

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: July 12, 2011

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 1300 – USE OF SCHOOL FACILITIES**

ORIGINATOR: Renee A. Foose, Deputy Superintendent

RESOURCE PERSON(S): Michael G. Sines, Executive Director, Department of Physical Facilities

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 1300 – *Use of School Facilities*. This is the third reading.

* * * * *

Attachment I – Policy Analysis
Attachment II – Policy 1300 and form

**POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 1300
USE OF SCHOOL FACILITIES**

Statement of Issues or Questions Addressed

At the request of the Board of Education, staff has revisited Policy 1300 and its accompanying Superintendent's Rule and recommends the following amendments:

1. Include in the Policy a direct link to the *Use of School Facilities* application form;
2. Include a list of groups authorized to use school facilities;
3. Outline conditions of use, including making the applicant responsible for complying with state and county requirements and insuring that all third party vendors have appropriate permits and licenses;
4. Waive fees and insurance requirements for meetings of fewer than 50 individuals;
5. Insert appeal language to the Board of Education.

Cost Analysis and Fiscal Impact on School System

No fiscal impact is anticipated by the revision of this policy.

Relationship to Other Board of Education Policies

1. Board of Education Policy 1210, *Relationship with Parent-Teacher (Student) Associations*
2. Board of Education Policy 2352, *Health and Safety*
3. Board of Education Policy 2361, *Distribution of Non-School Materials*
4. Board of Education Policy 2370, *Conduct*
5. Board of Education Policy 2372, *Tobacco*
6. Board of Education Policy 3125, *School Activity Funds*
7. Board of Education Policy 3130, *Relationships with Private Business for Purpose of Providing Products or Services to Students*
8. Board of Education Policy 3160, *School-Sponsored Activities*
9. Board of Education Policy 3530, *Safety and Security*
10. Board of Education Policy 6301, *School Calendar*
11. Board of Education Policy 8363, *Conflict of Interest*
12. Board of Education Policy 8340, *Appeals to the Board of Education*

Legal Requirements

1. 29 U.S.C. §794, *Section 504 of the Rehabilitation Act of 1973*
2. 42 U.S.C. §§ 12101-12213 (2000), *Americans with Disabilities Act of 1990 (ADA)*
3. 42 U.S.C. §2000D, *et seq.*, *Title VI of Civil Rights Act of 1964*, as amended
4. 28 CFR Part 35, *Nondiscrimination on the Basis of Disability in State and Local Government Services*
5. *Annotated Code of Maryland*, Education Article, §7-108, *Use of School Property for Other than School Purposes – In General*

6. *Annotated Code of Maryland, Education Article, §7-109, Use of School Property for Other than School Purposes – Priority for Day Care Program*
7. *Annotated Code of Maryland, Education Article, §7-110, Charges for Use and Liability for Damages*
8. *COMAR 13A.02.04, Tobacco-free School Environment Authority*
9. *COMAR 29.06.01, Fire Prevention Code Authority: Public Safety Article*

Similar Policies Adopted by Other Local School Systems

1. *Anne Arundel County Board of Education, Policy KC, Use of School Facilities*
2. *Howard County Board of Education, Policy 10020, Use of School Facilities by Non-School Groups*
3. *Montgomery County Board of Education, Policy KEA-EA, Use of School Property for Other than School Purposes*
4. *Prince George’s County Board of Education, Policy 1330, Community Use of School Facilities*
5. *Prince George’s County Board of Education, Policy 1331, Shared Space of School Facilities by Non-Commercial Users*

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

No other alternatives considered.

Timeline

First reading – May 24, 2011

Public comment – June 14, 2011

Third reading/Board vote – July 12, 2011

COMMUNITY RELATIONS: USE OF FACILITIES

Use of School Facilities

I. PHILOSOPHY [General]

- A. The Board of Education of Baltimore County (Board) encourages the use of school facilities for community purposes when such use does not interfere with the scheduled school program. The use of BALTIMORE COUNTY PUBLIC SCHOOLS (BCPS) buildings and grounds for cultural, civic, educational, recreational, and charitable purposes is a long-standing practice. The Board is committed to the concept of joint utilization of facilities. This has been demonstrated by sharing facilities with the Baltimore County Department of Recreation and Parks and other agencies.

