

COMMUNITY USE OF SCHOOL FACILITIES AND GROUNDS

The schools belong to the people of the Town of Windham and are supported largely by local taxes. The School Committee, therefore, wishes to make its schools and related facilities available, when not in use for school purposes, to community groups or individuals for short-term social, community-service, and recreational purposes. For the purpose of this policy, references made to school facilities include all facilities and grounds under the direction of the School Committee (playing fields, walkways, parking lots, etc.) The School Committee retains the right at all times to make individual decisions regarding the use of school facilities and may revoke permission for use of its facilities at any time without prior notice or liability. It is not the intent of the School Committee to revoke permission for the use of facilities without *ample prior notice*, unless extreme circumstances or emergency conditions exist to warrant such action.

PRIORITY USE OF FACILITIES

The use of school facilities for school educational activities and authorized extra-curricular activities shall at all times take precedence over any community use of said facilities.

REQUIREMENTS FOR SHORT-TERM USE OF SCHOOL FACILITIES

- The School Committee shall approve a schedule of fees for use of school facilities utilizing actual costs as data in the determination of fees.
- No application for use of school facilities shall be approved more than six (6) months in advance of the intended use.
- While every reasonable attempt will be made to provide for long-term (one year) scheduling of facilities, other than the auditorium, for organizations that can demonstrate a legitimate need to reserve space on this basis, any applicant for facilities use shall agree in writing to accept the assignment of alternate space if other needs for the space should arise.
- Applicants will need to provide reasonable advance notice of the intent to use school facilities.
- Applicants for use of facilities shall execute a written agreement for such use.
- Applicants must provide proof of liability insurance that meets the requirements of administrative regulations before use of a facility is permitted.
- Users shall comply with all applicable statutes, ordinances and regulations in addition to any conditions imposed by the School Committee.
- School personnel, when required by the School Committee to be present, shall be present at the expense of the User.
- Users may be required to pay for custodial time if the event requires custodial support over and above normal responsibilities / time.
- No dogs are allowed on school property. Exceptions to this prohibition are for those individuals who have valid and documented need of canine assistance for medical/disability reasons or for aiding law enforcement.

PROHIBITED / RESTRICTED ACTIVITIES

- No school facility shall be made available to any group that advocates unconstitutional or illegal acts, or which are, in the opinion of the School Committee, contrary to the best interests of the School Department or the educational welfare of students. By way of illustration, the following situations or activities would be cause for denial of use of buildings and facilities. (These examples are not intended to be limiting, and they should simply be identified as illustrations.)
 1. Jeopardize equipment and/or facilities
 2. Conflict with school activities
 3. Violate local, state or federal laws
 4. Present a hazard to the general public
 5. Prior history of past problems utilizing school system buildings or facilities
 6. Disruption or interference with the use of a school building or facility for school purposes
- No school facility shall be made available for any purpose that may, in the opinion of the School Committee, present a risk of damage to any school building, grounds or equipment.
- The possession or consumption of any alcoholic beverages or illegal drugs is prohibited on school property.
- Use of tobacco products is prohibited on school property.
- School Department buildings shall not be used for religious worship unless the group in question is actively pursuing obtaining or constructing its own facility.

APPEALS

As used in this policy, the term “School Committee” refers to the Windham School Committee or its administrative designee(s). In the event that the use of school facilities is denied by the School Committee’s administrative designee(s), such denial may be appealed first to the Assistant Superintendent of Schools, and lastly to the Superintendent of Schools, who shall make the final and binding decision.

BUILDING USE CATEGORIES & FEE DETERMINATION

I. SCHOOL and MUNICIPAL

A. Windham School Department educational programs authorized by the Windham School Committee (No rental; no other)

The individual leading the activity/program is under the direct supervision of the Windham School Department and has been given a supervisory responsibility in the organization. Employee collective bargaining groups are considered affiliated groups to the extent agreed to in the collective bargaining agreements.

