

Community Relations

SUBJECT: COMMUNITY USE OF SCHOOL FACILITIES

It shall be the policy of the Board to encourage the greatest possible use of school buildings for community-wide activities. This is meant to include use by recognized civic, social and fraternal and religious organizations in accordance with law. Groups wishing to use the school facilities must secure written permission from the Superintendent and abide by the rules and regulations established for such use including restrictions on alcohol, tobacco and drug use. The Superintendent, at his/her discretion, may consult with the Board of Education. Monthly reports may be made to the Board regarding community use of the school facilities.

Specific Requirements Relating to Boy Scouts and other Title 36 Patriotic Youth Groups

The Boy Scouts Act applies to any local educational agency (LEA) that has a designated open forum or limited public forum and that receives funds made available through the U.S. Department of Education (DOE). It applies to any group officially affiliated with the Boy Scouts of America or any other youth group designated in Title 36 of the United States Code as a patriotic society.

Under this law, no covered entity shall deny equal access or a fair opportunity to meet, or discriminate against any group affiliated with the Boy Scouts of America or any other Title 36 patriotic youth group that wishes to conduct a meeting within the covered entity's designated open forum or limited public forum. No covered entity shall deny access or opportunity or discriminate for reasons including the membership or leadership criteria or oath of allegiance to God and country of the Boy Scouts of America or of the Title 36 patriotic youth group. The statute applies regardless of the entity's authority to make decisions about the use of its own school facilities.

For purposes of these regulations, an elementary or secondary school has a designated open forum whenever the school involved designates a time and place for one or more outside youth community groups to meet on school premises or in school facilities, including during the hours in which attendance at the school is compulsory, for reasons other than to provide the school's educational benefits or services.

For purposes of these regulations, an elementary or secondary school has a limited public forum whenever the school involved grants an offering to, or opportunity for, one or more outside youth or community groups to meet on school premises or in school facilities before or after the hours during which attendance at the school is compulsory.

Access to facilities and the ability to communicate using school-related means of communication must be provided to any group officially affiliated with the Boy Scouts of America or any other Title 36 patriotic youth group on terms that are no less favorable than the most favorable terms provided to other outside youth or community groups.

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No school, agency, or school served by an agency to which the Boy Scouts Act applies are required to sponsor any group officially affiliated with Boy Scouts or any other Title 36 patriotic youth group.

The obligation to comply with the Boy Scouts Act is not obviated or alleviated by any State of local law or other requirement.

The school buildings and grounds are maintained for the education and recreation of the school children of the district, and no use shall be made of the buildings or grounds which would interfere or disrupt their most effective use for the benefit of the school children. All uses of school buildings and grounds shall be consistent with section 414 of the Education Law.

Such use may take place during school hours only if the use will not be disruptive of normal school operations. Both during and after school hours, all such use should pertain to the general welfare of the school and/or community, and be in compliance with the Education Law. Any such use, however, shall not be deemed an endorsement of the activity or purpose for which the facilities are used.

Exception to this policy may be made only by the Board of Education.

Public Use of School Facilities Regulation

School facilities will be made available to groups or organizations which are active within the district and whose membership is drawn primarily from residents of the district. Application for the use of school facilities must be made through the **Buildings & Grounds Office at least (30) days prior to the event.** The Board of Education expressly reserves the right to change the rules and regulations **at any time**, and to revoke for cause, permission that was previously granted.

Authorizations are good only for the dates specified in the Use of Facilities Form and must comply with the following regulations:

1. School programs and activities shall have preference in the assignment of facilities. Any non-school use of the school facilities must conform to the rules and regulations established. **NOTE:** The High School Varsity fields will NOT be available for use.
2. The custodian on duty is to be regarded as the representative of the District for the purpose of inspection and observation. His/Her services will not be at the disposal of the sponsor.
3. No one is permitted in any building unless a custodian or a representative of the District is on duty.

