

PUBLIC USE OF SCHOOL FACILITIES

While the district's school buildings and grounds are maintained primarily for the purpose of educating students within the district, the Board of Education recognizes that the buildings and grounds are a valuable community resource and believes that this resource should be available to the community for specific uses that will not interfere with educational activities. This policy is intended to identify the uses that community groups may make of those facilities.

Permitted Uses

District facilities may be used for the purposes listed below, subject to the conditions and restrictions set forth in this policy.

- A. Instruction in any branch of education, learning or the arts.
- B. Public library purposes, subject to provisions of the Education Law, or as stations of public libraries.
- C. Social, civic and recreational meetings and entertainments, or other uses pertaining to the welfare of the community so long as such uses are non-exclusive and open to the general public.
- D. Meetings, entertainment and occasions where admission fees are charged, when the proceeds are to be spent for an educational or charitable purpose.
- E. Polling places for holding primaries and elections, for the registration of voters.
- F. Civic forums and community centers.
- G. Recreation, physical training and athletics, including competitive athletic contests of children attending a private, nonprofit school.
- H. Child-care programs when school is not in session, or when school is in session for the children of students attending schools of the district and, if there is additional space available, for children of employees of the district.
- I. Graduation exercises held by not-for-profit elementary and secondary schools, provided that no religious service is performed.
- J. The use of the school buildings shall be permitted for any examination as required by Section 413 of the Education Law.

Prohibited Uses

Any use not permitted by this policy is prohibited. In addition, the following uses are specifically prohibited.

- A. Meetings sponsored by political organizations.
- B. Meetings, entertainments and occasions that are under the exclusive control of and the proceeds are to be applied for the benefit of a society, association or organization or a religious sect or denomination or of a fraternal, secret or exclusive society or organization, other than veterans' organizations or volunteer fire fighters or volunteer ambulance workers.

- C. Use by any person or profit-making organization for personal or private gain, financial or otherwise.

In no event shall any person or persons or organization other than the permittee receive any money or financial gain or benefit from the use of any school house, grounds or facilities except in a case where in the normal course of a business transaction they render service or furnish any item of material to the permittee essential to the conduct of the function or to the furtherance of the use for which the permit has been granted.

The name of a person, firm, or corporation operating as a commercial enterprise or for financial gain shall not be used in advertising or announcing the activity or function for which a permit has been issued.

Conditions of Use for District Facilities

- A. Use of district facilities may be permitted unless such facilities are in use for school purposes, or during educational programs. The district reserves exclusive and nonreviewable judgment to determine if a requested use would interfere with or disturb the district's educational programs.
- B. To ensure that district facilities are preserved for the benefit of the greater district community, only community based groups and organizations (that is, groups which are located within the geographic area covered by the district) may be granted access to district facilities.
- C. Use of district facilities will be permitted only where the applicant agrees to pay the district a user fee according to a schedule adopted by the district to cover the costs of heat, electricity, maintenance, custodial services and any other expenses associated with the requested use. Use is further conditioned upon the applicant's agreement to pay additional fees associated with the use of any additional services or equipment. The district retains the right to condition use upon an applicant depositing with the district a sum equaling the estimated costs and fees associated with the proposed use 10 days in advance of the requested use. The district retains the further right to waive user fees for groups that are associated with or sponsored by the district.
- D. Where, in the judgment of the district, the requested use of district facilities requires special equipment or supervision, the district reserves the right to deny such use, or in the alternative, to condition such use upon the applicant's payment of additional fees in accordance with paragraph C above. Only authorized personnel shall operate district equipment.
- E. Use of district facilities will only be permitted where the organization provides the district timely evidence of adequate insurance coverage (minimum \$1,000,000.00, or more as determined by either the Superintendent or Assistant Superintendent for Business) to save the district harmless from all liability, property damage, personal injuries and/or medical expenses. The district will exercise complete and unreviewable discretion regarding what constitutes adequate insurance coverage for each proposed use.

- F. The Board reserves the discretion to deny use of district facilities described above, or to terminate use of district facilities:
1. By an applicant who has previously misused or abused district facilities or property or who has violated this policy or accompanying regulation;
 2. For any use which could have the effect of violating the Establishment Clause of the United States Constitution or other provisions of the United States or New York State Constitutions;
 3. For any use which, in the estimation of the Board, could reasonably be expected to or actually does give rise to a riot or public disturbance;
 4. For any use which the Board deems inconsistent with this policy;
 5. For any use by a private for-profit entity that has the direct or indirect effect of promoting the products or services of such entity;
 6. In any instance where alcoholic beverages or unlawful drugs are sold, distributed, consumed, promoted or possessed;
 7. For any use prohibited by law.

