

**NEW FAIRFIELD BOARD OF EDUCATION  
PARKS AND RECREATION COMMISSION  
FIELD POLICY AGREEMENT**

**Definitions**

- Fields: means Rebel Stadium, Rebel Turf, Track, Baseball, Softball, Tennis Courts, Football Practice, Upper Multi-purpose, Lower Multi-purpose, Lower Rebel, John John Pendergast Turf Field.
- Third parties: means any user that runs activities on fields or is assigned any income opportunities associated with activities on fields other than those activities directly run by the New Fairfield Public Schools or the New Fairfield Parks and Recreation Commission.

**Fees, Expenses, and Income**

- The Board of Education shall be responsible for fields' maintenance, fields' operational expenses, and for the scheduling and replacement of fields' artificial surfaces. The Board of Education shall set all fees and fee structures for fields' usage and shall collect all such fees and maintain them in a special and distinct account. Any disbursements from that account shall only be used for fields' maintenance expenses, fields' operational expenses, or replacement of fields' artificial surfaces. The Board of Education shall maintain a detailed accounting of those disbursements. This accounting shall be a public document.
- To assure the fairness, adequacy, and transparency of the fee setting process, the Board of Education shall form an ad hoc committee hereinafter referred to as the Field Fees Committee (FFC). The FFC shall have the power to recommend fields' fees, fields' fee structures, and fields' artificial surface replacement schedules to the Board of Education for its approval. The FFC shall be composed of the Superintendent of the New Fairfield School System or his/her designee, two members of the Board of Education, the head of the Parks and Recreation Department or his/her designee and two members of the Parks and Recreation Commission. At their first meeting and annually thereafter, the FFC shall elect a Chairperson. Alternates may be appointed by their respective Board or Commission and may be seated by the FFC chairperson. The First Selectman shall be an ex-officio member of the FFC. The FFC shall meet at least twice a year to evaluate past field expenses and fees, to estimate future operational, maintenance, and replacement costs, and to recommend field fees, fields' fee structures, and fields' artificial surfaces replacement schedules to the Board of Education that reflect the results of those evaluations. In conducting their business the FFC may invite the input of others. The Board of Education shall consider any FFC vote to recommend no sooner than fifteen days after it has been made and no later than forty-five days after it has been made. All FFC meetings shall be public meetings and shall be subject to all the rules and regulations for public meetings set forth in State and Federal statute.
- The Parks and Recreation Commission may appeal any recommendation of the FFC to the Board of Education. Such appeal must be made within forty-five days of the FFC vote to recommend.
- If the FFC fails to agree upon a recommendation, the Board of Education may set or reset all fields' usage fees and fee structures. In doing so, the Board of Education shall consider the fairness, reasonableness and adequacy of those fees and fee schedules.
- Any additional income associated with fields usage including but not limited to ticket sales, advertising sales, concession sales or fees, or merchandise sales shall be controlled and accounted for by either the Board of Education or Parks and Recreation Commission as follows: if the event was scheduled by the Board of Education then they shall be responsible; if the event was scheduled by the Parks and Recreation Commission then they shall be responsible. These accountings shall be public records. The Parks and Recreation Commission or the Board of Education may assign such associated income opportunities to third parties only if those third parties agree to file with the FFC a detailed, signed accounting of all income generated for each event in which they participated. That document shall also be a public record.

- The box turf field that was constructed in 2017 (John John Pendergast Field) from funds that were acquired through donations required creating a separate field fees account. Each user of this field will be assessed an additional charge per season to pay for the eventual replacement of the field. The football, lacrosse, and soccer clubs will be assessed an additional charge per user per season for eventual replacement of the field as defined in Board of Education Policy 1330, Appendix B. This charge will be set by the Field Fees Committee (FFC) and is in addition to the per user fee that all users pay. The monies paid as part of the additional charge will be placed in the separate John John Pendergast reserve field account. If the John John Pendergast Field is not able to be replaced through the dollars residing in the reserve account, it is understood that the field will not be replaced with Board of Education budget funds. Additional funds will not be sought by the Board of Education or Parks and Recreation Commission. Lines will not be applied to and/or painted on the field, and the field will not be plowed without the agreement of the FFC.

**Scheduling and Usage**

- For the purpose of scheduling field usage, the Superintendent of the New Fairfield Public Schools or his/her designee shall create, one season in advance, a Master Schedule showing all anticipated School fields’ usage. Such usage shall also include down time for maintenance, field “resting,” etc. That schedule shall be made available to the Parks and Recreation Commission who shall then use internal Parks and Recreation Commission procedures to schedule any remaining available field time. Such usage shall be communicated back to the Schools via field usage request forms provided by the Schools. The Superintendent or his/her designee may only deny any such usage for reasonable cause. Violation of Board of Education policy shall be considered prima facie evidence of reasonable cause. Approval or denial shall be communicated to the Parks and Recreation Commission via a written form and in a timely manner. The Parks and Recreation Commission may appeal any denial directly to the Board of Education. Usage approved by the Superintendent or his/her designee shall be also indicated by showing that usage on the Master Schedule.
- While the Board of Education will work cooperatively with the Parks and Recreation Commission, the Board of Education shall have first priority usage and final approval for the use of the fields by all users and may, at its sole discretion, deny for reasonable cause any usage to any users at any time even if that usage has been previously scheduled. The Board of Education will make reasonable attempts to avoid such pre-emption. The Board of Education has final approval for any and all fields’ modification, improvement, or any other fields’ capital project except in such cases where State statute grants that authority to the Town’s legislative body.
- No usage shall be allowed that does not comply with Board of Education policy.

**State Statute**

- The Board of Education is responsible for all property used for school purposes. Connecticut General Statute 10-220 provides that the Board of Education shall have responsibility for the care and maintenance of land used for school purposes. Therefore, this agreement shall not in any way limit any responsibilities or any authority granted to or required of the Board of Education by State statute. Should any part of this agreement be found to do so, it shall not waive any other part of this agreement.

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Chairman, New Fairfield Parks and Recreation Commission

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Secretary, New Fairfield Board of Education

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Printed Name

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Printed Name

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Date

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Date Rev. 2/10/11, 8/4/16, 6/7/18