

***Administrative
Regulations for the
Community Use of
School Facilities***

West Hartford Public Schools
50 South Main Street
West Hartford, CT 06107

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WEST HARTFORD PUBLIC SCHOOLS

COMMUNITY USE OF SCHOOL FACILITIES

REGULATIONS

SECTION I: POLICY STATEMENT

It shall be the policy of the Board of Education to encourage the community use of school facilities when such use does not conflict with school activities or proper administration of school property. (See Appendix C–Board Policy #1250 and see Appendix D–State Statute, Sec 10-239)

SECTION II: GENERAL REGULATIONS

A. Available Facilities

1. Auditoriums
2. Cafeteria dining rooms
3. Gymnasiums
4. Athletic fields (with restrictions see Section III paragraph H)
5. Conference rooms
6. Parking lots, amesite play areas (with restrictions see Section III paragraph H)

B. Facilities not Available

1. Classrooms (exception see Section III paragraph B)
2. Business or Administrative offices
3. Special equipment, i.e., computers, moveable physical education equipment.
4. Cafeteria kitchens (exceptions see Section III paragraph E)

C. Rentals without Fees

School facilities shall be available without rental charge to the organizations listed below with priority granted in order listed.

1. West Hartford Public School activities.

C. Rentals without Fees (Continued)

2. West Hartford Parent-Teacher activities, which are directly related to the welfare of the children.
3. Activities sponsored by the Leisure Services Department.
4. Official town public hearings and political activities.
5. Meetings and activities sponsored by the Board of Education.
6. West Hartford Continuing Education activities.
7. West Hartford Symphony and Park Road Playhouse.
8. Other non-profit organizations when approved by the Superintendent of Schools.

D. Rentals With Fees

School facilities shall be available to the organizations listed below with rental fees and priority granted in order listed.

1. West Hartford non-profit: civic, educational, fraternal, social and religious groups, a majority of whose membership is composed of West Hartford residents or whose membership includes at least 100 West Hartford residents even if these 100 resident members do not constitute a majority of their group.
2. Day care centers established in accordance with Board of Education policies.
3. Parent-teacher activities which are social in nature.
4. Metropolitan area non-profit: civic, educational, social and religious organizations, a majority of whose members are West Hartford residents or whose membership includes at least 100 West Hartford residents even if these 100 resident members do not constitute a majority of their group.
5. Other non-profit organizations when approved by the Superintendent of Schools.

E. Prohibited Rental Activities

School facilities are not available for personal gain and/ or commercial purposes.

Examples include:

1. Boxing, wrestling or martial arts.
2. Carnivals and bazaars.
3. Games of chance, lotteries or bingo.

F. Rental Administration

The Executive Director of Plant and Facilities Services shall establish and administer procedures for the allocation of facilities, issuing of permits, receipt of rental fees, and other administrative functions to implement the Board of Education's Facility Use Policy.

G. Rental Fees

Rental fees shall be reviewed and, if necessary, revised every two (2) years by the Executive Director of Plant and Facilities Services and the Superintendent of Schools. The current rental fees are shown on Appendix A to this regulation.

H. Insurance

Insurance shall be required as indicated in Appendix B. If, in the opinion of the Risk Manager, the West Hartford School Department requires additional financial or liability protection from the rentee the Risk Manager will require a certificate or insurance from the rental organization.

I. Issuance of a Rental Agreement

Facilities will be rented only to approved non-profit organizations who comply with all contract requirements and who agree to be responsible for any damage to equipment or building.

J. Refusal of a Rental Agreement

The Superintendent of Schools reserves the right to decline to rent its facilities, and further, to cancel any rental of its facilities.

K. Use of Liquor

Intoxicating beverages shall not be brought in, stored, served, sold or consumed in school buildings or on school grounds.

L. Smoking

By order of the West Hartford Fire Marshal and in accordance with Board of Education Policy smoking is prohibited on or in the school property.

M. Custodial Services

All rentals require the presence of a custodian(s). All custodial services shall be charged according to Appendix A, except for organizations listed in Section II, C.

N. Police/Fire Supervision

Police and/or Fire supervision may be required at the discretion of the Executive Director of Plant and Facilities Services. Cost of police or fire supervision will be billed to the rentee, if required.

