

Book: Luzerne Intermediate Unit
Section: 700 Property
Title: Use of Intermediate Unit Facilities
Code: 707
Status: Active
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Last Revised: August 7, 2024



Purpose

The Board recognizes that although the primary purpose of the Intermediate Unit buildings, facilities and property is to provide educational programs and support services to member school districts, the Board may make its facilities available to individuals and community groups without discrimination and in accordance with this policy, provided the use does not interfere with the educational programs and support services of the Intermediate Unit. This policy establishes conditions, restrictions and procedures for the use of Intermediate Unit facilities for approved individuals and community groups.

Authority

The Board directs that use of Intermediate Unit facilities may be granted to individuals and community groups for the following types of activities:

1. Instruction in any branch of education, learning and the arts, consistent with the Intermediate Unit's mission.
2. Social, civic and recreational meetings and entertainment, and other uses pertaining to the welfare of the community; but such use shall be non-exclusive and open to the public without charge.
3. Polling places for holding primaries, elections and special elections, as permitted or required by state law.

The Board shall establish a schedule of fees for the use of Intermediate Unit facilities by approved groups.[\[1\]](#)

Delegation of Responsibility

The Executive Director or designee shall implement administrative regulations or procedures for requesting and granting permission for use of Intermediate Unit facilities and shall distribute the necessary information to individuals affected by them.

An application for use of Intermediate Unit facilities may be disapproved because of noncompliance with established policy and procedures by the Executive Director.

Guidelines

Application Process

An individual or community group requesting permission to use Intermediate Unit buildings, facilities or property must submit a written request on the prescribed application form at least ten (10) days in advance of the proposed date to the Executive Director or designee.

The application must specify the portion of the facilities requested for use; proposed activities; number of individuals participating; and the date, time and duration of the proposed event.

Along with the completed application, the individual or group must submit the following:

1. Payment of the specified rental fee.
2. Evidence of organizational liability to limits required by Intermediate Unit guidelines.
3. Documentation evidencing the Intermediate Unit shall be held harmless by the user for any liability that arises from use of its facilities by the individual or group.

Application Evaluation

No application to use Intermediate Unit facilities shall be approved if the proposed activity would result in any of the following:

1. Conflict with any Intermediate Unit-sponsored activity.
2. Access to Intermediate Unit facilities closed due to renovations, maintenance, cleaning, the school calendar or Board action.
3. Access to Intermediate Unit facilities containing equipment or furnishings which would be detrimental to the operation of a program or service if damaged or operated by an unqualified operator.
4. The proposed use would prevent or encumber Intermediate Unit personnel from preparing facilities for their primary purpose, because of the nature or duration of the activity.

Limitations

When individuals and community groups receive written permission to use Intermediate Unit facilities under this policy, such use shall be conditioned upon strict compliance with the following:

1. Individuals shall not use, access or enter upon any portions of the Intermediate Unit facilities or their contents not specified in the approved written request form.
2. Individuals shall refrain from any conduct or activities not specifically identified in the approved written request form.
3. When advertising or promoting activities held at Intermediate Unit facilities, individuals and community groups shall clearly communicate that the activities are not being sponsored by the Intermediate Unit.
4. Intermediate Unit equipment used in conjunction with requested facilities shall be identified when the application is submitted. Users of equipment must accept liability for any damage to or loss of equipment that occurs while in their use. Where rules so specify, no equipment may be used except by a qualified operator, provided by the Intermediate Unit.

Prohibited Activities

The following activities are strictly prohibited in Intermediate Unit facilities when individuals and community groups are granted written permission to use said facilities:

1. Possession, use or distribution of controlled substances prohibited by state or federal law.
2. Possession of weapons.
3. Conduct that would alter, damage or be injurious to any Intermediate Unit property, equipment or furnishings.
4. Conduct that would constitute a violation of the Pennsylvania Crimes Code, and/or state and federal laws and regulations.
5. Use of tobacco and vaping products, and other e-cigarettes, as defined in the law, except as expressly permitted in designated areas which must be located at least fifty (50) feet from school buildings, stadiums and bleachers.

Products approved by the United States Food and Drug Administration for

sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such approved purpose, are permitted, as long as the product is not inhaled. [2][3][4][5]

6. Medical marijuana products as prohibited by federal law.
7. Possession, use or distribution of alcoholic beverages.
8. Gambling, games of chance, lotteries, raffles or other activities requiring a license under the Local Option Small Games of Chance Act, unless such activity has been expressly authorized by the Board or administration. [6][7]

Violations

The Intermediate Unit reserves the right to remove from its premises any individual or community group who fails to comply with the terms and conditions of this policy and established procedures.

In the event an individual or community group violates this policy or the terms under which permission was granted to use Intermediate Unit facilities, that individual or community group forfeits the right to submit future written requests to use Intermediate Unit property, unless otherwise decided by the Board.

Fee Schedule

Use of Intermediate Unit facilities for activities directly related to the educational programs and services of the Intermediate Unit shall be without cost to users.

Legal

1. 24 P.S. 775
2. 18 Pa. C.S.A. 6306.1
3. 20 U.S.C. 7972
4. 20 U.S.C. 7973
5. Pol. 904
6. 10 P.S. 328.101 et seq
7. 61 PA Code 901.701
24 P.S. 779
35 P.S. 637.1 et seq
61 PA Code 901.1 et seq
20 U.S.C. 7905
20 U.S.C. 7971 et seq