

SUBJECT: USE OF SCHOOL FACILITIES, MATERIALS AND EQUIPMENT

School Facilities

It shall be the policy of the Board to encourage the use of school facilities 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 school district and abide by the rules and regulations established for such use including restrictions on alcohol, tobacco and drug use, and proof of insurance coverage. The Superintendent, at his/her discretion, may consult with the Board of Education, regarding particular facilities use requests. Quarterly reports may be made to the Board regarding community use of the school facilities.

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:

No covered entity (elementary school, secondary school or LEA) 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.

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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.

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.

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.

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

Historical Notes: Resolution Adopted 10/26/71
Former Policy 3.3.3.1 Use of
Buildings-Polling Places; 9/24/85
Amended 3/24/98

Former Resolutions: 3.3.3-1 Fees for Use of School
Facilities; Adopted 7/24/84;
Amended 7/3/90

3.3.3-1A Exemption for Fees-Use of
School; 5/24/83

3.3.3-1B Exemption from Fees; 10/23/84

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3.3.3-2 School Playgrounds-
Agreement with Town of Vestal;
3/10/70

3.3.3-5 Use of Building-Polling
Places; 10/26/71

3.3.3-7 Town Access-Ponding Area
Near High School; 9/26/72

3.3.3-8 Use of Football Field;
9/26/72

3.3.3-9 Summer Use of Athletic
Field; 12/23/75

3.3.3-10 Naming of Senior High
Drive; 9/28/76

3.3.3-13 Naming of Central Jr.
High; 10/2/79

3.3.3-16 Use Agreement-Town of
Vestal; 8/25/87

Former Policies #3280 – Operation of Motor-Driven
Vehicles on District Property

#3290 – Use of School Equipment
For Private Purposes

#3410 - Code of Conduct on
School Property

#5640 - Smoking/Tobacco Use

#7320 - Alcohol, Tobacco, Drugs
and Other Substances (Students)

#7410 – Extracurricular Activities
District Code of Conduct on School
Property

Adopted 4/27/10