

## BRIGHTON CENTRAL SCHOOLS GUIDELINES FOR USE OF FACILITIES

When not in use for school purposes or school-sponsored organizations, school buildings and facilities may be used for educational, civic or recreational purposes by the community in accordance with Section 414 of the Education Law, Board Policy and Regulation No. 3280 and the following:

1. School buildings and grounds may be used by non-school community organizations for meetings, lectures, recitals, classes, competitions and other educational, recreational, civil or entertainment purposes, provided such meetings are open to the general public and consistent with the policy of the Board of Education.
2. Applications for facility use will be prioritized based on the following classifications:
  - a. Group 1: District activities (instructional and approved extracurricular programs for students, including Brighton's Continuing Education)
  - b. Group 2: District-Related Activities (school-related activities such as advisory clubs, PTSA, parent forums; District employee organizations; District-related meetings such as Board meetings, informational meetings)
  - c. Group 3: Non-District Community Activities (Town of Brighton sponsored, youth recreation programs, adult resident organizations)
  - d. Group 4 – Non-District Activities (not-for-profit/non-profit, charitable organizations, other groups not specifically identified in Regulation 3280 as Group 1, 2 or 3).
3. The president or other responsible representative of the organization requesting to use the facility shall sign the Application and Guidelines forms and submit them to the office of the building principal at least 30 days before the requested date.
4. In general, school facilities may be used free or charge for Groups 1 and 2; and/ with limited or reduced charges for organizations in Group 3 during open hours defined below:

	<b>Days of Week</b>	<b>September through June</b>	<b>July &amp; August</b>
		<b>Times</b>	<b>Times</b>
Fields	All	8:00 am – 8:00 pm	7:00 am – 8:00 pm
Elementary Schools	M, T, W, Th, Fr	8:00 am – 10:00 pm	7:00 am – 3:00 pm
Elementary Schools	Sat, Sun	Closed	Closed
Twelve Corners Middle	M, T, W, Th, Fr	7:00 am – 10:00 pm	7:00 am – 10:00 pm
Twelve Corners Middle	Sat	7:00 am – 3:00 pm	7:00 am – 3:00 pm
Twelve Corners Middle	Sun	Closed	Closed
Brighton High School	M, T, W, Th, Fr	7:00 am – 10:00 pm	7:00 am – 10:00 pm
Brighton High School	Sat	7:00 am – 3:00 pm	7:00 am – 3:00 pm
Brighton High School	Sun	Closed	Closed

Gymnasium Use: Youth Recreation Activities requiring use of any school gymnasium or multi-purpose room for a series of events (e.g. practices and contests):

0-10 reservations	\$500 per year
> 10 reservations	\$1,000 per year

Additional fees may be charged to cover additional costs when the use of the facility requires the District to incur extra expenses such as custodial, food service or supervisory help. Where extra help is required, a charge will be made to the organization at the defined rate. District employees will then be paid by the Board of Education.

	Monday - Saturday	Holiday
Custodian	\$32.00 per hour (Saturday, only)	\$42.00 per hour
Food Service Manager	\$35.00 per hour	\$45.00 per hour

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5. Group 4 organizations will incur a per use fee as follows (per 3 hour use):

Building	Auditorium*	Gymnasium	Classrooms	Cafeteria
Council Rock Elem	\$75.00	\$50.00	\$25.00	\$50.00
French Road Elem	\$75.00	\$75.00	\$25.00	\$50.00
Twelve Corners MS	\$75.00	\$50.00	\$25.00	\$50.00
Brighton HS	\$100.00	\$75.00	\$25.00	\$50.00
Admin Building		\$75.00	\$25.00	\$50.00

\*Brighton High School Auditorium – Use of High School Auditorium requires supervision of Technical Theater Manager at the following rates: Monday 4 PM to 10 PM – Saturday (All Day) = \$52.00 per hour (Holidays = \$70 per hour). The Technical Theatre Management will meet at least two weeks prior to the event to understand program needs and will provide a not-to exceed budget for consumable costs.