B. Windham Adult Education (No rental; no other)

C. Town Government (No rental; possible other)

Groups organized and controlled by the Town of Windham municipal government.

D. School Benefactors (No rental; possible other)

Groups that are intended to directly support school activities through donation of time and/or services. Examples include, but are not limited to, PTA, Booster groups, etc.

E. Windham-based Not-for-Profit Youth Groups (No rental; possible other)

Non-school activities/groups composed primarily of Windham school-aged youth. Examples include, but are not limited to, Scout groups, Little League, etc.

II. RESIDENT, NON-REVENUE

A. Windham-based Non-Revenue Activity (Possible Rental; possible other)

Windham groups, organizations, and businesses in which the intended activity may involve admission, donations, sales or any other direct income. Examples include, but are not limited to, church groups, fraternal groups, political organizations, etc.

B. Resident 501(C3) Status that is verified & documented by requestor (Possible rental; possible other)

Windham groups, organizations, and businesses in which the intended activity may involve admission, donations, sales or any other direct income. Examples include, but are not limited to, church groups, fraternal groups, political organizations, etc.

C. Commercial Groups, Non-revenue Activity (Rental; possible other)

A commercial event in which admission may be charged or donation accepted, or sales made, or other direct income derived.

III. OUTSIDE, NON-REVENUE

A. Non-Windham, Non-Revenue Activity (Rental; possible other)

Community groups, organizations, and businesses from outside Windham in which the intended activity may involve admission, donations, sales, or any other direct income. Examples include, but are not limited to, church groups, fraternal groups, political organizations, etc.

B. Non-Resident, 501(C3) Status that is verified & documented by requestor (Rental; possible other)

Community groups, organizations, and businesses from outside Windham in which the intended activity may involve admission, donations, sales, or any other direct income. Examples include, but are not limited to, church groups, fraternal groups, political organizations, etc.

C. Commercial Groups, Non-revenue Activity (Rental; possible other)

A commercial event in which admission may be charged or donation accepted, or sales made, or other direct income derived.

IV. REVENUE

A. Windham-based Not-for-Profit Adult Groups, Revenue Activity (Rental; probable other)

Windham groups, organizations, and businesses in which the intended activity may involve admission charge, donations accepted, sales made, or any other direct income. Examples include, but are not limited to, church groups, fraternal groups, political organizations, etc.

B. Non-Windham Not-for-Profit Adult Groups, Revenue Activity

Community groups, organizations, and businesses from outside Windham in which the intended activity may involve admission charge, donations accepted, sales made, or any other direct income. Examples include, but are not limited to, church groups, fraternal groups, political groups, etc.

WINDHAM FACILITY RENTAL FEES

Usage forms shall be available in the Office of the Superintendent, or his/her designee

Any “Town Government” activity shall not be charged a rental fee, but may be charged other fees such as custodial, capital considerations, etc., per policy KFD.

Any “School Benefactor” activity shall not be charged a rental fee for use of any school facility, but may be charged other fees such as custodial, per policy KFD.

Any “Windham-based Non-profit Youth Group” activity shall not be charged a rental fee for use of any school facility, but may be charged other fees such as custodial, per policy KFD.

All other group designations as defined by this regulation shall be charged rental fees as listed in the following tables. All fees are subject to change without notice.

OTHER

Fees will be subject to review at the discretion of the Windham School Committee.

A. FEES

1. Building Use Fee (see attached)
2. Equipment Fee (if applicable)
3. Staff charges if event must be staffed on an overtime basis, or if event requires staff support over and above normal responsibilities / time.

B. INSURANCE

When required by the Windham School Committee will provide proof of liability insurance in the amount of \$400,000 (minimally.)

Cross-Reference: Fund Raising Policy (File: KIA)

Legal Reference: Title 20-A MRSA, Section 1001, §4

Adopted: Prior to 1988

Revised: First Reading April 7, 2004

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