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4. There shall be no use of illegal drugs or alcoholic beverages at any time in the school buildings or on school grounds.
5. There shall be no smoking or other tobacco use in all school buildings or on school property, or at school-sponsored activities.
6. There shall be no gambling at any time on school premises.
7. Regular gym shoes must be worn when sports or games are conducted on the gymnasium floors and outside High School/Middle School sports complex.
8. Children's activities must be under strict supervision of adult sponsors at all times.
9. Responsibility for order and safety must be assured by the sponsor. The sponsor is responsible for the care and use of all school property. He/She will be the first person admitted and the last person to leave. Further, he/she will be in attendance at all times during the occupancy of the building. Any damage to school property shall be reimbursed by the organization using same. The sponsor will assign a responsible person to the entrance of the building and only permit the entry of individuals identifying themselves as members of the sponsoring organization, in order to properly control the entry of people.

If non-members attend the event, the sponsor shall still be responsible for them, including for any damage to property and/or any violation of law, policy or regulations of the school or district.

10. It is the responsibility of the sponsor to see that the premises are vacated promptly at the time indicated on the Use of Facilities Form, unless otherwise authorized. The space used shall be vacated no later than 11 P.M., unless a specific exception is granted in the permit. The sponsor will see that the facilities are in order before leaving and sign the custodian's copy of the Use of Facilities Form.
11. A detailed financial statement showing total receipts, their proposed use, and expenses for each use of building(s) or grounds for which admission is charged must be available on request.
12. It shall be understood that the Superintendent of Schools and/or the Board of Education has the authority to grant or reject requests for the use of school facilities and equipment.

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13. Any group using school facilities is required to present evidence of liability insurance, with the district named as an additional insured, in an amount deemed adequate by the Superintendent or School Business Administrator. Approval of the use of the cafeteria, auditorium, gymnasium or playfields by large groups is subject to the district receiving, at least 30 days prior to the use of facilities, a Certificate of Insurance indicating a minimum combined single limit of comprehensive General liability Insurance coverage of one million dollars (\$1,000,000) and that the district be named as an additional insured to the policy. The Certificate of Insurance will also provide thirty (30) days notice of cancellation to the district. The sponsor will agree to hold itself liable for damages to school property through its carelessness or neglect. The Board may decline to accept further application for use of the school facilities should the sponsor violate any of the provisions of this regulation.

Uses Encouraged for District Residents

In accordance with State Education Law, the following uses of school buildings and grounds are acceptable:

1. for instruction in any "branch of education, learning or the arts";
2. for "social, civic and recreational meetings and entertainments, and other uses pertaining to the welfare of the community";
3. as polling places for holding primaries and elections and for the registration of voters; and
4. for "civic forums and community centers."

Prohibited Uses of School Buildings and Property

State Education Law and the Constitution of New York State specifically prohibit the following uses of school buildings and property:

1. for the purpose that will in any way interfere with the use of school buildings, grounds, or other school property by the school;
2. by any person or profit-making organization for personal or private gain, financial or otherwise;
3. for holding a social, civic or recreational meeting or other use pertaining to the welfare of the community, unless such meeting, entertainment or use shall be non-exclusive and open to the general public;

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4. for a meeting, entertainment or occasion where admission fees are charged, if such meeting, entertainment or occasion is 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 any organization of veterans or of volunteer firemen.

Use of School Facilities by School Personnel and Students

Any use of school facilities for school-related activities will be scheduled through the Building Principal. Any other use outside the regular school week will be scheduled through the Building & Grounds Department.

No students are allowed in a school building unless a teacher is on duty. Scheduling in advance will ensure that the space requested is available and not given to outside groups.

Recognized collective bargaining units may use school facilities to conduct meetings as specified in the collective bargaining agreement(s).

Use of School Facilities on Weekends and Holidays

School facilities, except under unusual circumstances, will not be available on Saturdays, Sundays or school holidays. However if used on Saturdays, Sundays or school holidays, individuals or groups will be charged at a rate as specified in the Facility Use Fee Schedule and Notes: Additional Fees & Requirements to cover the cost of utilities, operation and maintenance, with such charges being made against Local Priority, Non-Local Groups and School-Related groups.

Types of Organizations

1. Local Priority Groups will include:
 - a) Firemen's organizations;
 - b) Veterans groups;
 - c) Civic organizations;
 - d) Boy Scouts;
 - e) Girl Scouts;
 - f) Senior citizen groups;

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- g) Glen Cove Youth Group;
 - h) Other similar groups.
2. Non-local groups are defined as those not having a Glen Cove physical mail address or are not identified as being a Glen Cove community group or organization or accepted as such by the School Board. Any such group may apply to the Board for reconsideration.
3. School-Related Groups will include:
- a) Parent-teacher associations;
 - b) School clubs;
 - c) Recognized employee organizations; and
 - d) School booster organizations.

Fees

There shall be established a Facility Use Fee Schedule (attached) to cover the cost of utilities, operation and maintenance. An additional fee may be charged for services that may be required by the district due to the particular event taking place. Any organization that fails to pay the charges requested will forfeit its right to use any school facility until it complies with this requirement.

Only the Board may pay employees for services involving the use of school facilities.

Any change in time, date or cancellation of an activity is to be reported to the Building & Grounds Office, Business Office or the Board's representative. It will be understood that it may be necessary to reschedule a non-school activity if a conflict arises with a school-related activity.

In case of an accident resulting in injury to any person or damage to personal property, the incident must be reported immediately to the custodian of district personnel who is in charge. It must also be submitted in writing to the Superintendent within 5 days after the function. The permittee shall immediately request an accident report form from the district Business Office.

The granting of permission to use school property will not carry the right to exclude members of the Board or the representatives of the District from the property. Any member of the Board or District representatives will have full and free access at all times to any part of the building.

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To cover the cost of utilities, operation and maintenance, the following schedule of charges shall apply, except where the District is on an austerity budget:

Type of Organization**Local Priority Groups**

Priority groups include the Firemen's Organizations, Veterans' Groups, Civic Associations, Boy Scouts, Girl Scouts, Senior Citizen Groups, Glen Cove Youth Group, and similar groups.

	<u>Classrooms</u>	<u>Cafeteria</u>	<u>Gymnasiums & Auditoriums</u>	<u>HS Track & Field</u>
1. Group which does not charge admission/donation fees.	No Fee	No Fee	No Fee	No Fee
2. Group that charges admission/fees/donations in conjunction with any performance or program held in school facilities.	\$20	\$40	\$150	\$250

Non-Local Groups

Non-local groups include those which have at least fifty-one (51%) of their membership residing outside the school district.

	<u>Classrooms</u>	<u>Cafeteria</u>	<u>Gymnasiums & Auditoriums</u>	<u>HS Track & Field</u>
1. Group which does not charge admission/donation fees.	\$40	\$75	\$250	\$350
2. Group that charges admission/fees/donations in conjunction with any performance or program held in school facilities.	\$60	\$100	\$500	\$750

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School related groups include Parent Teacher Associations, school clubs, recognized employee organizations, and booster organizations.

	<u>Classrooms</u>	<u>Cafeteria</u>	<u>Gymnasiums & Auditoriums</u>	<u>HS Track & Field</u>
1. Group which does not charge admission/donation fees.	No Fee	No Fee	No Fee	No Fee
2. Group that charges admission/fees/donations in conjunction with any performance or program held in school facilities.	No Fee	No Fee	No Fee	No Fee

NOTES: Additional Fees and Requirements

1. When the school district is on an austerity or contingency budget, the district may not make its facilities available to community groups without charge. Proposed users must pay in advance all identifiable costs associated with such use. This shall not apply to use pursuant to an intergovernmental cooperation agreement or by the PTA for other than social functions.
2. The fees listed above are for weekday use of school facilities. Weekend, holiday and after school-hours use would require the fee listed plus the district's cost for custodial and security overtime salaries. If additional custodial and/or security personnel are required, the group would be responsible for all the salary costs.
3. Dress rehearsals and practice sessions by Special Arrangement only.
4. In the event that the voters of the district do not appropriate funds for free or subsidized community use of school property, the foregoing fee schedule shall not be applicable and community groups will be required to reimburse the district for all identifiable costs associated with an approved use of such facilities.

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Education Law Section 414
34 Code of Federal Regulations (CFR) Part 108

NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property
#5640 -- Smoking/Tobacco Use
#7310 -- School Conduct and Discipline
#7320 -- Alcohol, Tobacco, Drugs and Other Substances
(Students)
District Code of Conduct on School Property

Adopted: 12/19/05
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