Use fees for School Auditoriums/Cafeteriums for Community recitals and performances:

School	“Dark Days”	Rehearsals	Performances	Pit Change Fee
BHS	\$300 per day	\$500 per day	\$800 per day	\$1,600
TCMS	\$100 per day	\$200 per day	\$500 per day	NA
CRPS/FRES	\$200 per day	\$300 per day	\$600 per day	NA
Chaperone Rate when required by Technical Theatre Manager			\$20.00 per hour	

6. If the organization charges an admission or any other fee for its event, the proceeds must be expended for an educational or charitable purpose. School facilities may **not** be used where admission fees are charged and the proceeds are to be applied for the benefit of a society, association or organization of a religious sect or denomination, or for a fraternal, secret or exclusive organization other than organizations of veterans or volunteer firemen. School buildings **may not** be used by any individual or group for their personal profit.
7. School facilities may be used for polling places during primaries and elections and for holding meetings of political organizations.
8. The rental for the swimming pool and lockers is \$15.00 per hour with a \$30.00 minimum. Additional fees will be assessed for locker room attendants and lifeguards, if required.  
 Charge for use of fields will generally be determined as follows: Group1 is exempt from field fees. Group 2’s fees will be limited to direct identifiable costs to the District. Groups 3 and 4 fee are in the table below:

Field Type/Pool Use	Group 3	Group 4
Turf Field	\$0.00 per hour without lights \$75.00 per hour with lights  Plus:  0-10 reservations = \$500 annual 10+ reservations = \$1,000 annual	\$100.00 per hour without lights \$150.00 per hour with lights  Plus:  0-10 reservations = \$750 annual 10+ reservations = \$1,500 annual
Grass Athletic Fields	\$0.00 per day per field – Striping additional- priced on time and materials basis	\$68.00 per day per field \$340 per week per field Striping additional –priced on time and material basis.
Baseball /Softball Fields	\$0.00 per day per field – Striping additional- priced on time and materials basis	\$48.00 per 3 hour block Striping additional- priced on time a materials basis.
BHS Pool	\$20.00 per hour/\$40 minimum Swim Clubs: \$1,500 per year.	

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All fields will be striped initially by the District prior to each season. Each additional striping will be subject to the fees outlined above.

9. Any equipment, material or property of the District requested for use in conjunction with the facility may be subject to an additional charge.
10. Any organization using a school facility must agree to enforce all rules and regulations in effect to ensure proper safety, sanitation and protection of school property. Oral instructions given by school personnel in charge of the facility concerning safety and sanitary procedures must also be observed.
11. If equipment, apparatus, scenery, decorations, animals or other unusual materials are to be brought into a school facility, it must be stated on the application. The District cannot be held responsible for any damage to equipment or supplies left in the building.
12. Snow Removal: The District does not provide snow removal (plowing, shoveling, snow blowing) above and beyond the District normal service for its own use. In limited circumstances and at the sole discretion of the Assistant Superintendent for Administration the hourly rate, vehicle expense, etc. will be charged for non-school related events.
13. Outdoor Events: Where outdoor events require the District to open the building for access to restrooms custodial time will be charged based on the actual time and the adopted rate.
14. Users of outdoor facilities including the turf field and track are expected to leave the facilities in orderly condition with all trash bagged and removed. In the event that the district is required to clean up after event, custodial time will be charged based on the actual time and the adopted rate.
15. Smoking or the use of open flames such as candles in school facilities shall not be permitted except with special permission at functions such as dinners where proper precautionary measures are taken. **The presiding officer of public gatherings held in any school building shall announce publicly that smoking is not permitted on school grounds.**
16. No alcoholic beverages shall be brought or served in any school facilities or on school property.
17. A Certificate of Insurance may be required depending upon use. See attached template to ensure compliance with the District's requirements.
18. Application for Use of School Facilities submitted must include a copy of all planned advertisement/promotional literature about your planned event. Outside organizations must include "This event is not sponsored by the Brighton Central School District" on all literature.
19. The Board of Education reserves the right to refuse use of facilities to any organization falsely promoting the content or intent of any non-school program to members of our community.
20. Irrespective of the foregoing, the use of all facilities shall be in accord with the rules and restrictions as may be from time to time set forth by the Board of Education, Superintendent of Schools, the Assistant Superintendent for Administration or the Director of Buildings and Grounds and shall not be assigned to a third party regardless without the express written consent of the District.

