

RULES AND REGULATIONS FOR USE OF SCHOOL FACILITIES
Municipal Building Maintenance Board 9/1/2004; Board of Selectmen Vote:
6/26/2012, Effective Date: 7/1/2012; Revised Vote and Effective Date: 8/19/2014;
Revised Vote and Effective Date: 10/23/2018

All authorized persons or organizations must comply with the following rules and regulations for use of School buildings in the Town of Needham. The Town reserves the right to make changes and/or additions to these rules and regulations if deemed appropriate for the safe use of the School buildings.

A. SCHOOL COMMITTEE POLICIES

1. Commercial Use of School Facilities Under School Committee Policy KGA, it is the policy of the School Committee to refuse to authorize the use of buildings, property, or facilities under the jurisdiction of the Needham Public Schools, and maintained by the Department of Public Works, for any commercial purpose whose proceeds are not directed entirely to the benefit of the Town of Needham, other municipalities and government agencies, or a charitable* organization carrying out a legitimate educational or philanthropic purpose. Exceptions to this policy may only be made by vote of the School Committee.

Any person or organization granted use of school buildings, property, or facilities must adhere to all other existing School Committee policies.

*Charitable shall be limited to and include only religious, charitable, scientific, literary, or educational purposes.

2. Public Conduct on School Property Under School Committee Policy KGB, it is the policy of the School Committee that buildings and property under jurisdiction of the Needham Public Schools shall provide, at all times, a safe and orderly environment for students, staff, parents, visitors, and other authorized users. No person, while on School property, shall willfully: injure, or threaten to injure, another person; damage the property of another or of the Schools; disrupt the orderly conduct of classes or of any other authorized School program or activity; interfere with the authorized activities of members of the School community (students, staff, committees, parent organizations, or other authorized groups/organizations;) enter upon School property for any unauthorized purpose; possess drugs, alcohol, or other illegal substances/articles; act in such a manner as to jeopardize the safety and/or security of persons or property.
3. Fundraising Activity Under School Committee policy DFC consolidated Policy on Grants, Gifts, and Solicitations, it is the policy of the School Committee that all fundraising activities for the benefit of Needham Public Schools be conducted in a lawful manner. Prior approval of the building Principal, or the Superintendent if more than one School is involved, will be required for any permit for fundraising activity. All proceeds from fundraising activities that

benefit Needham Public Schools must follow the “Acceptance of Gifts and Grants” policy, and be accepted through a vote of the School Committee. School officials may prohibit any fundraising that is considered disruptive to the School environment.

4. Use by Religious Organizations School buildings may be leased or permitted to a religious organization for non-religious purposes on the same basis as those available to the general public.

B. AUTHORIZATION

1. The Needham School Committee authorizes the Department of Public Works to process appropriate permit requests for use of School buildings and parking lots, and to collect the designated fees.
2. The Director of Public Works will make the determination on the specific space available that is appropriate for the individual request.
3. In the event of a request that is non-routine in nature, the Director of Public Works will refer the request to the Superintendent of Schools for further action.
4. Requests for use of athletic fields and other outdoor areas, except parking lots, should be made to the Needham Park and Recreation Department.

C. PERMIT PROCESS

1. Applicant must be at least 21 years of age and a Needham resident or representative of an approved Needham organization.
2. Requests for permits must be submitted through the Town’s online request system at <http://needhamma.gov/scheduling> either on paper or via the Town’s website at the Department of Public Works at least 10 working days in advance of the requested event. The Director of Public Works may waive this requirement at his or her discretion in unusual circumstances. Requests may not be made through custodians or other School personnel.
3. Scheduling priority will be given to groups in the following order:
 - 1) Needham Public Schools, including its Community Education Programs, Parent-Teacher Organizations, Booster Clubs, and other School-related clubs and organizations recognized by the Needham School Committee;
 - 2) Needham Park and Recreation Commission and other Town government departments/boards/committees;
 - 3) Needham non-profit organizations;
 - 4) All other groups that comply with Needham School Committee policies.

