chapter 269 of the General Laws of Massachusetts shall result in the disciplinary action, expulsion, and prosecution by local and/or state authorities.

Signature: _____

Date: _____

Application for the Use of School Facilities
Acushnet Public Schools, Acushnet, Massachusetts

- 1. Name of Organization: _____
- 2. Name of person in charge _____
- 3. Address: _____
- 4. Telephone (work) _____ (home) _____
- 5. Date(s) facilities are to be used:

- 6. Facilities requested (i.e. name of school/indoor/outdoor): _____
- 7. Starting time: _____ Ending time: _____
- 8. Type of activity _____
- 9. Equipment needed (tables, chairs, etc.) _____
- 10. Approximate number of people who are to attend: _____
- 11. Will the participants make up less than 100% Acushnet residents? Yes No
- 12. Is the organization a non-profit? Yes No
- 13. Is the organization requesting to serve, prepare, or sell foods? Yes No
- 14. Is the organization requesting to sell any non-food items? Yes No
- 15. Will the organization request to charge admission fees? Yes No

**If an organization answers "yes" to question 13, 14, or 15 above, then the organization must complete an Application for Concessions, Admissions Fees, and Sales on School Property.*

If the above permission is granted, we hereby agree to comply with the following rules and regulations of the Acushnet School Committee.

- a. No smoking will be allowed in the building or on school grounds.
- b. No alcoholic beverages shall be brought in the building or on school grounds.
- c. Nothing shall be advertised, sold, given, exhibited or displayed on the building without proper permission.
- d. The applicant agrees to be responsible for the preservation of order and to make restitution for any damage to or loss of school property resulting from the use of the building.
- e. The Acushnet Public Schools reserves the right to revoke this application if any of these rules are violated.
- f. The applicant agrees to assume responsibility for accidents resulting in physical harm to persons on the property and release the School Committee and its agents from such liability.
- g. We acknowledge the rules of hazing and agree to abide by the regulations as set forth in Massachusetts General Laws Chapter 269, Sections 17 through 19.
- h. The applicant agrees to abide by all of the rules and provisions as stated in School Committee Policy KG Use of School Facilities.

Signature of applicant: _____ Date: _____

Permit for Use of Grounds

Date: _____ Fee: _____

Please be advised that _____ has been awarded
use of _____ on _____
from _____.

This team or group assumes total responsibility for leaving the grounds in the same condition it was found. No alcohol should be brought or consumed on school grounds. Supervision and crowd control is the responsibility of this group or team. Any violations or destruction of property will require compensation by said group or team.

The Acushnet Public Schools reserves the right to revoke this permit at any time.

Approved: _____
APS Superintendent or designee

Organization Name: _____

Contact Person: _____

Telephone: (work) _____ (home) _____

I agree to the terms of this permit and my group or team will honor them.

(Signature of Group/Team Representative) Date: _____

The Commonwealth of Massachusetts
Acushnet Public Schools

Application for Concessions, Admissions Fees, and Sales on School Property

Unless otherwise specified in the Use of School Facilities Policy, all organizations interested in selling food and non-food items and/or charging admissions fees on school property must complete the attached form and return it to the Acushnet Public Schools Business Manager. This form must be submitted to the business manager at least two weeks prior to the event.

All applications will be reviewed, and a letter of approval will be sent to the group applying for the permit on or prior to the event date.

Temporary permits are valid during the life of the event only. Application must be made each year for recurring or annual events.

Questions regarding this process application should be referred to the Acushnet Public Schools Business Manager.

Return complete application at least two weeks prior to the event to:

**Acushnet Public Schools
School Business Manager
708 Middle Road, Suite One
Acushnet, MA 02743**

The Commonwealth of Massachusetts
Acushnet Public Schools

Application for Concessions, Admissions Fees, and Sales on School Property

Please complete the following application form and return it to the Acushnet Public Schools
Business Manager at 708 Middle Road, Suite One, Acushnet, MA 02743

Name of Organization: _____

Name of Event: _____

Dates of Operation: _____

Time of Operation: _____

Person in Charge: _____

Address: _____

Telephone: _____

If the organization is requesting to charge admissions fees, please indicate the dollar amount in
the space provided: \$ _____

If the organization is requesting to sell non-food items, please list the items below:

If the organization is requesting to serve, prepare, and/or sell food items, please list the food
items below.

*Please attach written authorization from the Acushnet Board of Health if requesting to serve,
prepare, and/or sell food items. This is not necessary if the food is prepared with a ServSafe
certified Acushnet Public Schools cafeteria worker present. For more details regarding the
cafeteria fee, please consult with the business manager.*

I, the undersigned, attest to the accuracy of the information provided in this application. I
understand the School Department may revoke this permit at any time when the Use of School
Facilities Policy is not followed.

Signature

Print Name

Business Office Use Only		
___Approved	___Not Approved	___Letter Sent