

**SUBJECT: USE OF SCHOOL FACILITIES, MATERIALS, AND EQUIPMENT****Community Use of School Facilities**

Section 414 of the Education Law provides that "schoolhouses and the grounds connected therewith and all property belonging to the District shall be in the custody and under the control and supervision of the Board of Education." (See attached for the specific regulations adopted under Section 414 for the use of School District property.)

Thus, a Board may adopt reasonable regulations and fees for the use of school facilities by community organizations provided these regulations are not in conflict with state or federal law or with the regulations of the Commissioner of Education.

The Board may permit the use of school facilities under this policy for:

- a) The purpose of instruction in any branch of education, learning or the arts.
- b) Public library purposes, subject to the provisions of the Education Law, or as stations of public libraries.
- c) Holding social, civic and recreational meetings and entertainments, and other uses pertaining to the welfare of the community; however, such meetings, entertainment and uses shall be non-exclusive and shall be open to the general public.
- d) Meetings, entertainments and occasions where admission fees are charged, when the proceeds thereof are to be expended for an educational or charitable purpose; however, such use shall not be permitted if such meetings, entertainments and occasions are under the exclusive control, and the said proceeds are to be applied for the benefit of a fraternal, secret or exclusive society or organization other than organizations of veterans of the military, naval and marine service of the United States and organizations of volunteer firefighters or volunteer ambulance workers.
- e) Polling places for holding primaries and elections and for the registration of voters and for holding political meetings. However, no meetings sponsored by political organizations shall be permitted unless authorized by a vote of a District meeting, held as provided by law. It shall be the duty of the Board of Education to call a special meeting for such purpose upon the petition of at least 10% of the qualified electors of the District. Authority so granted shall continue until revoked in like manner and by the same body as granted.
- f) Civic forums and community centers as authorized by Education Law Section 414.
- g) Classes of instruction for students with disabilities operated by a private organization approved by the Commissioner of Education.

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

- h) Recreation, physical training and athletics, including competitive athletic contests of children attending a private, nonprofit school.
- i) Providing childcare services during non-school hours, or to provide childcare services during school hours for the children of pupils attending the schools of the District and, if there is additional space available, for children of employees of the District. Such determination shall be made by the Board of Education, provided that the cost of such care shall not be a School 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.
- j) Generally, use of school facilities may not be granted for commercial purposes or private gain, except where the Board of Education determines that the primary purpose of such activity is for a public benefit and the District will receive reasonable compensation.
- k) Greatest use of school facilities shall be afforded to youth and youth-oriented applications. In the event more than an application is received for a specific facility at a specific time, the youth-oriented application shall be granted use of the facility.
- l) The group, organization, or individuals granted the use of the school facilities or grounds shall be responsible to the District for any damage to the facilities or grounds.
- m) The group, organization, or individuals shall be responsible for any additional cost to the District for the use of the facilities.

**Rules Governing Use of Facilities by Community Groups**

- a) No smoking is allowed in school buildings, on school grounds, or in school vehicles.
- b) Possession, sale or consumption of alcoholic beverages or illegal drugs is prohibited. Persons participating in events at school should not be under the influence of any of these substances.
- c) The activity shall be restricted to that area for which permission is granted.
- d) The activity shall not extend beyond the hours approved in the request.
- e) All programs or activities shall not interfere with the regular school day schedule.
- f) The organization or individuals using the building shall be responsible for getting equipment in and out of the building.
- g) The supervisor in charge of the activity shall be present before the activity is due to start and remain with the group until all have left.

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- h) In the absence of the building principal or administrative personnel, the custodian is charged with the responsibility of the building.
- i) Where additional custodial assistance is required, a bill will be generated and must be paid within ten days.
- j) Any loss or damage occurring to District property shall be billed against the sponsoring group or individuals.
- k) The using organization or individuals shall be required to furnish liability and property damage insurance with limits at least equal to those of the School District.
- l) A certificate of insurance, with proper limits of liability, shall be submitted as evidence of insurance coverage at least three days in advance of the event and must designate both the using organization or individuals and the School District (legal name: Town of Webb Union Free School District) as insureds. The absence of such a certificate will preclude use of the facility (where applicable).
- m) The building use approval is revocable at any time without notice.
- n) All visitors shall be subject to the District's *Code of Conduct*, a copy of which shall be furnished to the user(s) upon request.
- o) The use of the gymnasium shall be permitted only with proper footwear.
- p) The use of the kitchen facilities shall be permitted only where a food service employee is present to act in a supervisory capacity. Any additional cost to the District shall be billed to the user(s).
- q) The Board reserves the right to deny use where the individual(s) or organization has an unpaid balance from prior use or where such individual(s) or organization has been determined to have previously misused District facilities or violated District policy, rules or regulations.

**Materials and Equipment**

Except when used in connection with, or rented under provisions of Education Law Section 414, school-owned materials or equipment may be used for school related purposes only. Private or personal use of school-owned materials and equipment is strictly prohibited. The loan of equipment and materials for public purposes that serve the welfare of the community is allowed, as long as the equipment is not needed at that time for school purposes and that the proposed use will not disrupt normal school operations.

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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 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. The Board will also allow the loan of equipment to local governments and other entities that benefit the welfare of the surrounding community. The Board supports this inter-municipal cooperation as it saves taxpayer monies and is a more efficient use of scarce or costly equipment and resources.

Education Law § 414  
NY Constitution Article 8

NOTE: Refer also to Policies #3281 -- Use of Facilities by the Boy Scouts of America and Patriotic Youth Groups  
#3410 -- Code of Conduct  
#5640 -- Smoking, Tobacco, and Cannabis (Marijuana) Use  
#6150 -- Alcohol, Tobacco, Drugs, and Other Substances (Staff)  
#7320 -- Alcohol, Tobacco, Drugs, and Other Substances (Students)  
#7410 -- Extracurricular Activities  
District *Code of Conduct*

Adopted: 6/22/23