

Community Use of Schools

1.0 Objective

- 1.1 The objective of this procedure is to implement the Community Use of Schools Policy.
- 1.2 This procedure is to be interpreted and applied in accordance with the District's commitment to the Ontario Human Rights Code in providing services and workplaces that are safe, welcoming, respectful, inclusive, equitable and accessible, and that are free from discrimination and harassment under applicable legislation.

2.0 Definitions

In this procedure,

- 2.1 Board refers to the Board of Trustees for Durham District School Board.
- 3.2 District refers to the corporate entity of Durham District School Board.
- 3.3 Staff refers to any individual who is employed by Durham District School Board.

3.0 Responsibilities

- 3.1 **Director of Education:** The operations of the District are the responsibility of the Director of Education (and designates) and include measures to operationalize and ensure compliance with Board policies by adopting and implementing appropriate procedures and by providing professional learning and training to staff to support implementation. A focus on enhancing understanding of Indigenous rights, human rights, anti-oppression, anti-racism and anti-discrimination, and addressing discriminatory assumptions, stereotypes, biases, barriers, experiences and outcomes is required.

4.0 Procedure

4.1 Permit Application

- 4.1.1 With the exception of school use, A permit shall be required for the use of school grounds or facilities after normal school hours by all users, including District and/or a community groups in accordance with the Community Use of Schools Policy and this Procedure. A permit shall be required for School use of school grounds or facilities after 6pm.
- 4.1.2 All Applications for community use of schools under the Community Use of Schools Policy shall be submitted to the Corporate Services Department, Community Use of Schools office in the form attached as Appendix "A" which may also be found on the DDSB website. All Applications must be submitted through the link provided on the DDSB website.

- 4.1.3 The terms and conditions of Appendix “A” are incorporated into and form an integral part of this Procedure. Failure to comply with the terms and conditions as stipulated and agreed to in the Application shall be a breach of this Procedure. Any material misrepresentation in an Application shall be deemed a breach of this Procedure and shall result in revocation of the permit without notice.
- 4.1.4 All permit holders shall confirm in the Application (Appendix “A”) that they will promote equitable, safe and accepting practices consistent with the Provincial Code of Conduct and the Ontario Human Rights Code. Failure to complete this section will result in an incomplete Application that will not be considered. Copies of the Provincial Code of Conduct are available at [Ministry of Education's website](#).
- 4.1.5 Notwithstanding an applicant’s completed Application in accordance with the preceding paragraph, the Associate Director of Corporate Services may refuse to issue a permit to an applicant if the Associate Director determines that there is sufficient publicly available information, or that there are prior breaches of the Community Use of Schools Policy or Procedure by the applicant or an affiliate of the applicant, indicating a reasonable likelihood that the applicant:
- (i) is unlikely to honour the commitments made in the Application, particularly as to equity, diversity and inclusion;
 - (ii) presents an unacceptable legal or reputational risk to the District beyond what is contemplated by the Policy.
- 4.1.6 Completed Applications must be submitted at least 14 days before the date on which the applicant seeks to first use the facility or property and by no later than June 1 for bookings outside the regular school year.
- 4.1.7 Changes to a permit may be requested by the permit holder by contacting the Community Use of Schools Office.
- 4.1.8 All Applications, flyers, brochures or any other written or electronic materials announcing, promoting, advertising or referencing an event on District property shall clearly state that the Durham District School Board is the rental agent only and is not participating in or endorsing the program or event. A written notice, in a form pre-approved by the Community Use of Schools Office shall be placed on the entrance/exit to the space being used with the name of the permit holder and stating that the event is not a District event and that the District is not participating in or endorsing the event. The entrance and exit doors to the space may be ordered closed by the Custodian(s) as may be deemed necessary for the security of the facility or the benefit of other users of school space.
- 4.1.9 Permit holders shall not advertise products, businesses or other services and shall not solicit business while on District property.
- 4.1.10 The District reserves the right to cancel a permit in the event of unforeseen circumstances or emergencies such as inclement weather, breakdown of the school plant, job action, order of the Medical Officer of Health or similar emergency.
- 4.1.11 All questions regarding permits or community use of schools should be directed to the Community Use of Schools Office at the Durham District School Board Education Centre, 400 Taunton Road East, L1R 2K6 Telephone: 905-666-6930. All permits are processed through the Community Use of Schools Office, not through the individual schools.