O. Other

Pyrotechnics are not permitted in school buildings. Open flames must be approved by the Fire Marshall.

SECTION III: SPECIFIC REGULATIONS

A. Religious Purposes

In case of damage to the facilities of a religious group or while construction of new religious facilities are in process, regularly scheduled use (weekly or monthly) of school facilities may be permitted to local religious groups, a majority of whose membership is composed of West Hartford residents or whose membership includes at least 100 West Hartford residents even if these 100 resident members do not constitute a majority of their group. Such regularly scheduled use shall be for a period not exceeding one year. A rental fee plus compliance with all other applicable rental regulations will be implemented for this type of rental. Wine used in religious services cannot be stored on school site.

B. Classrooms

Classrooms and any other facilities, such as community rooms, when regularly used as classrooms, shall not be available for rental purposes except for activities approved by the School Department. Exceptions may be granted by the Superintendent of Schools or his designee.

C. Auditoriums

Upon approval from Plant and Facilities Services, the person responsible for the renting of a facility should contact the head custodian of the school and make arrangements for the use of the stage and any other special equipment such as scenery, screens, pianos, projectors, and microphones, and for a person designated to operate any such equipment, for which a charge shall be made. Arrangements for moving school pianos from the stage to the auditorium floor, and vice versa, shall be made in advance with the Plant and Facilities Services Office which will order the work done and render a bill for those costs to the rentee. Arrangements for bringing in a special piano, or other equipment, must be approved in advance by Plant and Facilities Services in order to prevent interference with the regularly scheduled school program.

D. Gymnasiums

1. Priority will always be given to the schools and Leisure Services for their own use and functions.
2. School equipment is not available for non-school use.

E. Cafeteria and Kitchens

1. Cafeterias without the use of kitchen facilities are available for rental use subject to established regulations and fees (See Appendix A).
2. Cafeteria kitchens shall be available to organizations employing outside caterers only on approval of the Manager School Nutrition Services and the Executive Director of Plant and Facilities Services and under such conditions as may be acceptable to them. Cafeteria kitchens shall be used only under the supervision of a cafeteria staff employee designated by the Manager School Nutrition Services. This supervisor shall be paid at the rate (shown on Appendix A) and shall not be expected to perform any other duties. Other kitchen workers may be required by the Cafeteria Director depending on the size of the event and number of meals, at an established hourly rate for a minimum of two hours per Nutrition Services contract.
3. Coffee or other beverages may be served without additional charge subject to the following:
 - a) All electrical appliances or utensils are provided by the group
 - b) There is no access into the kitchen or serving area for any reason. Water will be provided by the custodian.
 - c) Electrically heated appliances shall not overload the circuit (if a circuit breaker trips the appliance cannot be used).
 - d) Cleanup is performed by the rentee.
4. When organizations rent a dining room and employ a caterer, the caterer shall be expected to furnish all necessary supplies and equipment. The renting organization shall be billed for School Department labor if facilities are not left in good order.
5. No meals shall be scheduled after 6:30 P.M.

F. Day Cares

1. A non-profit organization must be incorporated to qualify for use of school space for extended day care purposes.
2. The organization must be licensed to operate a day care center by the State of Connecticut.
3. Annual charges will be based on incremental costs determined by Plant & Facilities Services. Incremental costs shall include as a minimum:
 - a) Cost of additional custodial services required because of the day care program.
 - b) Cost of heating the spaces used by the day care program.
 - c) Cost of electricity used for illuminating spaces used by the day care program.
4. Additional requirements to be met are included in the license agreement. Such agreement must be signed and filed with the Superintendent of Schools before space is made available for day care use.
5. Location of day care programs will be based upon space availability that will not disrupt or interfere with the normal school program.
6. It is understood that the day care program will operate within the rules and regulations of the school in which it is located and all West Hartford Public School policies.

G. Dance Activities

The use of school facilities for dances is restricted to auditoriums with moveable furniture, cafeteria dining rooms, and gymnasiums with vinyl plastic floors.