4. When a higher priority group requests a space that was originally requested by a lower priority group or when two different organizations in the same priority group request a space, the Department will facilitate a dialog between the organizations to find a workable solution. If no workable solution can be determined, priority will be given to the highest priority group, or if both groups are of the same priority level, the request will default to the group that submitted the request first.
5. In consultation with School Administration, the Director of Public Works will determine locations in buildings that are not available for permits, and time frames not available for permits. This information will be available on the Town's website.
6. Permits will be considered after July 1st for events being held during the School year and after March 31st for events being held during the summer.
7. Groups requesting multiple uses should submit full schedule requests based on the deadlines below:
 - A. During the School Year:
 1. Priority Group # 1 July 1st
 2. Priority Group # 2 July 15th
 3. Priority Group # 3 July 31st
 4. Priority Group # 4 August 15th
 - B. During the Summer Months
 1. Priority Group # 1 February 1st
 2. Priority Group # 2 April 15th
 3. Priority Group # 3 May 1st
 4. Priority Group # 4 May 15th
 - C. Winter Priority Group # 3 & # 4 requests for Gym space from November – April will not be approved until the Winter Sports Summit Meeting is held in September.
 - D. A summer use of buildings summit meeting will be held in December for the Priority #1 and Priority #2 users to discuss and coordinate summer building use with each other and Public Works staff.
 - E. It may take up to 10 business days to approve a new permit.
8. Elections (local, state, federal) held in School buildings will take precedence over other activities and events for scheduling purposes. Special or unforeseen elections may supersede or “bump” previously scheduled permitted events.
9. Summer requests are rarely granted so that all Schools can be cleaned and repaired for fall use. Buildings may be taken off line to ensure cleanliness, so that routine maintenance can be performed, and to accommodate construction projects that are necessary to maintain the functionality of the buildings. Every summer, two elementary schools and one secondary school will be closed to permitted events. Exceptions are provided for Community Education programs; teacher

training, workshops and/or meetings; and Park and Recreation programs. It is expected that organizations that use the buildings over the summer will consolidate programs to allow for maintenance and energy savings. No organization will be permitted to use School facilities within two (2) weeks of the first day of School, with the exception of teacher training and workshops, so that all facilities can be cleaned prior to the start of the School year.

10. All permit requests with an anticipated attendance of over 50 people, or with special circumstances that warrant additional review will be forwarded to the Needham Police Department and Needham Fire Department. In some instances, the Chief of Police and/or the Fire Chief will require a police detail and/or fire detail. Additional regulations concerning when a police detail and/or fire detail will be required are listed below.
11. The person submitting the permit request will be the primary contact for the program to be held under that permit. That person's acknowledgement of rules and regulations on the permit or submission of permit into the Town's online request system will signify understanding and acceptance of all rules and regulations, responsibility for payment of all designated fees, and the responsibility to ensure that all rules are followed by the participants in the program. Failure to follow regulations and/or make appropriate payments will affect permit requests by the individual's organization in the future.
12. A written notice of cancellation is due at least 5 days prior to the scheduled event for all events. Email cancellations can be sent to Scheduling@NeedhamMa.gov. Failure to provide written cancellation notice will require full payment of any fees required by the approved permit.
13. Permits may not be shared with other groups, without the written permission of the Director of Public Works.
14. A Certificate of Liability Insurance must be submitted to the Department of Public Works prior to the issuance of the final permit and must name the Town of Needham as additionally insured. General liability coverage shall be in the amount of at least \$1,000,000 per occurrence and \$2,000,000 aggregate for bodily injury liability and \$1,000,000 per occurrence and \$2,000,000 aggregate for property damage liability.
15. Permits are facilitated through the Town's online request system. Copies will be emailed to all affected parties and information will be available on the Town's website.
16. Permits for private use, including but not limited to, parties, recitals, and other private uses, will not be authorized.

17. The Town retains the right to cancel permits without notice if all conditions are not met.
18. Once the space permit is approved, it is the responsibility of the user to communicate with all other departments/organizations affiliated with the permit and listed below to ensure appropriate coverage.

D. SCHOOL USE OF BUILDINGS

1. Outside of School hours, School program use of building space will be scheduled through the Public Works to avoid conflicts with other groups, to ensure custodial coverage, and to ensure enforcement of the rules and regulations. "Outside School Hours" shall include the hours before 6:30 am and after 6:00 p.m. on School days, all weekends, all holidays, and all School vacations, including summer vacation.
2. As listed in Section B, priority for use of School buildings is given to School programs. No non-School event will be scheduled before 6:00 p.m. when School is in session without written approval of that School's Principal. No tours of facilities during School hours, for potential permit holders, will be conducted without the approval of the School's Principal.
3. All requests for use after 6:30 a.m. and prior to 6:00 p.m. will be scheduled by the building Principal. All such requests that extend beyond 6:00 p.m. will be scheduled in collaboration with the Public Works in order to avoid conflicts after 6:00 p.m.
4. The High School Athletic Director will submit schedules and be provided space for games and practice sessions at the High School, and other School buildings, as needed. All use of space must conform to the most current Massachusetts Interscholastic Athletic Association's (MIAA) rules and regulations. Individual coaches may not submit requests for practice space in addition to that requested by the Athletic Director. Programs not conducted under the auspices of the Athletic Director may not request facility space through the Athletic Director.
5. In the event of inclement weather, post-season participation, or emergency, the High School Athletic Director may reschedule a game within MIAA rules, superseding previously scheduled permits. The Athletic Director will inform the Public Works about all cancellations and make-up games at the earliest possible time, so that groups holding permits can be contacted and be given the opportunity to make alternate plans.
6. Fundraising events will require the permission of the building Principal, who will ensure that all legal requirements have been met, including but not limited to the School Committee Policy on Grants, Gifts and Solicitations; IRS rules; MIAA regulations; and State law.