II. GUIDELINES

- A. [B.] It is the primary responsibility of the Board to operate schools in such a manner as to provide the optimum learning environment. Any commitment to joint utilization shall not impinge on the commitment to provide educational opportunities as economically and efficiently as possible. Under no circumstances should the use of school facilities for community purposes be viewed as a mechanism for keeping a school open.
- B. [C.] Organizations desiring to use school facilities shall COMPLETE THE [request an "] *Application for Use of School Facilities*["] form AND FORWARD THE COMPLETED FORM TO [from] the principal of the school involved. [Administrative rules and a statement of costs related to the use of buildings or grounds shall be attached to the application form.] THE *APPLICATION FOR USE OF SCHOOL FACILITIES* IS ATTACHED TO THIS POLICY AS POLICY 1300, FORM A AND MAY ALSO BE OBTAINED FROM THE SCHOOL PRINCIPAL.
- C. The Board reserves the right AND GRANTS TO THE SUPERINTENDENT THE AUTHORITY to revoke any APPROVED APPLICATION ISSUED IN ACCORDANCE WITH THIS POLICY [permit which has been issued, to a group or agency; this includes programs] where the use of the facility interferes with the Department of Physical Facilities' projects.
- D. Permission for the use of a facility and/or grounds may be immediately revoked if an urgent need for use of a facility and/or grounds for school activities or educational purposes arise, or for a violation of operating rules and procedures.

III. USE OF SCHOOL FACILITIES BY GROUPS AND ORGANIZATIONS

- A. SPACE IN BCPS FACILITIES AND/OR GROUNDS MAY BE USED BY THE BALTIMORE COUNTY DEPARTMENT OF RECREATION AND PARKS; THE COMMUNITY COLLEGE OF BALTIMORE COUNTY (CCBC); PARENT-TEACHER (STUDENT) ASSOCIATIONS (PTSA); OTHER COUNTY, STATE, AND FEDERAL AGENCIES; AND OTHER GROUPS AND ORGANIZATIONS.
- B. ALL GROUPS AND ORGANIZATIONS MUST COMPLETE AN *APPLICATION FOR USE OF SCHOOL FACILITIES* FOR EACH PLANNED ACTIVITY OR EVENT.
- C. AN *APPLICATION FOR USE OF SCHOOL FACILITIES* WILL BE EVALUATED BASED ON THE FOLLOWING CRITERIA IN PRIORITY ORDER:
 - 1. BCPS CURRICULAR OR EXTRACURRICULAR PROGRAMS OR FACILITY OPERATIONS RELATED ACTIVITIES;
 - 2. ACTIVITIES SPONSORED BY THE BALTIMORE COUNTY DEPARTMENT OF RECREATION AND PARKS AND ITS AFFILIATED COMMUNITY RECREATION COUNCILS CONSISTENT WITH THE TERMS INCORPORATED IN THE JOINT USE AGREEMENT;
 - 3. PT(S)A BUSINESS MEETINGS, EDUCATIONAL PROGRAMS, AND OTHER EVENTS;
 - 4. CONTINUING EDUCATION PROGRAMS SPONSORED BY CCBC AT THE SITES IDENTIFIED IN THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN CCBC AND BCPS;
 - 5. CHILD CARE PROGRAMS;
 - 6. OTHER COUNTY, STATE, AND FEDERAL AGENCIES;
 - 7. OTHER APPROVED USERS.

IV. CONDITIONS OF USE

- A. GROUPS AND ORGANIZATIONS MUST COMPLY WITH ALL BCPS POLICIES, RULES, AND REGULATIONS WHEN USING SCHOOL BUILDINGS AND/OR GROUNDS. FAILURE TO ENSURE COMPLIANCE BY ALL PARTICIPANTS AND ATTENDEES IN THE ACTIVITY MAY RESULT IN IMMEDIATE DENIAL OF AN APPLICATION OR REVOCATION OF AN APPROVED PERMIT.
- B. THE FOLLOWING ACTIVITIES ARE NOT PERMITTED:
 - 1. THE USE, SALE, OR POSSESSION OF ALCOHOLIC BEVERAGES.
 - 2. THE USE, SALE, OR POSSESSION OF ILLEGAL DRUGS.
 - 3. THE USE OR SALE OF ANY FORM OF TOBACCO.
 - 4. THE USE OF OBSCENE AND/OR ABUSIVE LANGUAGE.

