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*In CC
packets 4/9/09
by blynch*

Bernard F. Lynch
City Manager

TO: Mayor Edward Caulfield
And
Members of the Lowell City Council

FROM: Bernard F. Lynch, City Manager 

DATE: April 9, 2009

SUBJECT: **MOTION OF 9/9/08 BY COUNCILOR RITA MERCIER
"REQUEST THE MAYOR TO REQUEST THE LOWELL
SCHOOL COMMITTEE REVISIT THE POLICIES AS IT
RELATES TO THE USE OF SCHOOL BUILDINGS".**

In response to the above-mentioned motion Jay Lang, Assistant Superintendent of Finance and Operations of the Lowell Public Schools has provided the attached report regarding the policies to the use of school buildings.

If I can provide you with any further information, please contact me.

Thank you.



LOWELL PUBLIC SCHOOLS
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April 9, 2009

Mr. Bernard F. Lynch
City Manager
375 Merrimack Street
Lowell, MA 01852

Re: Regulations Governing the Use of School Facilities

Dear Manager Lynch:

Attached please find a copy of a recent report provided to the Lowell School Committee regarding current regulations governing the use of Lowell Public School facilities. The report was provided at the request of Mayor Caulfield on behalf of Councilor Rita Mercier.

Please feel free to contact me if you require further information regarding this matter.

Yours truly,



Jay Lang
Assistant Superintendent of Finance and Operations



Use of Facilities Costs

To: Chris A. Scott, Ph.D. Superintendent of Schools
From: Jay Lang, Assistant Superintendent of Finance & Operations
Date: March 27, 2009
Re: Use of Facilities Costs

A motion was presented at the September 17, 2008 regular meeting of the Lowell School Committee as follows:

Motion brought forward by Mayor Caulfield on behalf of City Councilor Rita Mercier in regards to the increase in costs related to youth organizations utilizing the gyms in the schools.

Attached please find a copy of the current Regulations Governing the Use of School Facilities approved by the Lowell School Committee on October 4, 2006. The fees as referenced in Section J, Charges and Fees, Number 6, have not been increased since the date of the last approved revisions to this policy, October 4, 2006.

The current regulations allow for the Superintendent or his/her designee to exempt organizations from the user fees as referenced above. It has been the practice to grant a 75% waiver of the user fees to non-profit organizations serving Lowell children. For example, such an organization would pay \$ 5.00 per hour for the use of an elementary school classroom for their activity instead of the \$ 20.00 per hour user fee as outlined in the regulations. Similarly, a non-profit organization serving Lowell children would pay \$ 12.50 per hour for the use of a middle school gymnasium instead of the \$ 50.00 per hour fee as outlined in the regulations. These user fees are collected and in turn provide a source of capital funds for improvements to be made in the schools. Recently these funds have been used to refinish the hardwood floors in the gymnasiums at the Daley, Robinson and Rogers Middle Schools as well as to purchase new bleachers at the Bartlett Community Partnership School. It is anticipated that these funds will be used to refinish the hardwood floors in the gymnasiums at the Bartlett Community Partnership School and the Reilly Elementary School this summer.

As has been a long standing practice in Lowell, the Lowell Public Schools exempts the City of Lowell Parks and Recreation Department and its affiliates from all user fees. In return the City of Lowell Parks and Recreation Department exempts the Lowell Public Schools from all park permit fees.

LOWELL PUBLIC SCHOOLS REGULATIONS GOVERNING THE USE OF SCHOOL FACILITIES

A.) General Areas of Use

- 1.) Organizations (any group or entity excluding the Lowell Public Schools) using school buildings or grounds under a permit from the Lowell School Committee are restricted to the use of the rooms and/or spaces assigned to them. Participants found wandering unsupervised in a school building will be immediately escorted out of the facility. The sponsor of the activity will be notified.
- 2.) Organizations using school buildings will use only one designated entry and exit. An adult, an individual over the age of twenty-one (21), must be present during the entire duration of the activity to monitor and control the entering and existing of children participating in the activity. Organizations are required to provide adult supervision at the entrance of the facility during the entire duration of the event to ensure the safety of the participants and the facility.
- 3.) Specific bathroom facilities will be designated for use and only those bathrooms will be accessible. The organization using the building will be responsible for monitoring these bathrooms.
- 4.) No intoxicated or disorderly individuals shall be allowed on any part of the school premises.
- 5.) Organizations that are not required to hire a custodian must clean up all trash and debris generated as well as organize the equipment used during the event.

B.) Specialty Areas of Use

- 1.) All organizations will be responsible for repair and/or replacement of any equipment found damaged or missing after the scheduled activity.
- 2.) Whenever kitchen facilities are used, a Lowell Public Schools food service employee must be present to assure proper and safe use of the kitchen facilities. In such cases, the organization shall be responsible for payment of the prevailing food service employee hourly rate.
- 3.) Facilities and individual rooms are provided for use without supplies and/or equipment. Organizations using school facilities must supply their

own materials and are not permitted to use classroom supplies or equipment. Equipment may only be used with specific permission granted under a permit from the Lowell School Committee.

C.) Gymnasiums

- 1.) Street shoes or boots may not be worn during any activity on a gymnasium floor. Markers, tape, skates, sticks, or bats that mark the gymnasium floor may not be used during any activity. Participants may not hang on basketball rims or nets.