7. If a School building is closed due to unforeseen circumstances, e.g. weather, or electrical/heating problems, permits will automatically be cancelled. The Public Works will attempt to alert the primary contact via email, if time allows, prior to the scheduled permit time. The cancellation of School events will be determined by the Superintendent of Schools, the cancellation of Town events will be determined by the Town Manager, and the cancelation of all other events will be determined by the Director of Public Works.

E. USE FEE

1. A use fee will be charged to all groups, except those sponsored by the Needham Public Schools, including athletics, Community Education, music, drama, parent-teacher organizations, municipal departments, boards, committees; and the League of Women Voters when holding events that provide information for municipal government. This use fee is to account for the energy, additional maintenance, permitting, and other costs associated with using the space. There is no automatic exemption provided to organizations that are raising funds for any of the above noted exempted groups.
2. This use fee does not include fees for staffing (custodial, IT, kitchen, fire). Any organization exempted from the use fee is still expected to pay any staffing fees incurred.
3. A permitted group must pay the use fee for each and every space used for each individual occurrence used in an individual day.
4. The use fee is set for individual Schools and individual spaces. The use fee can be seen in Appendix D and is subject to change.

F. CUSTODIANS

1. A custodian on regular duty will not be available for service during the time of the rental, except in cases of emergency. The responsibility of a regularly scheduled custodian will be limited to opening/closing the facility. In the event that extra duties are needed, the group holding the permit will be charged for the custodian's time needed for the activity or to clean up the facility.
2. Under no circumstances shall a custodian, either on regular duty or assigned for a specific program, be responsible for supervision of participants before, during, or after an activity. Adequate and responsible adult supervision shall be provided at all activities involving youth, and said supervision must be present throughout the program. Entry into the facility will not be permitted until the responsible supervision is present, and at the conclusion, the supervisor must remain until the last participant has safely left School property.

3. The custodian will only provide access to spaces/equipment that are approved on the permit, and will not authorize any other space/equipment without approval of the Director of Public Works or his/her designee.
4. In the event that the services of a custodian are needed, a custodian will be assigned by the Director of Public Works or his/her designee, and may not be chosen by the permit holder.

G. ON-DUTY STAFF CUSTODIAL FEES

1. No custodial fee will be charged when there is a regularly scheduled custodian at the requested building and no services are requested. A fee will be charged when a custodian must be assigned for the permit or must provide services beyond opening and closing the facility. A custodian may be required when food will be available at the event, when there are special requirements for set-up and breakdown, and when the event occurs outside the normal buildings hours. Additional circumstances exist where a custodian may also be required.
2. The on-duty staff and custodial fees are subject to change and are listed in Appendix C.
3. There is a four-hour minimum for custodial services, a minimum of 30 minutes reserved at the conclusion of the event for clean-up services. Time that is required to bring the spaces being occupied and used back to their previous state is billed to the applicant who used those spaces.
4. School and Town programs will not pay for a custodian on site to open and close the building if the event occurs on weekdays or Saturdays. It is expected that departments and School groups will work to concentrate their events in a single location at similar times to reduce the cost of coverage. If an event occurs on a Sunday or holiday, the same fee for a custodian that is charged to non-School or non-Town groups will apply.
5. The permit holder must sign the overtime sheet at the conclusion of the event, if a custodian was assigned to the event or was required to stay later than the buildings scheduled hours.

H. USE OF GYMNASIUMS

1. Hardball sports are not permitted in gymnasiums, for the protection of walls, lighting fixtures, and floor surfaces.
2. Food and beverages are not permitted in gymnasiums.