4.2 Fees

- 4.2.1 Permit and custodial fees as well as acceptable methods of payment are listed on the DDSB website (<https://www.ddsb.ca/en/our-schools/booking-school-spaces.aspx>).
- 4.2.2 The premises must be left clean and orderly, so that nothing is required prior to the start of regularly scheduled school-based activities. If custodial time is required to return the premises to an acceptable condition outside of any custodial time already included or paid for with the permit, the permit holder will be billed for the custodial costs incurred. Likewise, any borrowed equipment (eg. volleyball standards) must be left in good repair and left in the same location and in the same condition as prior to the permit holder's use.
- 4.2.3 Payment of all fees must be received by the Community Use of Schools office at least 14 days prior to the use of the facility.
- 4.2.4 Notwithstanding the foregoing, no fees or charges shall be levied (except for extra custodial services as stipulated above) for use Monday to Friday in respect of:
- (i) District sponsored activities or staff programming.
 - (ii) School Advisory Committee Meetings or school related parents' groups meetings.
 - (iii) Community Recreation Department Programmes subject to reciprocal agreements with the District for shared use of space.
 - (iv) Meetings of any local unit of a union or federation with members employed by the District.
 - (v) Staff professional groups (for example: Librarian Associations, Union Committee) regular meetings.
- 4.2.5 Applicants or permit holders may request that all or a portion of fees and charges associated with a permit be waived based on the financial ability of the applicant and based on the District's commitment to advancing equity, inclusion and with a view to providing opportunities for historically marginalized and disadvantaged groups. Applicants or permit holders wishing to apply for exemption/waiver must do so in writing to the Community Use of Schools Office with details supporting the request. Waiver of fees may be provided to applicants and permit holders consistent with this paragraph and with the objectives of the Policy, as approved by the Associate Director of Corporate Services or delegate.

4.3 Liability and Insurance

- 4.3.1 A permit holder is responsible for any and all loss or injury to the permit holder, their visitors and invitees, to buildings or to equipment, caused in whole or in part by the permit holder, their agents, employees, invitees or visitors and shall indemnify and hold harmless the District from any claim whatsoever by or in respect of any person or entity. The District requires the applicant to provide a certificate of liability insurance prior to the event in the amount of not less than \$5,000,000.00 which includes the District as an Additional Insured Party.

4.4 Complaint Process

- 4.4.1 Any person may file a complaint with the Community Use of Schools office about the conduct of a permit holder, through the DDSB website.

4.4.2 When a complaint has been received, the Community Use of Schools office will email the permit holder (or phone if email is not available) describing the complaint and requesting a written response.

4.4.3 The Associate Director of Corporate Services shall review the complaint and any response to determine if there has been a breach of the Community Use of Schools Policy or Procedure. A failure by the permit holder to respond to a complaint shall be deemed a breach of this Procedure.

4.4.4 If the Associate Director determines that there has been a breach:

- (i) that compromises the integrity of the permit holder which will include consideration of any prior breaches;
- (ii) related to the permit holder's commitment to equity, diversity and inclusion; or
- (iii) that indicates allowing the permit holder to continue with use of District premises presents legal or reputational risks to the District beyond what is contemplated by the Policy,

the permit shall be revoked without notice and the permit holder shall not be entitled to any future permits, subject only to special or extenuating circumstances that establish that allowing the permit holder to maintain the permit would not, on a go forward basis, undermine the Policy or compromise the reputation of the District.

4.4.5 For any other breach, the permit holder shall be given a written warning and shall meet (electronically or by way of telephone call) with a staff member from the Community use of Schools Office to review the terms of the Policy and Procedure and to confirm the permit holder's commitment to abiding by those terms. Multiple such breaches may cause the permit to be revoked without notice and the permit holder may not be entitled to any future permits.

4.5 General Terms and Conditions

4.5.1 In addition to the terms and conditions stated in the Community Use of Schools Policy and elsewhere in this Procedure, the following terms and conditions are also noted.

4.5.2 The school Custodian is not authorized to permit use of special school equipment or other facilities unless pre-approved and explicitly stated on the permit.

4.5.3 The permit holder shall ensure that all activities adhere to all municipal by-laws and that all necessary licenses and/or permits have been obtained prior to use.

4.5.4 Audio Visual equipment may be available at schools that have trained student technicians, subject to an hourly rate of \$14.

4.5.5 Plans for stage setting or use of special equipment must be pre-approved by the Community Use of Schools Office in consultation with the Principal or designate of the school. Moving in of stage equipment must be pre-arranged with the Community Use of Schools Office. All stage properties and other equipment must be removed immediately after the event or as arranged prior to the performance with the Community Use of Schools Office. The District is not responsible for any equipment remaining on school property after an event.

4.5.6 Any requests for power connections, other than 15amp wall plugs, must be pre-approved by the District and must be completed by, or at the sole direction of, the District with all costs payable by the permit holder.

- 4.5.7 Any decorations shall be flameproof materials and must never be attached to electrical lights or outlets and must in every respect conform to fire safety practices as recommended by the local Fire Department.
- 4.5.8 It is prohibited to attach signs, tape or nails, etc. to the floors or walls of the school property or to carry on any other activities that may cause damage to the fabric of the building or equipment located there.
- 4.5.9 All exits must be kept clear at all times from any obstruction.
- 4.5.10 The permit holder shall ensure that all persons admitted to the function have vacated the school buildings and grounds promptly at the time specified on the permit.
- 4.5.11 By special permit, school buildings may occasionally be used for overnight occupancy. Permits for this use may be subject to additional requirements as to supervision and liability insurance and must be approved in writing by the local Fire Department. The local Fire Department may require an inspection of the areas and a review of the plans under consideration prior to approving the event.
- 4.5.12 Food and beverages other than water may not be taken into any school space unless approved on the permit.
- 4.5.13 If extra clean-up is required, the group using the facility will be charged. Under certain well-supervised conditions, washrooms may be made available to permit holders accessing school grounds, provided staff is on duty in the schools.
- 4.5.14 The Custodian is charged with the responsibility of maintaining the security and supervision of the school building and with monitoring Community Use of School permits. Requests from the Custodian for community users to abide by the conditions of the permit or to desist from an activity shall be complied with by the permit holder.
- 4.5.15 For use of facilities by the school or by the District, a Custodian, the Principal or a staff member acting as the Principal designate, shall be on duty to open the school, secure the school at the completion of the programme, handle any emergencies that arise and generally protect the interest of the District in relation to the use of facility.
- 4.5.16 Schools may be allotted a maximum of two evenings per week for secondary schools and one evening per week for elementary schools. Requests for additional allocations or to switch nights for school use must be made by the Principal or designate to the Community Use of Schools Office no later than June 15th annually of the previous year.
- 4.5.17 Permit requests detailing the school year activities must be entered into the Community Use of Schools booking database no later than June 15th annually for the upcoming school year. Special events are to be scheduled, as often as possible, on the evening(s) reserved for school activities.
- 4.5.18 Requests by the school or the District for facility space for special events must be received by the Community Use of Schools Office at least 14 days prior to the event so that the pre-empted community users may notify their members. For special events, the Principal or designate at the school will be contacted by the Community Use of Schools Office prior to confirming.
- 4.5.19 All permits are pre-numbered, and an electronic copy will be forwarded to the permit holder, the school Principal (or designated contact), and Chief Custodian(s).

- 4.5.20 Physical Education equipment such as basketballs, volleyballs and nets may be made available at no charge, but any request for such equipment must be noted on the permit Application and is subject to availability and prior approval of the Community Use of Schools Office.
- 4.5.21 Use of any District property or facility under a permit is restricted to the permit holder(s) listed on the permit.
- 4.5.22 The minimum age for a permit holder shall be 18 years of age.
- 4.5.23 Permits cannot be transferred or assigned by the permit holder.
- 4.5.24 A permit holder seeking to cancel the use of a facility in time to secure a refund shall, for bookings on a regular school evening, notify the Community Use of Schools Office as early as circumstances allow and, in any event, no less than 48 hours before the event at issue. A permit holder wishing to cancel a booking on non-school days in time to secure a refund shall provide a minimum of 5-days' notice. Where a permit holder fails to give the minimum notice as stipulated in this paragraph, the permit holder shall be responsible for the full cost of the permit, unless the District is able to re-permit the space for the time that was booked. Where minimum notice for a permit cancellation has been provided, the permit processing fee will still apply, and all other fees shall be refunded.
- 4.5.25 When the District cancels a scheduled use, notice of cancellation shall be sent by email to the permit holder, Principal (or designate), and Chief Custodian(s).
- 4.5.26 Schools are requested to refer any purported notice of cancellation or requested change by permit holders to the Community Use of Schools office.
- 4.5.27 Requests for extensions, changes or additions to existing permits must be made through the Community Use of Schools Office. An administration fee will be charged for processing changes without more than 2-days' notice. Where the change is initiated by the District, the charge is not applicable. Notification of changes will be sent to the permit holder, Principal (or designated contact), and Chief Custodians.
- 4.5.28 When an event is for the purpose of fund-raising, and an admission fee is charged, a letter from a registered charity shall be included with the permit Application stating that all funds raised will go to the charity.

School Events Held in Another District School

- 4.5.29 Prior to being submitted to the Community Use of Schools Office:
- (i) Arrangements must be made between the Principals or designates of both schools regarding supervision and security of the school, set up and tear down and any equipment needs.
 - (ii) Where an adult group has booked a facility, it will be understood that, should a permit request be received for a children's programme for that facility at the same time, the children's programme would have priority for that time period. In such a case we will do our best to find another space, school or time for the displaced group.

4.6 Custodial Services

- 4.6.1 In schools where there is custodial staff on a regular afternoon or evening shift, no additional custodial staff will be provided unless the activities are such that staff is interrupted from their normal duties for tasks such as setting up chairs, supervising parking, setting up and cleaning up

after a banquet or meeting. An additional charge as detailed in the current Fee Schedule will be levied against permit holders requiring specific custodial services.

- 4.6.2 Supervision of school activities outside of regular school hours that are subject to a permit shall be the responsibility of the Principal, or designate, at the school. Custodial overtime will be scheduled for all these activities and charged back to the school.
- 4.6.3 Use of school facilities by Superintendents, Consultants and other Board administration personnel that is subject to a permit, will require a Custodian to be on duty at all times. Events that will incur custodial overtime costs will be charged to Facilities Services to the limit of the budget allocation.
- 4.6.4 Custodians shall include the permit number when submitting time sheets for any overtime.

5.0 Reference Documents

- 5.1 Policies
 - Community Use of Schools Policy

6.0 Appendices

Appendix A: Permit Application Form

Effective Date

2021-05-17