

REGULATION

MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries: ECM, ECM-RA
Responsible Office: Chief Operating Officer
Facilities Management

Community Use of Public Schools

I. PURPOSE

To publish the guidelines and procedures related to the community use of school facilities

II. BACKGROUND

Community use of public schools is a service provided by the Montgomery County Government and the Montgomery County Public School (MCPS) system. The Interagency Coordinating Board (ICB) is the policy board which governs the community use of schools and approves guidelines and procedures. The Community Use of Public Facilities office (CUPF) handles administrative responsibilities for the ICB. The policy board was established to facilitate the community use of public schools.

Public agencies and nonprofit organizations, including nonprofit groups, citizens organizations within or outside the County, and commercial/business enterprises, may use school facilities. Schools are available to almost everyone who wishes to sponsor or conduct a community oriented activity.

Members of the ICB include the chief administrative officer of the County Government, a member of the Board of Education as *ex officio* member, the superintendent of schools, the president of Montgomery College, a member of the Maryland National Park and Planning Commission, a Council member or the staff director or a senior staff member of the Montgomery County Council, one citizen appointed by the Superintendent, subject to confirmation by the Board of Education, three citizens appointed by the County Executive, a person designated by the Montgomery County Association of Secondary School Principals as *ex officio* member, and a person designated by the Elementary School Administrators Association as *ex officio* member.

III. GUIDELINES

A. Nonprofit Users

MCPS -- The school itself has first priority for use of indoor and outdoor school space. This means school staff are the first in line to reserve space for their use. Reservations must be submitted by school staff no later than September 15, but with a target date of August 15, of each year. After September 15, the following groups may reserve and use space:

1. Child Care
2. PTA
3. County and other government agencies
4. Nonprofit Community Organizations
5. Nonprofit non-County Based Organizations or Commercial/Business Enterprises

B. Commercial/Business Enterprises

Any commercial/business enterprise (such as driving schools, SAT preparation companies) must be referred to CUPF to ensure compliance with County insurance requirements.

IV. PROCEDURES

- A. Schools will develop local policies that address the use of food and drinks within the school, such as classrooms, the gymnasium, computer lab, or media center.
- B. Schools are available for community use any day of the week, during non-instructional hours, from 6:30 a.m. to 11 p.m. Users are permitted to use school facilities on weekends and holidays between 7:30 a.m. and midnight. In some instances, these hours may be extended provided that the extension does not limit or restrict the regular school instructional program and provided that staff coverage is available. Users are not to remain in the building beyond the permitted hours unless prior arrangements have been made between the principal, the building service worker, and CUPF. (Limitations regarding the hours of usage will not apply to elections conducted under the auspices of the Board of Supervisors of Elections.)

C. Forms

1. A Facility Use Form (FUF) is the form designed to schedule and reserve school space. It is a contract, outlining the dates, times, and costs related to a user's request to be in a public school facility. It also lets the school know when the user is scheduled to be in the facility. Users and school staff should read the back of the form (as well as the guidelines) to understand the conditions, responsibilities, and obligations of using Montgomery County Public Schools.

The community use of schools program requires all users to fill out a FUF whether there is a fee or not. Users may submit online applications and will receive a permit confirming their reservation(s). School activities conducted after normal school hours that need additional staff services are required to submit an FUF.

2. The *Authorization for Employee Use of Overtime* form (280-19) must be filled out to authorize ICB payments for MCPS staff services if the overtime hours do not appear on the "Approved Hours Report" posted weekly by CUPF.
3. The *Cancellation/Adjustment Form* is designed for any changes that need to be made to a FUF. Changes to a FUF usually take the form of activity cancellations, modifications in scheduled time, or requests for extra services. When a change or adjustment to the original FUF is necessary, the ICB Form 230-11: *Cancellation/Adjustment* must be submitted.
4. Questions regarding community use of public schools should be addressed to CUPF.

D. Fees

The ICB Fee Schedule includes the following terms:

1. **Basic Rate:** The basic rate is the hourly room fee charged for using schools but varies according to the facility, time of day, day of the week, and activity type. Refer to the Fee Schedule in the *Guidelines for Community Use of Public Facilities* to determine the appropriate basic rate for a user group. The basic rate includes heat and air conditioning.
2. **Startup Service Fee:** An additional flat fee is charged to each user on weekends and holidays.

3. Schools Without Gyms: A minimum of three hours of use will be required for using schools without gyms on weekends and holidays.
4. Additional Charges: In addition to the basic rate, an hourly fee is charged if the user requests or requires services such as building service worker (BSW), setup/cleanup, security staff, cafeteria personnel, media services technicians, and/or the use of school equipment.

a) Building Service Worker (BSW)

School staff should note that at least one BSW must be available in each facility Monday-Friday to admit community users. In the event a night differential BSW is not available (because of illness or extraordinary circumstances), the building service manager (BSM) or designee must contact the School Plant Operations building services supervisor to locate a substitute. If a substitute night differential BSW cannot be located, ICB staff must be notified immediately.

b) Cafeteria Personnel

A cafeteria manager or worker is required every time the use of kitchen equipment is requested. This requirement is applicable even if the user is only heating prepared food.

c) Media Services Technician (MST)

When special equipment is used, a qualified teacher or MST must be present. Depending upon the function and equipment needs, a student assistant may be assigned if approved by the principal.

d) Equipment

The use of school equipment is specifically prohibited unless prior approval has been received and arrangements have been made with the principal, or his/her designee, to provide the necessary protection and security of equipment.