3. No tape may be added to the gymnasium floors or walls without the approval of the Director of Public Works or his/her designee.
4. Custodians may change the height of an adjustable basketball backboard, with the approval of the Director of Public Works and/or Director of Physical Education and Health. Permit holders may not change the backboard heights themselves. If the desired height is other than the standard height for that particular gym, the permit applicant must submit the desired heights in writing on the permit application. There is no guarantee that the request will be honored.
5. Appropriate athletic footwear is required on gymnasium floors. Black soled shoes, cleats, certain “street or dress” shoes and spiked heels can damage the floor surfaces. Care should be taken to remove sand and grit from the soles of shoes to lessen damage to floor surfaces.
6. The posted occupancy limit may not be exceeded.
7. Permit holders are responsible to ensure that any equipment authorized for use is used appropriately and returned to the appropriate storage area in an orderly manner at the conclusion of the program.

I. USE OF AUDITORIUMS/PERFORMANCE CENTERS

1. All permit requests for auditoriums will be forwarded to IT Services. Approval is at the sole discretion of the Needham Public Schools.
2. Food and beverages are not permitted in Auditoriums or Performance Centers.
3. Permit holders are responsible to pick up performance programs and other handouts at the conclusion of the event
4. The posted occupancy limit may not be exceeded.
5. Electrical permits are required for any change or addition to the current electrical system/units. This includes all stage and theatrical lighting, as well as sound systems. Applications for electrical permits are available at the Needham Building Department.
6. Performance level audio-visual equipment may only be operated by pre-qualified technicians or a vendor pre-approved by the Director of IT Services.
7. School equipment located in the auditorium, including musical instruments, must not be used without prior approval.
8. The permit request should include a request for length of time allowed to keep sets or scenery in place for performance, and this request will be reviewed by the

building Principal and Director of Public Works. The final determination will be based on other known uses and needs for the space.

J. USE OF KITCHENS

1. If the permit request requires the use of a kitchen, it is required that a Nutrition Services staff person must be present. The Nutrition Services staff person would be responsible for insuring adherence to all health and safety regulations, supervision of proper use of the equipment, ensure the safety and security of the kitchen and its contents, and supervision of clean-up. The hourly fee for a Nutrition Services staff member is listed in Appendix A.
2. If the permit starts before or at 5:00pm Monday through Friday, there is a two hour minimum for Nutrition Services staff. If the permit starts after 5:00pm Monday through Friday or occurs on a Saturday, Sunday or Holiday, there is a four hour minimum.

K. USE OF TECHNOLOGY AND AUDIO VISUAL EQUIPMENT

1. If a permit request includes the use of televisions, microphones, VCR or DVD players, or any other type of technology and/or audiovisual equipment, the Administrator of IT Services/designee must approve the permit. No AV equipment is available outside of the performance centers and auditoriums. Provisions for AV equipment outside for these spaces must be made by the user, independent of the Town systems. A determination will be made on the availability of the equipment and on the need for an IT Services staff member to be present during use. In the event an IT Services staff person must be on duty, a fee will be charged to cover the cost of his/her time. The hourly fee is listed in Appendix A.
2. The permit holder is responsible for the cost of repairs needed for damage occurring during his/her use. Failure to pay will lead to denial of future permits for that individual and organization.
3. There is a four-hour minimum for IT Services staff on special duty. Time required for set up will be billed to the user.

L. USE OF PARKING LOTS

This section is applicable only to groups seeking to use school building parking lots, without rental of the school building.

1. Upon advance written approval of the Superintendent of Schools, the Public Works is authorized to permit the use of school parking lots outside of school hours, so long as the use is not in conflict with other scheduled activities at the school.

2. A use fee will be charged to all groups. The use fee is set on a per lot/per day basis as set forth in Appendix D. The use fee is subject to change.
3. Groups permitting a parking lot will not pay for an onsite custodian if the parking lot is the only space being permitted and no services are requested.

M. FIRE SAFETY REGULATIONS

1. Open flames/smoke are not permitted in any School location. Use of matches, candles, incense, and pyrotechnics are strictly prohibited. Use of a smoke machine is also prohibited.
2. Each permit with an attendance of 50 or more, or that meets the conditions below, will be forwarded to the Needham Fire Department to insure compliance with the Massachusetts Board of Fire Prevention Regulations (527 CMR) and the Needham Board of Selectmen's Policy on Fire Details dated 10/28/03 to determine whether a Firefighter must be hired through the Needham Fire Department. It is the responsibility of the applicant to contact the Town's Fire Department to determine if a Fire Detail is necessary. The Firefighter's role will be to ensure that occupancy limits have not been exceeded; to monitor that all egress areas remain available for use and are marked; to check that all fire protection devices are working; to ensure that all fire codes are followed; to respond to any immediate fire emergency and evacuation; and to perform as first responder to any medical emergency.
3. In the event that a Firefighter must be hired, there is a four-hour minimum payment requirement.
4. A Fire Detail may be required for any event that fully utilizes a School kitchen or when stage/theatrical lights are in use.
5. Use of any equipment or material that is judged to potentially jeopardize fire safety will require a permit from the Needham Fire Department. The Fire official may require an inspection of decorative materials or installation of additional electric equipment prior to use. If additional electrical work is needed to provide alternative stage or theatre lights and sound, an electrical permit is also required. Applications for electrical permits can be obtained at the Building Department.
6. In accordance with Massachusetts Board of Fire Prevention Regulations (527 CMR,) the room or facility occupancy capacity cannot be exceeded. Occupancy capacity is posted in each major area of assembly.
7. Emergency egress areas should be identified to all attendees at the beginning of each program or activity.

