

SUBJECT: COMMUNITY USE OF SCHOOL FACILITIES

School buildings and grounds and all property belonging to the District are under the control and supervision of the Board of Education. State law authorizes the Board of Education to adopt reasonable regulations for the use of such school buildings and grounds, or other property. Any such use, however, shall not be deemed an endorsement of the activity or the purpose for which the facilities are used.

Use by Community Organizations

Beginning with the 2012-2013 school year and in accordance with law, the Board of Education may approve the use of school facilities by responsible and properly organized community groups for authorized purposes according to the fee schedules approved by the Board of Education on April 2, 2012. The two fee schedules, one associated with one-time facility use and the other associated with seasonal use (defined by eight or more uses within a three-month period), differentiates the fees for:

- a) Inside (\geq 50% district residents as determined by roster) for-profit groups
- b) Inside (\geq 50% district residents as determined by roster) non-profit groups based on 501(c)3 status
- c) Outside ($<$ 50% district residents as determined by roster) for-profit groups
- d) Outside ($<$ 50% district residents as determined by roster) non-profit groups based on 501(c)3 status

Authorized Purposes

In accordance with New York State Education Law, the Board may authorize the use of school facilities for the following purposes:

- a) Instruction in any branch of education, learning or the arts;
- b) Public libraries or stations of public libraries;
- c) Social, civic and recreational meetings and entertainment, and other uses pertaining to the welfare of the community that are non-exclusive and open to the general public;
- d) Meetings, entertainments and occasions where admission fees are charged, when the proceeds are to be expended for an educational or charitable purpose. However, these uses are not permitted if the meetings, entertainments and occasions are under the exclusive control, and the proceeds are to be applied for the benefit of a society, association or organization of a religious sect or denomination, or of a fraternal, secret or exclusive society or organization other than organizations of veterans of the military,

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naval or marine service of the United States and organizations of volunteer firemen or volunteer ambulance services;

- e) Polling places for holding primaries and elections, for the registration of voters and for holding political meetings. However, no meetings sponsored by political organizations are permitted unless authorized by a vote of a District meeting, held as provided by law;
- f) Civic forums and community centers;
- g) Classes of instruction for mentally retarded minors operated by a private organization approved by the Commissioner of Education;
- h) Recreation, physical training and athletics, including competitive athletic contests of children attending a private, non-profit school;
- i) Child care services during non-school hours, provided that the cost of such care shall not be a District charge but shall be paid by the person responsible for the support of such child; the local social services district as authorized by law; or by any other public or private voluntary source, or any combination thereof; and
- j) Graduation exercises held by non-profit elementary and secondary schools, provided that no religious service is performed.

The Board of Education is authorized but not required to make school facilities available for these specified purposes. However, the Board has no authority to give permission to use a school facility or school equipment for any purpose other than those set forth by state law.

Prohibition of Use for Religious Purposes

No community organization shall be permitted to use school facilities for religious or worship services.

Prior Approval from the Board

No organization shall be permitted to use school facilities without receiving prior approval from the Board of Education. Such approval is conditioned upon the organization abiding by the rules and regulations established for such use, including restrictions on alcohol, tobacco and drug use.

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Supervisor of Operations

The Superintendent shall designate a supervisor of operations who shall:

- a) Receive and review applications for the use of school facilities;
- b) Forward to the Superintendent for Board of Education action those applications which meet the District's requirements;
- c) Schedule the use of facilities to ensure that efficient use is made of the time and space available; and
- d) Issue permits for such use after approval by the Board of Education.

Required Permits for Community Organizations

Community organizations may not use school facilities without receiving a permit in advance of such use. All permits shall be issued for specified hours, shall be nontransferable to other organizations, and shall be restricted to the specified purposes for which issued. The Superintendent may revoke a facility use permit at any time.

Facility Use Regulations

The Superintendent shall develop administrative regulations to implement this policy. These regulations shall be in accordance with state law and must:

- a) Provide for the health and safety of all people involved in the activity;
- b) Assure the protection of school property;
- c) Establish guidelines to determine when a fee should be charged for the use of a school facility;
- d) Provide fee schedules when the costs of facility use shall be charged to the user;

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- e) Require payment for any damage or loss, whether or not a fee for use has been charged;
- f) Require that the user maintain adequate insurance to protect the District.

The Superintendent may make interim changes in the regulations in appropriate situations, but must notify the Board of Education. Permanent changes in the regulations must be approved by the Board.

Education Law Section 414
New York State Constitution, Article 8, Section
Article 11, Section 3

Adoption Date: May 7, 2012