5. RAFFLES, QUARTER AUCTIONS, AND ALL OTHER GAMES OF CHANCE (FOR BINGO, SEE SECTION D OF THIS POLICY.)
 6. ANY ACTIVITY LIKELY TO PROVOKE OR ADD TO A PUBLIC DISTURBANCE.
 7. ANY ACTIVITY DETERMINED TO EXPOSE BCPS, ITS PROPERTY, STAFF, STUDENTS, AND ALL INDIVIDUALS/BUSINESSES WITH WHOM THE SCHOOL SYSTEM HAS A RELATIONSHIP TO RISK OF DAMAGE, LOSS, AND/OR BODILY HARM.
 8. ANIMALS IN BCPS FACILITIES AND/OR ON SCHOOL GROUNDS ARE PROHIBITED. THIS PROHIBITION INCLUDES, BUT IS NOT LIMITED TO, ANIMAL SHOWS, CIRCUS TRAINING, OBEDIENCE CLASSES, AND EXHIBITIONS.
 - a. THIS PROHIBITION DOES NOT APPLY TO A SERVICE ANIMAL THAT MUST ACCOMPANY AN INDIVIDUAL WITH A DISABILITY PURSUANT TO THE AMERICANS WITH DISABILITIES ACT, AS PROVIDED IN THE GUIDELINES DELINEATED IN THE DEPARTMENT OF PHYSICAL FACILITIES' *USE OF FACILITIES MANUAL*.
 9. ACTIVITIES THAT ARE PERSONAL IN NATURE SUCH AS BIRTHDAY PARTIES, ANNIVERSARY CELEBRATIONS, WEDDING RECEPTIONS, AND OTHER SIMILAR ACTIVITIES.
 10. TEMPORARY OR PERMANENT ALTERATIONS OR CHANGES TO PHYSICAL STRUCTURE OF BCPS BUILDINGS AND GROUNDS.
 11. POSTING OF POLITICAL CIRCULARS OR PETITIONS AND THE USE OF SCHOOL OR OFFICE RESOURCES TO CONDUCT POLITICAL ACTIVITY.
 12. OTHER ACTIVITIES PROHIBITED BY BCPS' POLICY, RULE, OR PROCEDURES.
 13. THE BOARD GRANTS TO THE SUPERINTENDENT THE RIGHT TO REJECT ANY *APPLICATION FOR USE OF SCHOOL FACILITIES* IF IT IS DEEMED THAT THE BUILDING OR GROUNDS IS OVERUSED OR UNDER CONSTRUCTION.
- C. CHILD CARE PROVIDERS MUST EXECUTE A LEASE AGREEMENT ISSUED BY THE OFFICE OF PURCHASING AND MAY ONLY ACCEPT SCHOOL-AGED CHILDREN ENROLLED IN THE SCHOOL HOUSING THE CHILD CARE PROGRAM.
- D. FAMILY BINGO EVENT.
1. AN APPLICANT, FOR A FAMILY BINGO EVENT, WILL OBTAIN A BINGO LICENSE, AS REQUIRED, FROM THE BALTIMORE COUNTY DEPARTMENT OF PERMITS AND

- DEVELOPMENT MANAGEMENT (PDM), OR ITS SUCCESSOR OR OTHER DESIGNATED COUNTY OFFICE, AND COMPLY WITH ALL REQUIRED PERMITS, AS WELL AS PDM RULES AND REGULATIONS, EXCEPT WITH REGARD TO THE AWARD OF ANY CASH PRIZES.
2. AN APPLICANT ENTITY AND ITS MEMBERS MUST PERSONALLY MANAGE, OPERATE, AND CONDUCT ALL ASPECTS OF THE FAMILY BINGO EVENT.
 3. NO CASH PRIZES WILL BE AWARDED FOR BINGO; THE ESTIMATED CASH VALUE OF NON-CASH PRIZES AWARDED SHALL NOT BE GREATER THAN \$500.00.
- E. A REASONABLE ADMISSION OR OTHER FEE MAY BE CHARGED BY THE SPONSORING ENTITY.
- F. AN APPROVED USER MAY NOT ALLOW ANOTHER ENTITY TO ASSUME ITS PERMIT TO USE THE FACILITY AND/OR GROUNDS.
- G. IN THE EVENT THE APPLICANT ALLOWS A THIRD PARTY VENDOR TO SELL ANY ITEMS IN BCPS FACILITIES AND/OR GROUNDS, IT IS THE RESPONSIBILITY OF THE APPLICANT TO ENSURE THAT ALL SUCH VENDORS HAVE APPROPRIATE PERMITS AND LICENSES FROM THE STATE OF MARYLAND AND FROM BALTIMORE COUNTY GOVERNMENT. IT IS THE SOLE RESPONSIBILITY OF THE APPLICANT AND THE VENDOR TO ENSURE THAT, IF APPLICABLE, APPROPRIATE STATE AND LOCAL TAXES ARE PAID FOR ALL SALES OCCURRING IN BCPS FACILITIES AND/OR GROUNDS.
- H. APPROVAL OF REQUESTS AND THE ASSESSMENT OF FEES FOR THE USE OF FACILITIES AND/OR GROUNDS WILL BE DEPENDENT UPON THE FOLLOWING CRITERIA:
1. AVAILABILITY OF SPACE ON THE DATES AND DURING THE TIMES REQUESTED.
 - a. APPROVED REQUESTS WILL BE ASSESSED FEES BASED ON THE BCPS CHARGES SCHEDULE.
 - i. FEES FOR USE OF FACILITIES WILL BE WAIVED FOR MEETINGS OF LESS THAN 50 INDIVIDUALS WITH THE EXCEPTION OF THE CUSTODIAL RATES.
 2. PRIORITY OF USERS ACCORDING TO THE LIST IN SECTION III (C.) ABOVE.
 3. THE PROPOSED ACTIVITY MAY NOT CONFLICT WITH ANY MAINTENANCE, OPERATIONS, OR CONSTRUCTION ACTIVITIES SCHEDULED BY THE DEPARTMENT OF PHYSICAL FACILITIES.