H. School Grounds

The use of school grounds shall comply with all posted school rules and regulations, West Hartford Board of Education policies and regulations, State law and local ordinances. It shall be unlawful for any person to:

1. Destroy, misuse, abuse, injure or remove any property, trees, shrubs, or plants on any school grounds.

H. School Grounds (Continued)

2. Commit any act of nuisance, annoyance, disturbance or potential threat of injury to persons or wild life on any school property.
3. Throw, deposit, or leave litter or rubbish on any school property.
4. Possess, consume, sell, distribute, or purchase drugs or alcoholic beverages on any school property.

SECTION IV: RENTAL PROCEDURES

A. The Rentee will:

1. Telephone the Plant and Facilities Services Office requesting use of a facility. The office will determine if the rentee is allowed to rent based upon the procedures outlined in this document.
2. Inquire with the administration office of the school you wish to rent for space availability. Call the Plant and Facilities Service office after securing a space from the school.
3. Complete application rental form and insurance and tax exempt forms. Return completed forms to the Plant Services Office along with the security deposit (if applicable). Note: Filling out the request for rental form does not mean acceptance for rental by School Department.
4. Be billed from the Plant and Facilities Services Office following the event, for the remainder of the rental fee. The check is to be made payable to West Hartford Board of Education.

B. The Plant and Facilities Services Office will:

1. Check the eligibility of the requesting group upon receipt of a telephone request for building use.
2. Send applicant an application for rental, insurance form, and tax exempt application (if applicable), if the school is available.
3. Pencil date in rental book.
4. Verify that all requirements are met when completed application for rental is received, along with any security deposit and proof of insurance.

B. The Plant and Facilities Office will: (continued)

5. Complete a rental contract if all requirements are met. Send original to rentee, two copies to the school affected, and retain one copy.
6. Check with the school custodian after the event, regarding the number of hours the building was used, if any damage was done, and if the rentee followed all the rules and regulations.
7. Send a bill to rentee.
8. Code a portion of the check to the utility account and the balance to the custodial overtime account.
9. Forward the check to the Business Office.

C. The Business Office will:

Process the check and transfer the funds into the school custodial account. The remainder is placed into the general fund.

