



COMMUNITY RELATIONS: Use of School Facilities

Use of School Facilities

I. Purpose

- A. To implement Board of Education of Baltimore County (Board) Policy 1300, by establishing procedures for the use of Baltimore County Public Schools (BCPS) facilities and grounds by groups and organizations.

II. Responsibility

The Department of Physical Facilities is responsible for managing the safe and appropriate use of all facilities in collaboration with site-based administrators.

III. Use of School Facilities and/or Grounds by Groups and Organizations

- A. Space in BCPS facilities and/or grounds may be used by community groups and governmental agencies.
- B. All groups and organizations wishing to use BCPS facilities and/or grounds must complete an application for use of facilities and/or grounds for each planned activity or event.
- C. If a scheduling conflict results/exists between applicants or users, an application for use of school facilities and/or grounds will be evaluated based on the following criteria in the following priority order:
  - 1. BCPS programs or activities.
  - 2. BCPS parent-teacher association (PTA) and parent-teacher (student) associations (PT(S)A) business meetings, educational programs and other PTA or PT(S)A-sponsored activities or events.
  - 3. Activities or events sponsored by the Baltimore County Department of Recreation and Parks (DRP) and its affiliated community recreation councils consistent with the terms incorporated in the Joint Use Agreement.
  - 4. Continuing education programs sponsored by CCBC at the sites identified in the Memorandums of Understanding (MOU) between CCBC and BCPS.
  - 5. Board-approved Child Care Programs.

6. Activities or events sponsored by federal, state and local governmental entities.
7. Activities or events sponsored by other community groups.

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 application.
- B. The following activities are not permitted:
  1. The use, sale, manufacture, distribution, dispensation or possession of alcohol in any quantity.
  2. The use, sale, manufacture, distribution, dispensation, or possession of any controlled substance in any quantity.
  3. The use, sale or possession of a firearm, knife, or deadly weapon of any kind.
  4. The use or sale of tobacco products and tobacco-related devices, imitation tobacco products, lighters.
  5. The use of obscene and/or abusive language.
  6. Raffles, quarter auctions and all other games of chance (for bingo, see Section IV(D) of this rule).
  7. Any activity or event likely to provoke or add to a public disturbance.
  8. Any activity or event determined to expose the Board [BCPS], its property, staff, students or individuals/businesses with whom the school system has a relationship to risk of damage, loss and/or bodily harm.
  9. Any activity or event involving animals for entertainment, recreation or training. This prohibition does not apply to a service animal that must accompany an individual with a disability pursuant to the Americans with Disabilities Act.
  10. Temporary or permanent alterations or changes to the physical structure of Board buildings and grounds.
  11. Posting of political signs, circulars or petitions involving local, state and/or federal elections and the use of school or office resources for this purpose.
  12. Other activities prohibited by Board policy, Superintendent's rule or school system procedure.

- C. Child care providers must execute a lease agreement with the Board and may only accept school-aged children enrolled in the school in which the child care program is located.
- D. Family Bingo Event
  1. An applicant for a family bingo event will obtain a bingo license and all requisite permits from the Baltimore County Department of Permits, Approvals and Inspections, or its successor or other designated county office, and comply with all Baltimore County 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 total cash value for all non-cash prizes awarded shall not be greater than \$1,000.00.
- E. An admission or other fee may be charged by the sponsoring entity.
- F. The approved application for use of facilities and/or grounds is not subject to transfer, assignment and/or subleasing without the express written permission of BCPS.
- G. In the event the applicant allows a third party vendor to sell any items in BCPS facilities and/or on its grounds, it is the responsibility of the applicant to ensure that all such vendors have appropriate permits and licenses from the appropriate governmental agency. It is the sole responsibility of the applicant and the user to ensure that, if applicable, appropriate state and local taxes are collected and paid for all sales occurring in Board facilities and/or grounds; and the Board shall have no liability therefore.
- H. Approval of requests 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;
  2. Priority of users according to the list in item 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 proposed activity's compatibility with the educational 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, if applicable;
8. Review and assessment of proposed activity by the Department of Physical Facilities and, if applicable, the Office of Risk Management 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 of activities involving the use of a facility's kitchen and/or food service area for the preparation of food, serving of food, or concessions; and
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. Assessment of Fees

- A. A reasonable fee may be assessed by BCPS to the applicant for the use of facilities for the purpose of reimbursing BCPS' expenses sustained for said use. Such fees shall be assessed in accordance with a fee schedule established and maintained by the Department of Physical Facilities.
- B. Such fees shall be based upon the costs associated with custodial services, food services, utilities, maintenance and similar charges.
- C. Fees for use of facilities and insurance certificate requirements will be waived for meetings of less than 50 individuals, except for custodial fees.
- D. Nothing in this section precludes the Department of Physical Facilities in its sole discretion from waiving, reducing or modifying the fees charged.