4. THE ACTIVITY'S COMPATIBILITY WITH THE EDUCATION SPACE AND THE DESIGNED USE AND PURPOSE OF BUILDINGS AND GROUNDS.
5. THE PROPOSED ACTIVITY MAY HAVE NO POTENTIAL FOR PHYSICAL DEGRADATION OF BUILDINGS AND GROUNDS AND NO ADVERSE IMPACT ON TRAFFIC PATTERNS, PEDESTRIAN SAFETY, AND AVAILABILITY OF PARKING.
6. THE PROPOSED ACTIVITY WILL COMPLY WITH ALL OCCUPANCY, FIRE, HEALTH, SAFETY, AND CAPACITY CODES, INCLUDING LOCAL, STATE, AND FEDERAL LAWS, RULES, AND REGULATIONS THAT GOVERN THE PROPOSED ACTIVITY AND BCPS FACILITIES.
7. PROVISION OF ADEQUATE INSURANCE CERTIFICATE AND COMPLIANCE WITH ALL INSURANCE REQUIREMENTS.
8. ASSESSMENT OF PROPOSED ACTIVITY FOR POTENTIAL PROPERTY DAMAGE, LOSS, AND/OR BODILY HARM.
9. FOR INDOOR ACTIVITIES INVOLVING 50 OR MORE PEOPLE, THE APPLICANT WILL PROVIDE DOCUMENTATION OF CROWD MANAGEMENT TRAINING IN ACCORDANCE WITH THE STATE OF MARYLAND FIRE CODE.
10. EVALUATION AND APPROVAL BY THE DEPARTMENT OF PHYSICAL FACILITIES OF THE APPLICANT'S PROVISION OF AN APPROPRIATE AND ADEQUATE PLAN FOR FACILITY AND/OR GROUNDS CLEAN UP AND RESTORATION PLANS FOR THE PROPOSED ACTIVITY.
11. EVALUATION AND APPROVAL BY THE OFFICE OF FOOD AND NUTRITION SERVICES OF ACTIVITIES INVOLVING ANY PREPARATION OF FOOD, SERVING OF FOOD, OR CONCESSIONS ON-SITE.
12. PROPOSED ACTIVITIES MUST BE OPEN TO ALL INDIVIDUALS AND NOT DISCRIMINATE IN ANYWAY ON THE BASIS OF AGE, COLOR, DISABILITY, GENDER, NATIONAL OR ETHNIC ORIGIN, RACE, RELIGION, OR SEXUAL ORIENTATION.

V. APPEAL PROCESS

- A. IF AN *APPLICATION FOR USE OF SCHOOL FACILITIES* IS DENIED, THE APPLICANT MAY FILE AN APPEAL WITH THE EXECUTIVE DIRECTOR, DEPARTMENT OF PHYSICAL FACILITIES.
 1. THE APPEAL MUST BE MADE IN WRITING AND FILED WITHIN TEN (10) CALENDAR DAYS OF THE DATE OF DENIAL.