Rental Rates for Community Use of School Facilities

| SCHOOL | AUDITORIUMS | | | GYMNASIUMS | | | CAFETERIA DINING ROOMS | | | CAFETERIA KITCHENS | | |
|--------------|----------------------|----------------------------------|------------------------------|------------------|----------------------------------|------------------------------|------------------------|----------------------------------|------------------------------|----------------------------------|------------------------------|------------------------------|
| | Seating Capacity | Hourly Rate 3 hrs. min. M - Sat. | Hourly Rate 3 hrs. min. Sun. | Seating Capacity | Hourly Rate 3 hrs. min. M - Sat. | Hourly Rate 3 hrs. min. Sun. | Seating Capacity | Hourly Rate 3 hrs. min. M - Sat. | Hourly Rate 3 hrs. min. Sun. | Hourly Rate 3 hrs. min. M - Sat. | Hourly Rate 3 hrs. min. Sun. | Hourly Rate 3 hrs. min. Sun. |
| Conard Hall | 926 | \$ 100.00 | \$ 110.00 | 1000 | \$ 80.00 | \$ 90.00 | 400 (1/2) | \$ 80.00 | \$ 90.00 | \$ 80.00 | \$ 90.00 | \$ 80.00 |
| KPM | 780 | \$ 100.00 | \$ 110.00 | 1600 | \$ 80.00 | \$ 90.00 | 400 | \$ 80.00 | \$ 90.00 | \$ 80.00 | \$ 90.00 | \$ 80.00 |
| Sedgwick | 732 | \$ 100.00 | \$ 110.00 | 500 (E) | \$ 65.00 | \$ 80.00 | 250 (g) | \$ 70.00 | \$ 80.00 | \$ 70.00 | \$ 80.00 | \$ 80.00 |
| Aiken | 483 | \$ 90.00 | \$ 90.00 | 150 (W) | \$ 65.00 | \$ 80.00 | 150 (sm) | \$ 70.00 | \$ 80.00 | \$ 70.00 | \$ 80.00 | \$ 80.00 |
| Braeburn | 246 +150 fld. Chairs | \$ 70.00 | \$ 80.00 | 250 | \$ 80.00 | \$ 90.00 | 300 | \$ 70.00 | \$ 80.00 | \$ 70.00 | \$ 80.00 | \$ 80.00 |
| Bugbee | 283 | \$ 70.00 | \$ 80.00 | 150 | \$ 60.00 | \$ 70.00 | 120 | \$ 70.00 | \$ 80.00 | \$ 70.00 | \$ 80.00 | \$ 80.00 |
| Charter Oak | 417 | \$ 70.00 | \$ 80.00 | 0 | \$ 60.00 | \$ 70.00 | 150 | \$ 70.00 | \$ 80.00 | \$ 70.00 | \$ 80.00 | \$ 80.00 |
| Duffy | 350 | \$ 70.00 | \$ 80.00 | 250 | \$ 60.00 | \$ 70.00 | 175 | \$ 70.00 | \$ 80.00 | \$ 70.00 | \$ 80.00 | \$ 80.00 |
| Morley | 625 | \$ 70.00 | \$ 80.00 | 0 | \$ 60.00 | \$ 70.00 | 175 | \$ 70.00 | \$ 80.00 | \$ 70.00 | \$ 80.00 | \$ 80.00 |
| Norfeldt | 400 | \$ 70.00 | \$ 80.00 | 400 | \$ 60.00 | \$ 70.00 | 250 | \$ 70.00 | \$ 80.00 | \$ 70.00 | \$ 80.00 | \$ 80.00 |
| Smith | 245 | \$ 70.00 | \$ 80.00 | 0 | \$ 60.00 | \$ 70.00 | 175 | \$ 70.00 | \$ 80.00 | \$ 70.00 | \$ 80.00 | \$ 80.00 |
| Webster Hill | 423 | \$ 70.00 | \$ 80.00 | 0 | \$ 60.00 | \$ 70.00 | 168 | \$ 70.00 | \$ 80.00 | \$ 70.00 | \$ 80.00 | \$ 80.00 |
| Whiting Lane | 225 | \$ 70.00 | \$ 80.00 | 0 | \$ 60.00 | \$ 70.00 | 150 | \$ 70.00 | \$ 80.00 | \$ 70.00 | \$ 80.00 | \$ 80.00 |
| Wolcott | 225 | \$ 70.00 | \$ 80.00 | 0 | \$ 60.00 | \$ 70.00 | 200 | \$ 70.00 | \$ 80.00 | \$ 70.00 | \$ 80.00 | \$ 80.00 |
| | 350 | \$ 70.00 | \$ 80.00 | 400 | \$ 60.00 | \$ 70.00 | 175 | \$ 70.00 | \$ 80.00 | \$ 70.00 | \$ 80.00 | \$ 80.00 |
| | | \$ 70.00 | \$ 80.00 | 80 | \$ 60.00 | \$ 70.00 | 220 | \$ 70.00 | \$ 80.00 | \$ 70.00 | \$ 80.00 | \$ 80.00 |

| ADDITIONAL RENTAL FEES | | | |
|------------------------|-----------------|----------------|-----------------------|
| 2-Hour Minimum Fee | Each Add'l Hour | Sunday Minimum | Each Add'l Sunday Hr. |
| \$ 70.00 | \$ 35.00 | \$ 90.00 | \$ 45.00 |
| \$ 90.00 | \$ 45.00 | \$ 120.00 | \$ 60.00 |

* A minimum charge of 3 hours shall be charged for each facility.

* Hourly rate also applies for setup, takedown, custodial cleaning of areas used and rehearsals.

* A cafeteria worker must be hired to supervise the use of each kitchen. Workers are hired through the school cafeteria. An electrician may be required when deemed necessary by the Director of Plant & Facilities Services.

APPENDIX B

Insurance Exhibit for Use of School Facilities

The User shall procure and maintain insurance coverage against claims that may arise from, or in connection with the use of Town property. The User shall provide the Town with a certificate of insurance confirming compliance with this exhibit prior to entering onto and using Town property. Such insurance shall be written for not less than specified, or required by applicable federal, state and/or municipal law, regulation or requirement, whichever is greater. The User shall assume any and all premiums and deductibles in the described insurance policies. Both the User and User's insurer(s) agree to have no right of recovery or subrogation against the Town and the described insurance shall be primary coverage. Any failure to comply with the claim reporting provisions of the policy shall not affect coverage provided to the Town. Each required insurance policy shall not be suspended, voided, cancelled or reduced except after thirty (30) days prior written notice, ten (10) days notice for non-payment, has been given to the Town.

