

## **SUBJECT: COMMUNITY USE OF SCHOOL FACILITIES**

First and foremost, it is understood that the District's facilities exist primarily for the education and recreation of the school children of the District. District activities shall always have first priority on the use of District facilities.

The Mount Pleasant Central School District Board of Education recognizes that the District's Buildings and Grounds are community assets. As District assets, the Board of Education supports the ability of community members, related community organizations and consortium school districts to also utilize these assets while adhering to the Board of Education's Policies as well as the Procedures and Application Agreement.

Any and all usage of these facilities shall be governed by and consistent with Section 414 of the Education Law of the State of New York, and the District policy as established by the Board of Education. State Education Law and Constitution of the State of New York specifically prohibits the following use of District facilities:

- a) For any purpose that will in any way interfere with the use of District facilities and equipment of the District.
- b) By any person or profit-making organization for personal or private gain, financial or otherwise.
- c) For holding a social, civic, or recreational meeting or other use pertaining to the welfare of the community, unless such meeting, entertainment or use is non-exclusive and open to the general public.
- d) For a meeting, entertainment or occasion where admission fees are charged, unless the proceeds thereof are to be expended for an educational or charitable purpose.
- e) For a meeting, entertainment or occasion where admission fees are charged, if such meeting, entertainment or occasion is under the exclusive control of, and the proceeds are to be applied toward the benefit of a society, association, organization, religious sect of denomination, fraternal, secret or exclusive society or organization, other than any organization, of veterans or volunteer firemen.

# POLICY

The District may permit the use of school facilities for a commercial undertaking when the activity has a clear school purpose.

Since the school budget is primarily intended to defray the expenses of operating and maintaining the schools and their facilities for the benefit of the District's school children, charges will be made to non-school groups for the use of school facilities based on the Board of Education's approved Schedule of Fees contained within the Procedures and Application Agreement for the use of buildings and custodial and cafeteria services.

The Board of Education in its sole discretion may waive the fees for certain not for profit organizations whose non-school groups are comprised of District residents and those in consortium school districts whose use is related to a school purpose. These charges have been developed to insure that school funds are not used to support private purposes, however worthy in themselves.

Use of any District facilities by residents, groups or organizations located within or outside the boundaries of the Mount Pleasant Central School District will be in accordance with the approved Procedures and Application Agreement and the State Constitution and Education Law.

The responsibility for approving any after school, evening or weekend use of District buildings is the responsibility of the Board of Education. The Procedures and Application Agreement for the administration of this policy will be reviewed by the Superintendent of Schools on an annual basis. The Superintendent will provide the Board of Education with quarterly reports on school building usage.

## **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 State 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 membership or leadership criteria or oath of allegiance of God and country of the Boy Scouts of America or of the Title 36 patriotic youth group.

# POLICY

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Community Relations

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 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 Americas or any other Title 36 patriotic group on terms that are no less favorable than the most favorable terms provided to other outside youth or community groups.

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 of 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.

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*

Policy Amended on: 5/21/08

Adopted: 2/27/08