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Applicant Signature

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Date

**\*A signed copy of these regulations must be attached to the Application Form.**

Revised July 2021



## **SAMPLE INSURANCE AGREEMENT - USE OF FACILITIES (INCLUDING ATHLETIC & RECREATION CAMPS)**

1. Notwithstanding any terms, conditions or provisions, in any other writing between the parties, the facility user hereby agrees to effectuate the naming of the District/BOCES as an Additional Insured on the facility user's insurance policies, except for workers' compensation and N.Y. State Disability insurance.
2. The policy naming the District as an Additional Insured shall:
  - a. Be an insurance policy from an A.M. Best A- rated or better insurer licensed to conduct business in New York State. A New York licensed and admitted insurer is strongly preferred. The decision to accept non-licensed and non-admitted carriers lies exclusively with the District/BOCES and may create significant vulnerability and costs for the District/BOCES
  - b. State that the organization's coverage shall be primary and non-contributory coverage for the District/BOCES, its Board, employees and volunteers. It is the intent of this agreement that Additional insured status shall cover and extend to property and facilities including, but not limited to all areas identified in the application and/or permit, and sidewalks, walkways, parking lots, entrances, stairs, and all other areas incidental to and/or connected with the use of the premises.
  - c. Additional insured status shall be provided by standard or other endorsements that extend coverage to the District/BOCES (CG 20 26) or equivalent. The decision to accept an endorsement rest solely with the District/BOCES. A completed copy of the endorsements must be attached to the Certificate of Insurance.
3. The certificate of insurance must describe the services provided by the facility user that are covered by the liability policies.
4. The facility user agrees to indemnify the District/BOCES for applicable deductibles and self-insured retentions.



5. Minimum Required Insurance:

a. **Commercial General Liability Insurance**

\$1,000,000 per occurrence/ \$2,000,000 aggregate, with no exclusions for athletic participants.

b. **Automobile Liability (When an organization's vehicle is brought onsite)**

\$1,000,000 combined single limit for owned, hired, borrowed and non-owned motor vehicles.

c. **Workers' Compensation and NYS Disability Insurance (For Organizations With Employees)**

Statutory Workers' Compensation (C-105.2 or U-26.3); and NYS Disability Insurance (DB-120.1) for all employees. Proof of coverage must be on the approved specific form, as required by the New York State Workers' Compensation Board. ACORD certificates are not acceptable. A person seeking an exemption must file a CE-200 Form with the state. The form can be completed and submitted directly to the WC Board online.

d. **Umbrella/Excess Insurance**

**General Use**

\$1 million each Occurrence and Aggregate. Umbrella/Excess coverage shall be on a follow-form basis over the required General Liability coverage.

**Athletic and Recreational Camps**

\$5 million each Occurrence and Aggregate. Umbrella/Excess coverage shall be on a follow-form basis over the required General Liability coverage.

**Carnivals and Firework Displays, etc.**

\$10 million each Occurrence and Aggregate. Umbrella/Excess coverage shall be on a follow-form basis over the required General Liability coverage.

6. The facility user acknowledges that failure to obtain such insurance on behalf of the district/BOCES constitutes a material breach of contract. The facility user is to provide the district/BOCES with a certificate of insurance, evidencing the above requirements have been met, prior to the event.



## **Note to Subscribers Regarding Use of Facilities**

Once again, to increase the likelihood of transferring the financial responsibility to adjust a loss from the subscriber to a facility user, we continue to recommend subscribers use the following language on all use of facilities forms or applications. Facilities users should be required to sign or agree to this language.

### **SAMPLE INDEMNIFICATION AGREEMENT**

(NAME OF FACILITY USER) does covenant and agree to defend, indemnify and hold harmless the (NAME OF DISTRICT) from and against any and all liability, loss, damages, claims or actions (including costs and attorney's fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in any way connected with the actual or proposed use of (NAME OF DISTRICT) property, facilities and/or services, including but not limited to bodily injury to any employee, invitee, guest, spectator, contractor or subcontractor of (FACILITY USER).

(FACILITY USER) understands and agrees that its use of (NAME OF DISTRICT's) property and facilities includes, but is not limited to, all areas identified in the application and/or permit, and sidewalks, walkways, parking lots, entrances, stairs, and all other areas incidental to and/or connected with the use of the premises (hereinafter referred to as "incidental areas"). (FACILITY USER) agrees that its indemnity and insurance obligations extend to the areas identified in the application and/or permit and any and all incidental areas.