It is agreed that the scope and limits of the insurance specified are minimum requirements and shall in no way limit or exclude the Town of West Hartford from additional limits or coverage provided under each policy. The policies shall be on the occurrence form and must be written by companies licensed to do business in the State of Connecticut. The Town's Risk Manager shall review any and all exceptions.

Commercial General Liability: \$1,000,000 combined single limit per occurrence for bodily injury, personal injury, property damage, contractual liability and products /completed operations. The Town of West Hartford, the West Hartford Board of Education and their respective officers, agents, officials, employees, volunteers, boards and commissions are to be named as additional insureds and shall include, but not be limited to investigation, defense, settlement, judgment or payment of any legal liability.

Automobile Liability and Physical Damage Coverage: \$500,000 combined single limit per occurrence for any auto, including statutory uninsured/underinsured motorists coverage and \$1,000 medical payments. Policy to include collision and comprehensive coverage for any auto used for the purpose of this contract.

Workers' Compensation: Statutory limits including Employer's Liability with limits of \$100,000 each accident, \$500,000 for each disease/policy limit, and \$100,000 for disease for each employee as required by the State of Connecticut. If the User decides not to procure workers' compensation in accordance with Connecticut law, the User agrees to comply with the Connecticut Workers' Compensation Act's (Act) requirements for withdrawing from the provisions of the Act, including, but not limited to, filing the appropriate notice of withdrawal with the commissioner. The User is wholly responsible for taking the actions necessary to withdraw from the provisions of the Act. In lieu of procuring workers' compensation insurance and providing the Town with proof thereof, the User agrees to hold the Town of West Hartford, the West Hartford Board of Education, their respective boards and commissions, officers, agents, officials, employees, servants, volunteers, contractors and representatives harmless from any and all suits, claims, and actions arising from personal injuries sustained by him during the course of the performance of this contract, however caused.

Personal Property for "all risk" insurance on a replacement cost basis to cover the value of personal property belonging to the User and others (including but not limited to the personal property of subcontractors) located on Town property while in use or in storage for the duration of the contract. Deductible not to exceed \$1,000.

Duly Authorized

Date

(Print Name Here)

WEST HARTFORD PUBLIC SCHOOLS

POLICY 1250

Community Relations

Use of School Facilities

It shall be the policy of the Board of Education to encourage the community use of school facilities when such use does not conflict with school activities or proper administration of school property.

(cf. 1312 – Soliciting Funds from and by School Personnel)
(cf. 1324 – Soliciting Funds from and by Students)
(cf. 6240 -- Extra-Curricular Activities)

Legal Reference: Connecticut General Statutes:
10-239 Use of school facilities for other purposes
PA 97-290 An Act Enhancing Educational Choices and Opportunities
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)

Adopted: February 6, 1989
Reviewed: December 5, 2006

APPENDIX D

CT ST § 10-239
C.G.S.A. § 10-239

C
CONNECTICUT GENERAL STATUTES ANNOTATED
TITLE 10. EDUCATION AND CULTURE
CHAPTER 170. BOARDS OF EDUCATION
§ 10-239. Use of school facilities for other purposes

(a) Any local or regional board of education may provide for the use of any room, hall, schoolhouse, school grounds or other school facility within its jurisdiction for nonprofit educational or community purposes whether or not school is in session.

(b) Any local or regional board of education may grant the temporary use of rooms, halls, school buildings or grounds or any other school facilities under its management or control for public, educational or other purposes or for the purpose of holding political discussions therein, at such time when the school is not in session and shall grant such use for any purpose of voting under the provisions of title 9 whether or not school is in session, in each case subject to such restrictions as the authority having control of such room or building, grounds or other school facility considers expedient.

CREDIT(S)

(1949 Rev., § 1492; 1959, P.A. 122; 1963, P.A. 155, § 1, eff. May 28, 1963; 1978, P.A. 78-21, § 1, eff. July 1, 1978.)

<General Materials (GM) - References, Annotations, or Tables>

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2002 Main Volume

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1902 Rev., § 2211.
1915, P.A. ch. 168.
1918 Rev., § 954.
1930 Rev., § 954.
1935, Supp. § 284c.

LIBRARY REFERENCES

2002 Main Volume