D.) Beverages, Food and Smoking

- 1.) Unless specific permission is requested and granted at the time of approval, beverages or food may only be served in the cafeteria. Beverages, excluding water, or food may not be taken into a school gymnasium. The serving of beverages and food in a school foyer requires specific permission from the Lowell School Committee.
- 2.) Alcoholic beverages may not be brought into the school facilities or on any part of the school property.
- 3.) Smoking is not permitted in any school facility. Schools are a smoke free environment.

E.) Damage to Property

- 1.) Signs or posters of any kind may not be hung on or about the school facility. Existing signs or posters are not to be marked or defiled in any way.
- 2.) All incidents involving personal injury, damage to, or loss of property, must be reported within 48 hours to the Lowell Public Schools Business Office on the attached Incident Report Form.
- 3.) Costs to repair any damage resulting from the use of the school facility, as to its physical plant and/or equipment, whether by accident or otherwise, shall be the responsibility of the organization using the facility.

F.) Scheduling Priority

- 1.) Lowell Public School activities receive priority over other organizations for the use of buildings. Scheduled activities may be preempted by Lowell Public School activities, provided a notice of no less than 72 hours is given to the permitted organization.
- 2.) Lowell Public Schools are not required to complete applications for the use of their own buildings. However, Lowell Public Schools are required to submit a School Use Schedule of afternoon and evening activities, following the application deadline dates as described in Section F-3, to the Business Office so that a master schedule of facilities can be maintained.
- 3.) In the event of competing requests for the use of facilities, the following priority order will be used to grant permission for the use of facilities:
 - a.) Lowell Public School Activities
 - i.) Individual School Activities
 - ii.) Interscholastic and Intramural Activities
 - iii.) Extended Time Programs
 - b.) City of Lowell Activities
 - i.) Parks & Recreation Department Activities
 - c.) Non-Profit Organizations
 - i.) Parochial and Private School Activities
 - ii.) Community Group Activities
 - d.) Commercial Organizations

G.) Chaperones and Crowd Control

- 1.) All functions that are attended by minors, individuals under the age of eighteen (18), must be properly chaperoned by one or more adults. Adult chaperones, individuals over the age of twenty-one (21), must be present during the entire duration of the activity. There must be at least one adult chaperone per twenty (20) minors.
- 2.) Depending on the number of individuals attending an activity on school property, the Lowell Public School Committee may require one or more police officers or firefighters to be employed for crowd control and to ensure public safety, at the cost of the organization. The Superintendent of Schools or his/her designee shall determine the need for such services.

H.) Parking

- 1.) The parking facility across from Lowell High School may be available to any organization on a fee basis. For more information contact the City of Lowell Special Events Coordinator at (978) 970-4257.

I.) Cancellations

- 1.) All organizations are responsible for notifying the school principal and the building senior custodian of cancellations at least twenty-four (24) hours prior to the scheduled activity. In the event that the Lowell Public Schools are officially closed by the Superintendent of Schools due to inclement weather, all scheduled activities are cancelled.

J.) Charges and Fees

- 1.) School related student and P.T.O. activities may be exempted from fees with permission from the Superintendent of Schools or his/her designee.
- 2.) All non-school affiliated organizations shall be required to pay, at a minimum, custodial overtime charges and/or security officer charges currently in effect for each hour that custodians and/or security officers are assigned to open and provide appropriate security for the school facility. The decision regarding the need for custodians and/or security officers will be made by the Superintendent of Schools or his/her designee.
- 3.) All non-school affiliated organizations will incur custodial and/or security charges for facility use on Saturday's, "No School" holidays (including school vacation weeks) and Christmas eve.
- 4.) Interpretations of the fee schedule and the final determination of fees to be charged will be made by the Superintendent of Schools or his/her designee.
- 5.) The Lowell School Committee, acting through the Superintendent of Schools or his/her designee, may exempt organizations from the user fees. In such cases, the organization will only be charged the custodial overtime and/or security charges related to the facility use. At the time of application filing, a written request for exemption of fees must be made to the Superintendent of Schools. Unless a written request for the exemption of fees is attached to the Use of School Facilities Application, all appropriate user fees as outlined in Section J-6 will be charged to the applicant organization.

- 6.) In addition to payment of custodial and/or security charges, the following fees will be charged for the use of facilities:

Lowell High School

	Hourly Fee Structure
Classroom	\$ 20.00 per hour
Auditorium	\$ 100.00 per hour
Gymnasium	\$ 100.00 per hour
Little Theatre	\$ 25.00 per hour
Cafeteria	\$ 25.00 per hour
Swimming Pool	\$ 75.00 per hour

Elementary & Middle Schools

	Hourly Fee Structure
Classroom	\$ 20.00 per hour
Auditorium / Theatre	\$ 75.00 per hour
Gymnasium	\$ 50.00 per hour
Cafeteria	\$ 25.00 per hour

- 7.) Use of Lowell Public School buildings are subject to the current Regulations Governing the Use of School Facilities. By signing this application, any organization using Lowell Public School facilities agrees to the terms and conditions of the use of facilities regulations.

K.) Violation of Regulations

- 1.) Violation or failure to comply with any specific arrangements contained in the permit for the specified use of a facility may lead to withdrawal and/or suspension of the permit. Additionally, future requests for use of facilities may not be considered.