Application Procedure for Use of District Facilities

- A. All applications for use of school facilities shall be made in writing and submitted to the Building Principal for signature at least thirty (30) days prior to the date of the requested use. The completed application, signed by the Principal, is forwarded to the Superintendent of Schools or the Assistant Superintendent for Business for approval. A use permit application is available at each school and in the office of the Assistant Superintendent for Business.
- B. The applicant must clearly and completely describe the intended use of the district facility in the application.
- C. All applicants must review this policy prior to submitting the application. All applications must be signed by an authorized agent of the group or organization requesting use. The applicant's signature on the application shall attest to the group or organization's intent to comply with all Board policies and regulations and to use district facilities strictly in accordance with the use described in the application.
- D. All applicants must agree to assume responsibility for all damages resulting from its use of district facilities. Proof of adequate insurance must be provided by the applicant at least 10 days before the date of the requested use.
- E. Permits shall be valid only for the facility, use, dates and time specified in the permit. No adjustment to the permit is allowed except with the prior written approval of the Superintendent or Assistant Superintendent for Business. Permits shall not be transferable, and must be exhibited upon request to any representative of the Board. No permit shall be valid unless and until it is signed by the Building Principal and approved by the Superintendent of Schools or Assistant Superintendent for Business.
- F. The Superintendent or Assistant Superintendent for Business is authorized to alter or cancel any permit if it becomes necessary to use the facility for school purposes or for other justifiable reason.

- G. With regard to scheduling activities, the district retains the right to give preference to groups and organizations which are associated with or sponsored by the district.
- H. Issuance of a permit shall not limit the right of access to the facility by district staff.

Ref: Education Law §414

Adoption date: April 26, 2010

Revised: October 24, 2011

PUBLIC USE OF SCHOOL FACILITIES REGULATION

In addition to the provisions of Board policy 1500, all users of school district buildings, facilities, and grounds must abide by the following rules:

1. No permit shall be valid unless and until it is signed by the Building Principal and approved by the Superintendent of Schools or Assistant Superintendent for Business.
2. Refreshments, including soft drinks and confections, will not be sold, distributed, nor consumed on school premises, except in the areas designated in the permit.
3. There shall be no gambling, or possession or use of intoxicating beverages on school premises.
4. There shall be no smoking in any school building.
5. Exhibits, posters, or other material shall not be displayed on school property without the approval of the Superintendent of Schools or Assistant Superintendent for Business.
6. The Board reserves the right of transferring any activity from one space to another in the same building or in another building, should economic and efficient use of the school facilities or requirements of the school program so require.
7. The space shall be maintained and left in an orderly and neat condition.
8. The use of buildings will be permitted only under the following conditions:
 - a. All organizations must conclude their activities fifteen minutes before the 10:00 or 11:00 p.m. deadline as authorized by the permit.
 - b. When permits are authorized to 11:00 p.m. for ADULT GROUPS, time beyond these hours, if advance permission is granted, will be chargeable at a rate set by the Board.
 - c. In granting permission to any group using the school facilities for recreational programs, the Board reserves the right to charge or not to charge for custodial services or cost of utilities.
 - d. Schools will not be available for use during days school is not in session.
 - e. Overtime is chargeable against the organization at a rate to be set by the Board.
 - f. Any fractional part of an hour less than one-half hour will be chargeable as a full half hour.

9. Proper adult supervision (over 21 years of age) must be maintained at ALL times.
 - a. In no case will less than two adult supervisors be considered proper for youth groups held during afternoon hours.
 - b. On occasions where a game is played with a visiting team, there MUST be at least FOUR adult supervisors (at least two for each team).
 - c. The permittee is responsible at all times for the supervision of youths who are members of his own group, the visiting group and any spectators who may be present.
 - d. The presence of any member or members of the permittee's group, the visiting group, spectators, or any unauthorized person or persons, in any part of the building NOT covered by the permit, may result in the immediate permanent revocation of the permit.
 - e. When the facilities are used by youth groups, the designated entrance door will be locked fifteen minutes (15) AFTER the opening time of the activity. It will be the responsibility of an ADULT SUPERVISOR to admit any latecomers personally, and then to be sure the door is relocked.
 - f. Members of youth groups MUST be instructed NOT to appear before the scheduled time. Disorderly behavior on the part of those arriving before scheduled time may result in the immediate revocation of the permit.
 - g. Youth groups using the playground facilities (BASEBALL DIAMONDS) MUST at all times be prevented by the ADULT SUPERVISORS in charge, from littering the grounds with papers, bottles, etc., climbing on backstops and fences and throwing any objects whatsoever over the fences into adjacent properties. The ADULTS in charge will be responsible for cleaning up any litter BEFORE the group/groups leave the premises. Failure to do so may result in the immediate revocation of the permit.
10. An organization must assure the district that any equipment which the Board has given them permission to use will be handled only by a competent person, or persons, who has been trained in the use of said equipment.
11. Supervisors of children and youth groups (Cubs, Brownies, Girl Scouts, Boy Scouts, Athletic groups, etc.) may read aloud the following paragraph (or an age-appropriate summary) to the members of their group at their first meeting:

Permission for the use of the school premises may immediately be canceled:

- a. If members of the group enter any part of the building not authorized by the permit. This includes "guests" such as visiting teams and spectators for whose conduct the holder of the permit is responsible;
- b. If any item of school property whatsoever, not specifically covered in the permit, is handled, uses, damaged or mistreated in any way;

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- c. If members of the group litter the building or grounds, climb on fences or backstops, or throw objects over fences into adjacent properties.
- 12. Violation of any of these rules and regulations for the use of school premises may result in the immediate revocation of the permit.

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