2. AN APPEAL WILL BE DEEMED TIMELY FILED IF IT IS DEPOSITED IN THE UNITED STATES MAIL AND POSTMARKED BEFORE THE EXPIRATION OF THE TIME; OR HAND DELIVERED TO THE EXECUTIVE DIRECTOR, DEPARTMENT OF PHYSICAL FACILITIES.
- B. THE EXECUTIVE DIRECTOR, DEPARTMENT OF PHYSICAL FACILITIES WILL REVIEW ALL DOCUMENTATION AND WILL ISSUE, ON BEHALF OF THE SUPERINTENDENT, A FINAL DECISION. THE DECISION WILL BE MADE IN WRITING AND WILL BE MAILED TO THE APPLICANT.
- C. ANY APPLICANT WHO IS DISSATISFIED WITH THE DECISION RENDERED BY THE EXECUTIVE DIRECTOR, DEPARTMENT OF PHYSICAL FACILITIES, MAY APPEAL THAT DECISION TO THE BOARD OF EDUCATION OF BALTIMORE COUNTY. APPEALS TO THE BOARD WILL BE SUBJECT TO THE PROVISIONS OF BOARD OF EDUCATION POLICY 8340, *APPEAL BEFORE THE BOARD OF EDUCATION*.
 1. ALL APPEALS TO THE BOARD OF EDUCATION MUST BE NOTED, IN WRITING, WITHIN 30 CALENDAR DAYS OF THE DATE OF THE DENIAL BY THE EXECUTIVE DIRECTOR, DEPARTMENT OF PHYSICAL FACILITIES.

VI. IMPLEMENTATION

THE BOARD DIRECTS THE SUPERINTENDENT TO IMPLEMENT THIS POLICY.

[II. Gambling

- A. Gambling, raffles, and all other games of chance on Board property or in connection with school projects are prohibited with the exception of Bingo.

III. Alcoholic Beverages and Drugs

- A. The use, sale, or possession of alcoholic beverages and illegal drugs on Board property or in connection with school projects is prohibited.

IV. Tobacco

- A. The Board prohibits the sale and use of any form of tobacco in and/or on school system owned or leased property and grounds at all times.

V. Obscene and Abusive Language

- A. The use of obscene and/or abusive language on Board property or in connection with school projects is prohibited.

VI. Exceptions to Use of Facilities

- A. The Board may refuse the use of any facility and/or grounds if the Office of Operations determines that this use is likely to provoke or add to a public disturbance.]

Legal References: 29 U.S.C. §794, *SECTION 504 OF THE REHABILITATION ACT OF 1973*
42 U.S.C. §§ 12101-12213 (2000), *AMERICANS WITH DISABILITIES ACT OF 1990 (ADA)*
42 U.S.C. §2000D, *ET SEQ.*, *TITLE VI OF CIVIL RIGHTS ACT OF 1964, AS AMENDED*
28 CFR PART 35, *NONDISCRIMINATION ON THE BASIS OF DISABILITY IN STATE AND LOCAL GOVERNMENT SERVICES*
Annotated Code of Maryland, Education Article, §7-108, Use of School Property for Other than School Purposes – In General
Annotated Code of Maryland, Education Article, §7-109, Use of School Property for Other than School Purposes – Priority for Day Care Program
Annotated Code of Maryland, Education Article, §7-110, Charges for Use and Liability for Damages
COMAR 13A.02.04, *Tobacco-free School Environment Authority*
COMAR 29.06.01, *Fire Prevention Code Authority: Public Safety Article*

Related Policies: Board of Education Policy 1210, *Relationship with Parent-Teacher (Student) Associations*
Board of Education Policy 2352, *Health and Safety*
BOARD OF EDUCATION POLICY 2361, *DISTRIBUTION OF NON-SCHOOL MATERIALS*
Board of Education Policy 2370, *Conduct*
Board of Education Policy 2372, *Tobacco*
Board of Education Policy 3125, *School Activity Funds*
Board of Education Policy 3130, *Relationships with Private Business for Purpose of Providing Products or Services to Students*
Board of Education Policy 3160, *School-Sponsored Activities*
Board of Education Policy 3530, *Safety and Security*
Board of Education Policy 6301, *School Calendar*

Board of Education Policy 8363, *Conflict of Interest*

Policy

Board of Education of Baltimore County

Adopted: 09/18/68

Revised: 10/26/78

Edited: 02/26/81

Revised: 01/23/86

Revised: 05/20/08

Revised: 07/13/10

REVISED: _____

I. Philosophy:

- A. The Board of Education of Baltimore County (Board) encourages the use of school facilities for community purposes when such use does not interfere with the scheduled school program. The use of Baltimore County Public Schools (BCPS) buildings and grounds for cultural, civic, educational, recreational, and charitable purposes is a long-standing practice. The Board is committed to the concept of joint utilization of facilities. This has been demonstrated by sharing facilities with the Baltimore County Department of Recreation and Parks and other agencies.