VI. Online Application Process

- A. All groups and organizations must submit an application for use of Facilities by completing the online form. The form is available on the school system's community Web page (*Application for Use of School Facilities* form).
- B. The individual submitting the application must be 18 years of age or older.
- C. The *Application for Use of School Facilities* must be submitted a minimum of 45 days prior to the proposed activity or event.

VII. Approval Process

- A. School Principal
  - 1. The principal, or his/her designated administrator, will review the application to determine whether:
    - a. The application is complete;
    - b. The dates of the activity or event do not conflict with the school program; and
    - c. Custodial staff is available.
  - 2. No later than five (5) calendar days from receipt of the application, the principal will forward his/her recommendation for approval/denial to the Department of Physical Facilities.
  - 3. Any application not submitted at least 45 calendar days prior to the date of the event/activity noted on the application form may be denied.
- B. The Department of Physical Facilities will review the application for completeness, including submission by the applicant of the appropriate certificates of insurance, permits and licenses.
  - 1. The application will be deemed to be complete when the application form, along with the required supporting documentation, has been submitted to the Department of Physical Facilities.
  - 2. The Department of Physical Facilities shall notify the applicant, in writing, within 15 calendar days from the date the completed application is received whether the application is approved, denied or approved/denied in part.
  - 3. If the application is approved/denied in part, a brief explanation of the reason for denial shall be provided.

VIII. Emergency Cancellation of Approved Applications

- A. When the Superintendent has determined a school, schools and/or offices shall be closed, delayed or dismissed early, all use of school facilities and grounds may be affected. Applicants should refer to Superintendent's Rule 6303, *Emergency Closures, Delayed Opening and Early Dismissal of Schools and/or Offices* to see how the closure, delay or early dismissal will affect his/her approved activity or event.
- B. The Superintendent may immediately revoke any use of facilities application issued in accordance with Board Policy 1300 and this rule if the facility or grounds is needed for school use or educational purposes, the activity or event interferes with department of physical facilities projects, or for a violation of operating rules and procedures.

IX. 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 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 within 10 calendar days from the date of receipt of the appeal.
- 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.
  - 1. All appeals to the Board must be noted, in writing, within 30 calendar days of the date of the decision of the Executive Director, Department of Physical Facilities.
  - 2. Appeals to the Board will be subject to the provisions of Board Policy 8340, *Appeal Before the Board of Education*.
  - 3. The Board will make every effort to hear all appeals within 30 calendar days of receipt of such appeal and the applicant shall be given the opportunity to be in attendance and present reasons in support of the appeal at the appeal hearing. The Board shall issue a decision following the appeal hearing. For events scheduled fewer than 120 days from the date of the receipt of the application, there is no

guarantee that the appeal will be heard prior to the requested date of the event.

Legal References: *Annotated Code of Maryland*, Criminal Law Article, §4-102, *Deadly Weapons on School Property*  
*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, *Use of School Property for Other than School Purposes – Charges for Use and Liability for Damages*  
COMAR 13A.02.04, *Tobacco-free School Environment Authority*

Related Policies: Board of Education Policy 1210, *Relationship with Parent-Teacher (Student) Associations*  
Board of Education Policy 2361, *Distribution of Non-School Materials*  
Board of Education Policy 2372, *Tobacco-Free and Smoke-Free School Environment*  
Board of Education Policy 3530, *Safety and Security*  
Board of Education Policy 6301, *School Calendar*  
Board of Education Policy 6303, *Emergency Closures, Delayed Opening and Early Dismissal of Schools and/or Offices*  
Board of Education Policy 8340, *Appeal Before the Board of Education*  
Board of Education Policy 8363, *Conflict of Interest–Prohibited Conduct*

Related Rule: Superintendent’s Rule 6303, *Emergency Closures, Delayed Opening and Early Dismissal of Schools and/or Offices*

Superintendent of Schools

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