When the use of MCPS equipment is requested, such as audiovisuals, special lighting, or other items (requiring the replacement of expendable

parts), a per hour equipment fee is assessed. This charge, which may be used to replace these expendable items, is paid to CUPF and refunded quarterly to high schools and semi-annually to elementary and middle schools. If MCPS staff overtime is required to operate school equipment, this service will be included in the charge listed on the FUF. Payment for repair or replacement of any public school equipment damaged by a user group is the responsibility of that user group. Neither MCPS nor the ICB will accept responsibility for any non-school equipment brought in by the user for an activity.

E. School Closings

1. If schools close early or are closed for the entire day, all non-school sponsored activities will automatically be cancelled.
2. On weekends and holidays, the decision to close school facilities early, delay opening, or close for the entire day is made by the CUPF in consultation with the Office of the Chief Operating Officer. The CUPF will contact the local media with any cancellation announcements by 7:00 a.m.
3. When schools are closed for outside community use by ICB, community activities will be entitled to receive a refund.

The sponsor for each activity will be responsible for attempting to notify all participants as to the disposition of their program.

F. Conditions of Use

Facility Use Forms represent a contractual agreement between the user and Montgomery County. For all schools under centralized scheduling, the contracts are signed by both CUPF and the user groups. School schedulers and building service managers are expected to retrieve updated information from the Class database on a regular basis as to scheduled activities in their schools. Once contracts are signed, the following rules apply:

1. The school space has been committed to the user and cannot be changed or amended without the user's consent, except in cases of an emergency.

2. The user's conduct will be:
 - a) Orderly and lawful
 - b) Not of a nature to incite disorder or cause damage to school facilities or equipment
 - c) Not restrictive by reason of race, creed, sex, or color
3. The following is prohibited at all times in school buildings and on school grounds:
 - a) Use or possession of alcoholic beverages or other intoxicants
 - b) Gambling except as permitted by the *Maryland Annotated Code of Criminal Law* Title 13, Subtitle 18 with the appropriate licenses and/or permits
 - c) Indoor use of school gyms for football, soccer, lacrosse, hockey, cricket, and baseball/softball
 - d) Smoking or use of tobacco products
 - e) Fires, grilling, open flames, and the use of flammable materials, with the exception of outdoor charcoal grilling that is specifically granted on an individual school basis as part of Adopt-a-Field agreements
 - f) Parties and celebrations that are essentially private in nature; this exclusion includes birthday, anniversary, wedding receptions, and other similar activities
 - g) Weapons, firearms, ammunition
 - h) Excessive noise
4. There will be no temporary or permanent signs, banners, pennants, or the like placed in or on school buildings or on school grounds by any group except those associated with activities sponsored by the school or school PTA with the following two exceptions:

- a) Activities carried on in the schools by the Board of Supervisors of Elections will be free of this restriction.
 - b) Other groups, such as churches, which use schools, may place temporary identification signs on school grounds only during the actual hours the school is used. At the conclusion of the use of the school the group must remove the signs.
5. The use of the building by an outside organization will in no way restrict or limit the normal instructional program carried out during regular school hours.
6. School facilities are to be used for dances only by the following groups:
- a) Public school groups
 - b) Organized recreation departments and parent-teacher associations; however, the groups will assume financial responsibility for any damages or injury resulting from their use of the facility
7. The purpose of the ICB is to promote and facilitate maximum community use of school facilities. However, the ICB reserves the right to investigate all school use requests.
8. Continued use of a school building by any group is contingent upon compliance with school use regulations. All users should take all necessary steps to protect school property and ensure public safety.

If a principal feels the facility is being misused by any group, he/she must notify CUPF in writing. Continued misuse may lead to termination of the building use contract. User groups abusing school property or in any way neglecting to follow regulations or causing public concern or damage may be prohibited from future use.

9. Any group or organization using school property will be required to execute a facility use agreement. This agreement will require users to conduct their activities in accordance with Board of Education policy. In addition, this agreement will require users to indemnify and hold harmless, to the fullest extent allowable by law, the Board of Education, the individual members thereof, and any MCPS employees against all liability for loss, injury, damage, claims, lien or related

expense, including reasonable attorney's fees resulting from their use of the facility.

In the event MCPS property loss is incurred as a result of the use of the facility by an outside group, the amount of damage will be decided by MCPS in consultation with CUPF, and the user group will be charged accordingly.

10. In the event the use of a school building by any group involves the receipt and/or storage of supplies and/or equipment for the benefit of the outside group, this factor must be included as part of the application. Neither MCPS nor the ICB will be responsible for the loss of or damage to these supplies and/or equipment while placed in a school.

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