N. POLICE SAFETY REGULATIONS

1. Each permit with an attendance of 50 or more will be forwarded to the Needham Police Department for compliance with Massachusetts General Laws and local regulations to determine whether a Police Detail must be hired through the Needham Police Department. It is the responsibility of the applicant to contact the Town's Police Department to determine if a Police Detail is necessary. The Police Detail's role will be to provide security to the facility; ensure that vehicles are parked legally; and ensure that emergency vehicles have access to the facility. If a Firefighter is not present on site, the Police Detail will perform as a first responder in the event of an accident or injury.
2. In the event that a police detail must be hired, there is a four-hour minimum payment requirement.
3. In accordance with N.G.B.L. Section 3.1.9., no person shall possess or consume an alcoholic beverage within the limits of any park, playground, public land or public building owned or under the control of the Town of Needham, except with written permission of the appropriate controlling Town tribunal.
4. In accordance with MGL, Chapter 272, Section 40A, any person who gives, sells, delivers or has in his possession any alcoholic beverage in any Public School or any premises used for Public School purposes is subject to imprisonment or fine. MGL Chapter 272, Section 40A also authorizes the School Committee to grant permission to a public or non-profit organization using a Public School building during non-School hours to possess and sell alcoholic beverages, provided such organization is properly licensed under the provisions of MGL Chapter 138, Section 14. Information on one-day liquor licenses is available at the Office of the Town Manager, otm@needhamma.gov.
5. In accordance with MGL, Chapter 101, Section 22, no person, including licensed hawkers and peddlers, shall sell or offer to sell items within 1,000 feet of any School during hours that School is in session until one hour after closing of the Schools. No person shall sell or offer to sell items within 1,000 feet of any recreational area in organized use, including School grounds.

O. BOARD OF HEALTH REGULATIONS

1. Smoking is not permitted in any School building or on any School grounds, in accordance with MGL Chapter 71, Section 37H of the Education Reform Act of 1993 and Article 1 of the Needham Board of Health regulations.
2. A temporary food permit and license fee is required for any event that involves the sale or distribution of food, in accordance with Article 1 of the Needham Board of Health regulations.

P. RAFFLE AND BAZAAR REGULATIONS

1. A request for a permit must be submitted to the Needham Town Clerk's Office in order to hold a raffle or bazaar, according to MGL, Chapter 271. A raffle is defined as "an arrangement for raising money by the sale of tickets, certain among which, as determined by chance after the sale, entitle the holders to prizes." A bazaar is defined as "a place maintained by the sponsoring organization for disposal by means of chance of one or both of the following types of prizes: (1) merchandise, of any value, (2) cash awards, not to exceed twenty-five dollars each." An example of a bazaar is a Las Vegas Night. There is a permit fee charged at time of application.
2. Any person wishing to hold an auction must apply for a permit through the Needham Town Clerk's Office, according to MGL, Chapter 100. A copy of the application will be reviewed by the Needham Police Chief and returned to the Town Clerk with a recommendation. There is a permit fee charged at time of application.

Q. ACCIDENTS AND DAMAGE TO BUILDINGS

1. In the event of an accident during the time of the permit, the permit holder must complete an accident form and submit it to the Department of Public Works must be completed within twenty-four hours of the event or on the first business day after the event.
2. The permit holder is responsible for the cost of repairs needed for damage occurring during his/her use. Failure to pay will lead to denial of future permits for that individual and organization.
3. The permit holder is responsible for surveying the room(s) provided by the permit prior to use, and notifying the custodian immediately if there are any problems that could jeopardize the safety of any individual.
4. In the event that damage to the facility or equipment occurs, the custodian must be notified immediately. Permit holders may not make any repairs without the approval of the Director of Public Works or his/her designee.