II. Guidelines

- A. It is the primary responsibility of the Board to operate schools in such a manner as to provide the optimum learning environment. Any commitment to joint utilization shall not impinge on the commitment to provide educational opportunities as economically and efficiently as possible. Under no circumstances should the use of school facilities for community purposes be viewed as a mechanism for keeping a school open.
- B. Organizations desiring to use school facilities shall complete the *Application for Use of School Facilities* form and forward the completed form to the principal of the school involved.
- C. The Board reserves the right and grants to the Superintendent the authority to revoke any approved application issued in accordance with this policy where the use of the facility interferes with the Department of Physical Facilities' projects.
- D. Permission for the use of a facility and/or grounds may be immediately revoked if an urgent need for use of a facility and/or grounds for school activities or educational purposes arise, or for a violation of operating rules and procedures.

III. Use of School Facilities by Groups and Organizations:

- A. Space in BCPS facilities and/or grounds may be used by the Baltimore County Department of Recreation and Parks; the Community College of Baltimore County (CCBC); Parent-Teacher (Student) Associations (PTSA); other county, state, and federal agencies; and other groups and organizations.
- B. All groups and organizations must complete an *Application for Use of School Facilities* for each planned activity or event.
- C. An *Application for Use of School Facilities* will be evaluated based on the following criteria in priority order:
1. BCPS curricular or extracurricular programs or facility operations related activities;
 2. Activities sponsored by the Baltimore County Department of Recreation and Parks and its affiliated community recreation councils consistent with the terms incorporated in the Joint Use Agreement;
 3. PT(S)A business meetings, educational programs, and other events;
 4. Continuing education programs sponsored by CCBC at the sites identified in the Memorandum of Understanding (MOU) between CCBC and BCPS;

5. Child care programs;
6. Other county, state, and federal agencies;
7. Other approved users.

IV. Conditions of Use

- A. Groups and organizations must comply with all BCPS Policies, Rules, and regulations when using school buildings and/or grounds. Failure to ensure compliance by all participants and attendees in the activity may result in immediate denial of an application or revocation of an approved permit.
- B. The following activities are not permitted:
1. The use, sale, or possession of alcoholic beverages.
 2. The use, sale, or possession of illegal drugs.
 3. The use or sale of any form of tobacco.
 4. The use of obscene and/or abusive language.
 5. Raffles, quarter auctions, and all other games of chance. (For bingo, see section D.)
 6. Any activity likely to provoke or add to a public disturbance.
 7. Any activity determined to expose BCPS, its property, staff, students, and all individuals/businesses with whom the school system has a relationship to risk of damage, loss, and/or bodily harm.
 8. Animals in BCPS facilities and/or on school grounds are prohibited. This prohibition includes, but is not limited to, animal shows, circus training, obedience classes, and exhibitions.
 - a. This prohibition does not apply to a service animal that must accompany an individual with a disability pursuant to the Americans with Disabilities Act. (See Department of Physical Facilities' *Use of Facilities Manual* for guidelines.)
 9. Activities that are personal in nature such as birthday parties, anniversary celebrations, wedding receptions, and other similar activities.
 10. Temporary or permanent alterations or changes to the physical structure of BCPS buildings and grounds.
 11. Posting of political circulars or petitions and the use of school or office resources to conduct political activity.
 12. Other activities prohibited by BCPS' Policy, Rule, or procedures.
 13. The Board grants to the Superintendent the right to reject any *Application for Use of School Facilities* if it is deemed that the building or grounds is overused or under construction.
- C. Child care providers must execute a lease agreement issued by the Office of Purchasing and may only accept school-aged children enrolled in the school housing the child care program.
- D. Family Bingo Event
1. An applicant, for a family bingo event, will obtain a bingo license, as required, from the Baltimore County Department of Permits and Development Management (PDM), or its successor or other designated county office, and comply with all required

