

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 outside groups may make of school facilities. The Board also recognizes, however, that use of school facilities by outside groups results in increased costs to maintain and operate the facilities, including but not limited to the costs and expense of providing heat, electricity, and/or custodial services, as well as additional wear and tear of the facilities. As set forth below and in the Facilities Use Fee Schedule for Policy 1500 and the Public Use of School Facilities Regulations 1500-R, reasonable fees shall be imposed to offset such costs.

I. Permitted Uses by Outside Organizations

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, elections, and 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 services when school is not in session, or when school is in session for the children of pupils 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.

II. Prohibited Uses

Any use of District facilities, services, or equipment not specifically permitted by this policy is prohibited. Notwithstanding any potential conflict with the list of Permitted Uses, 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. In any instance where alcoholic beverages or unlawful drugs are sold, distributed, consumed, promoted or possessed.

- D. For any use by an applicant who has previously misused or abused district facilities or property or who has violated this policy.
- E. For any use prohibited by law.
- F. For any use which the District deems inconsistent with this policy.

III. Conditions of Use for District Facilities

Users of District facilities shall be subject to the rules, regulations, and conditions determined by the Superintendent, including but not limited to the conditions set forth in the Facilities Use Fee Schedule for Policy 1500 and the Public Use of School Facilities Regulations 1500-R, as well the following:

- A. District facilities may be unavailable for use if such facilities are in use for school purposes, or during educational programs. The District reserves exclusive and non-reviewable 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, priority will be given to community based groups and organizations (groups with membership of at least 70% of district residents) located within the geographic area covered by the district.
- C. Use of District facilities, services, or equipment will be permitted only where the applicant agrees to pay the fees set forth in the Facilities Use Fee Schedule adopted by the District. The District reserves the right to waive user fees for groups that are closely associated with or sponsored by the District. Any use of District facilities which does not fall within the parameters of this Policy shall be considered a lease of the School District's facilities which shall be governed by applicable provisions of the Education Law 403-a, including but not limited to, the School District's obligation to charge fair market rental value.
- 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 the attached fee schedule. Only authorized personnel shall operate district equipment.
- E. Use of District facilities will only be permitted where the organization completes and submits an application for use of facilities permit to the District at least 30 days prior to the date of the request use and such permit is issued to the organization.
- F. Use of District facilities will only be permitted where the organization agrees to assume responsibility for all damages resulting from its use of the District facilities and provides the district timely evidence of adequate insurance coverage as determined by the school District 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.

- G. In the case of an accident resulting in injury to any person or damage to personal or District property, the incident must be reported to the Superintendent within one school day.
- H. Users of District facilities or services shall be required to remain within areas designated by the approved use permit. In addition, under no circumstances may an individual be allowed outside of areas designated by the permit without appropriate supervision by District personnel.
- I. The District is authorized to alter or cancel any permit if it becomes necessary to use the facility for school purposes or other justifiable reason.
- J. The District reserves the right to deny or revoke any permit, without liability, should such action be deemed necessary or desirable.

Ref: Education Law § 414
General Municipal Law § 119-o

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Revised:
