

**SUBJECT: COMMUNITY USE OF SCHOOL FACILITIES, MATERIALS AND EQUIPMENT**

As a service to the community and in accordance with Education Law Section 414, the Prattsburgh Central School Board of Education has authorized the use of school facilities to responsible and properly organized community groups that draw a large majority of their membership from the population of the School District in accordance with Education Law Section 414. These organizations must apply for the use of school facilities by filing a request for a permit (Use of Facilities Form) with the Superintendent and/or his/her designee at least 30 days prior to the requested date. The Superintendent and/or his/her designee will issue no permit unless the organization seeking the permit provides written proof of insurance protecting the District against any liability resulting from the organization's use of school facilities for no less than \$1,000,000 per accident.

**Authorization**

The Board of Education delegates the responsibility to the Superintendent and/or his/her designee to implement the regulations, including granting or denying applications for use in accordance with this policy. When any deviation from this policy is requested, the Superintendent may make recommendations to the Board for their approval or denial.

**School Organizations**

School organizations, including classes, clubs, athletic teams, and other approved groups may schedule the use of school facilities for meetings and other functions by applying to the principal. Use is restricted to Monday through Saturday only, 7 a.m. - 11 p.m. except holidays. The administration will approve requests from school organizations on a case-by-case basis.

**Private/Community Organizations**

State Law (Section 414 Education Law) authorizes the Board of Education to adopt reasonable regulations for the use of such school buildings and grounds, or other property, when being used for school purposes, or when the school is in use for school purposes if in the opinion of the Board, the non-school use will not be disruptive of normal school operations. The following uses are strictly prohibited.

- a) Meeting sponsored by political organization.
- b) Meetings, entertainments, and occasions under the exclusive control of and the proceeds are to be applied 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 veteran's organizations or volunteer fire fighters or volunteer ambulance workers.

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**SUBJECT: COMMUNITY USE OF SCHOOL FACILITIES, MATERIALS AND EQUIPMENT (Cont'd.)**

The use of school buildings and other facilities by a non-profit organization or an organization operated for private gain, or any purpose involving private gain, non-school organizations will be permitted only when all of the following conditions are met:

- a) Use is sponsored by an organization which is not operated for private gain or
- b) Use will not benefit principally the organization which is operated for private gain; and
- c) A worthy educational, civic, or charitable purpose, will be served; and
- d) Normal building usage is Monday through Saturday only, 7 a.m. - 11 p.m. except holidays. (Any deviation requires Board approval); and
- e) Use will be accommodated around facilities requests from school organizations; and
- f) The sponsoring organization complies with all state and federal laws and regulations as well as local and school regulations; and
- g) The sponsoring organization pays charges that offset costs according to the process outlined below.

Use of school facilities by the Boy Scouts or other patriotic youth groups listed as a patriotic society in Title 36 of the U.S. Code will be permitted to the same extent as other outside groups. The District shall not deny access to or otherwise discriminate against such youth groups based solely on the group's membership or leadership criteria or oath of allegiance to God and country. (NCLB REQUIREMENT)

**Charges**

All organizations that qualify to use school facilities may be charged pre-established rates. The Business Manager will, on or before July 1 of each year, compute costs involved in the maintenance of school facilities and the Superintendent will establish a fee for each facility, including use of equipment in and outside of the building. These rates may be adjusted during the school year if the Business Manager determines that costs have changed sufficiently to warrant such an adjustment. A surcharge will be administered to individuals or groups who reside outside of the Prattsburgh Central School District.

**Special Charges**

Special charges may be necessary if conditions warrant the need for extraordinary maintenance, custodial, or supervisory services, for example:

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- a) An extra charge may be made for the use of a gymnasium when an audience is present and bleachers are used,
- b) For the cafeteria when the kitchen is used,
- c) An extra charge may be made for parking attendants, at the currently hourly rate for each attendant, when the high school gymnasium, auditorium, or athletic field is used and an audience is present, or
- d) The regular established rate will be charged for the use of the high school athletic field and shower rooms.

**Adjustments**

The Superintendent may adjust total costs for the use of school facilities by community groups on occasions when more than one group shares the use of the school building. Such adjusted costs in total will be the same as the actual costs to the Board incurred in opening any building and will be made known to the School District Treasurer before any billing is made.

**Use of Equipment Inside the Building**

At the discretion of the Superintendent, a charge may be made for the services of an operator, at the regular hourly-established rate, when any school equipment is to be used in connection with the program.

**Use of Equipment outside the Building**

At the discretion of the Superintendent, school equipment may be loaned to responsible community groups for worthy education, civic, or charitable purpose when:

- a) The group borrowing the equipment agrees to accept responsibility for repairing or replacing any equipment damaged as a result of any misuse or lost while in its possession;
- b) The equipment is not both unusually expensive and subject to easy damage;
- c) The equipment is in good condition; and
- d) The group provides a competent operator for any equipment loaned.

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**SUBJECT: COMMUNITY USE OF SCHOOL FACILITIES, MATERIALS AND EQUIPMENT (Cont'd.)****Materials and Equipment**

Except when used in connection with or when rented under provisions of Education Law Section 414, school-owned materials or equipment may be used by members of the community or by District employees and/or students for school related purposes only. Private and/or personal use of school-owned materials and equipment is strictly prohibited.

The Board will permit school materials and equipment to be loaned to staff members when such use is directly or peripherally related to their employment and loaned to students when the material and equipment is to be used in connection with their studies or extracurricular activities. Community members will be allowed to use school-owned materials and equipment only for educational purposes that relate to school operations.

Administrative regulations will be developed to assure the lender's responsibility for, and return of, all such materials and equipment.

**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.

This statute provides for the following:

- a) 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 requests to conduct a meeting within the covered entity's designated open forum or limited public forum.
  1. A designated open forum exists when the school 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 program.
  2. A limited public forum exists when the school allows 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.

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- b) 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.
- c) 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.

The statute applies regardless of the entity's authority to make decisions about the use of its own school facilities. However, no entity is 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 or local law or other requirement.

20 United States Code (USC) Section 7905  
36 United States Code (USC) Subtitle II  
34 Code of Federal Regulations (CFR) Parts 75, 76 and 108  
Education Law Section 414

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: 5/17/05  
Revised: 2/28/08