- permits, as well as PDM rules and regulations, except with regard to the award of any cash prizes.
2. An applicant entity and its members must personally manage, operate, and conduct all aspects of the family bingo event.
 3. No cash prizes will be awarded for bingo; the estimated cash value of non-cash prizes awarded shall not be greater than \$500.00.
- E. A reasonable admission or other fee may be charged by the sponsoring entity.
- F. An approved user may not allow another entity to assume its permit to use the facility and/or grounds.
- G. In the event the applicant allows a third party vendor to sell any items in BCPS facilities and/or grounds, it is the responsibility of the applicant to ensure that all such vendors have appropriate permits and licenses from the State of Maryland and from Baltimore County Government. It is the sole responsibility of the applicant and the vendor to ensure that, if applicable, appropriate state and local taxes are paid for all sales occurring in BCPS facilities and/or grounds.
- H. Approval of requests and the assessment of fees for the use of facilities and/or grounds will be dependent upon the following criteria:
1. Availability of space on the dates and during the times requested.
 - a. Approved requests will be assessed fees based on the BCPS Charges Schedule.
 - i. Fees for use of facilities will be waived for meetings of less than 50 individuals with the exception of the custodial rates.
 2. Priority of users according to the list in section III (C.) above.
 3. The proposed activity may not conflict with any maintenance, operations, or construction activities scheduled by the Department of Physical Facilities.
 4. The activity's compatibility with the education space and the designed use and purpose of buildings and grounds.
 5. The proposed activity may have no potential for physical degradation of buildings and grounds and no adverse impact on traffic patterns, pedestrian safety, and availability of parking.
 6. The proposed activity will comply with all occupancy, fire, health, safety, and capacity codes including local, state and federal laws, rules, and regulations that govern the proposed activity and BCPS facilities.
 7. Provision of adequate insurance certificate and compliance with all insurance requirements.
 8. Assessment of proposed activity for potential property damage, loss, and/or bodily harm.
9. For indoor activities involving 50 or more people, the applicant will provide documentation of crowd management training in accordance with the State of Maryland Fire Code.
 10. Evaluation and approval by the Department of Physical Facilities of the applicant's provision of an appropriate and adequate plan for facility and/or grounds cleanup and restoration plans for the proposed activity.
 11. Evaluation and approval by the Office of Food and Nutrition Services of activities involving any preparation of food, serving of food, or concessions on-site.
 12. Proposed activities must be open to all individuals and not discriminate in any way on the basis of age, color, disability, gender, national or ethnic origin, race, religion, or sexual orientation.
- V. APPEAL PROCESS**
- A. If an *Application for Use of School Facilities* is denied, the applicant may file an appeal with the Executive Director, Department of Physical Facilities.
1. The appeal must be made in writing and filed within ten (10) calendar days of the date of denial.
 2. An appeal will be deemed timely filed if it is deposited in the United States mail and postmarked before the expiration of the time; or hand delivered to the Executive Director, Department of Physical Facilities.
- B. The Executive Director, Department of Physical Facilities will review all documentation and will issue, on behalf of the Superintendent, a final decision. The decision will be made in writing and will be mailed to the applicant.
- C. Any applicant who is dissatisfied with the decision rendered by the Executive Director, Department of Physical Facilities, may appeal that decision to the Board of Education of Baltimore County. Appeals to the Board will be subject to the provisions of Board of Education Policy 8340, *Appeal Before the Board of Education*.
1. All appeals to the Board of Education must be noted, in writing, within 30 calendar days of the date of the denial by the Executive Director, Department of Physical Facilities.
- VI. IMPLEMENTATION**
- Additional guidelines governing the use of BCPS school facilities are found in Superintendent's Rule 1300, *Use of School Facilities* and in the Department of Physical Facilities' *Use of Facilities Manual*.

All groups and organizations must complete this application for use of facilities and/or grounds for each planned activity or event. A complete application must be submitted a minimum of 45 days prior to the proposed activity/event.

NAME OF GROUP/ORGANIZATION – COMPLETE LEGAL NAME (NO ABBREVIATIONS)

TYPE OF GROUP/ORGANIZATION – CHECK ONE AND ATTACH PROOF OF INCORPORATION, ASSOCIATION, AND/OR NON-PROFIT STATUS

- | | |
|----------------------------------------------------------------------------|--------------------------------------------------------------|
| <input type="checkbox"/> BCPS | <input type="checkbox"/> Child Care Provider |
| <input type="checkbox"/> Baltimore County Department of Recreation & Parks | <input type="checkbox"/> Other county, state, federal agency |
| <input type="checkbox"/> PT(S)A | <input type="checkbox"/> Other (please identify): _____ |
| <input type="checkbox"/> CCBC: continuing education programs | |

PERSON RESPONSIBLE FOR ACTIVITY/EVENT	ADDRESS & EMAIL	PHONE
---------------------------------------	-----------------	-------

- BCPS employee

DESCRIPTION OF PROPOSED ACTIVITY – CAREFULLY REVIEW LIST OF ACTIVITIES NOT PERMITTED ON PREVIOUS PAGE

Provide brief written description:

- BCPS sponsored activity/event

PURPOSE AND HISTORY	FOOD AND VENDORS	ATTENDANCE, INSURANCE, AND PERMITS
---------------------	------------------	------------------------------------

The primary purpose of this activity is to:

- Hold a meeting
- Provide educational enrichment
- Provide childcare services
- Support community recreation & well being
- Provide school/community entertainment
- Other: _____

Our organization has held this activity at a BCPS facility in the past:

- No
- Yes

If yes, please list most recent occurrence (month(s)/year(s)) and location (name of BCPS school(s)): _____

- Our organization has held this activity at another location (non-BCPS) in the past. Please list most recent occurrence and location: _____
- _____
- _____

Food and/or beverages will be offered as follows (check all that apply - all food items must be *Commercially prepared at a facility approved for food service*):

- Commercially prepared packaged food/beverages
- Commercially prepared off site, not pre-packaged (i.e. catered)
- Prepared on-site by caterer or other food service vendor

We anticipate using the services of a third party:

- Food vendor(s)
- Furniture/equipment rental service
- Paid entertainment
- Promoter, event organizer/host
- Other: _____

Anticipated attendance (if over 50, applicant must provide documentation of crowd management training. Contact the Baltimore Co. Fire Dept. for information):

Estimated Attendance _____

Our organization is currently insured for this activity (see accompanying **Insurance Requirements for the Use of Facilities by Organizations** form):

- Certificate of insurance is waived for meetings of less than 50 individuals
- Yes, already on file with BCPS (BC Rec & Parks, PTA)
- Yes, a certificate of insurance is attached
- No, but we will acquire a certificate of insurance within ten (10) days prior to use and as a condition of final approval, if required.

Applicant's proposed activity may require permits not related to or provided by BCPS. Proof of receipt of such permits may be required.

Activities may include but are not limited to (contact Baltimore County Office of Permits for Information):

- Gathering permit
- Bingo
- Child care license
- Parade
- Other: _____

BALTIMORE COUNTY PUBLIC SCHOOLS

APPLICATION FOR USE OF SCHOOL FACILITIES

Policy 1300, Form A

SCHOOL FACILITY AND/OR GROUNDS REQUESTED – COMPLETE NAME (NO ABBREVIATIONS)

ROOM(S) / AREA(S) REQUESTED

SERVICES & FIXTURES/EQUIPMENT REQUESTED

- Auditorium
- Cafeteria (not including kitchen facilities)
- Classrooms: list number of rooms needed _____
- Gymnasium
- Multi-purpose or special-use room (specify): _____
- Library
- Grounds (specify): _____
- Parking lot(s)
- Other: _____

- Additional fees for use may be assessed.*
- Kitchen space (note: must be approved in advance by Office of Food and Nutrition Services) specify use: _____
 - Air conditioning (may not be available in all areas of all buildings)
 - Audio
 - Lighting
 - Other: _____

ONE-TIME EVENT / ACTIVITY

Date(s) - including consecutive days of one-time event (Mo./Day/Yr.)	Times (include set-up and break-down time)	Total hours for event/activity*

RECURRING EVENT / ACTIVITY

This activity recurs:	Start date / End date:	Times (include set up & break-down): From: To:	Total # weeks / months	Total hours for event/activity*
Daily: weekdays, Monday - Friday				
Weekly: circle day(s) of the week: M T W Th F S Su				
Monthly: specify _____				
Other: _____				

TOTAL HOURS REQUESTED*

**Fees assessed may include additional hours for custodial staff coverage as determined by BCPS*

APPLICANT AFFIRMATION

I, the undersigned, being a duly authorized representative of the above organization, have read and agreed to Board Policy 1300 and meet the insurance requirements governing use of school facilities and will abide by and enforce same.

Circle if applicable:

BCPS Employee _____

Rec & Park Employee _____

PRINT: NAME TITLE/POSITION ADDRESS TELEPHONE NO.

SIGNATURE DATE

FOR BCPS USE ONLY -- SCHOOL PRINCIPAL / AP REVIEW

- Application is complete
- Dates requested are not in conflict
- BOS confirms custodial staff is available
- Proposed activity/event does not conflict with school program
- Comments: _____

REVIEWED BY (PLEASE PRINT):

PRINCIPAL or AP NAME TITLE PHONE

SIGNATURE DATE

Recommended Not Recommended

FOR BCPS USE ONLY -- DEPT. OF PHYSICAL FACILITIES

- Approved Denied Approved/Denied in Part

TOTAL FEES CHARGED \$ _____

Make payable to BCPS and submit to school

COMMENTS: _____