

**PUBLIC USE OF SCHOOL FACILITIES**

The school buildings and grounds are maintained for the education and recreation of the school children of the District. No use shall be made of the buildings which would interfere or disrupt their most effective use for the benefit of the school children.

Use for the good of the general public by charitable and civic organizations is encouraged by the Board of Education.

The Board expects that any performance or activity taking place on school grounds will be conducted in good taste and be acceptable to the age level represented by those in attendance. Outside charity fund raisers and other uses prohibited or restricted by law shall be prohibited by the Board.

The District shall not prohibit the use of school property outside instruction hours solely on the basis of a group's religious beliefs. Any religious group, while using District property, shall remain open to the public at all times, and shall not restrict participation in any way based on membership of said group. The District does not and shall not sponsor, endorse or support any religious activity or religious membership. Use of school property by religious groups shall not be viewed as violating this policy provided that the proscriptions contained herein are followed.

It shall be the responsibility of the Superintendent of Schools to develop and enforce regulations consistent with this policy.

Reference: Education Law §414  
Good News Club v. Milford Central School Dist., U.S. (2001);  
2001 U.S. LEXIS 4312

Revised: May 22, 2001; November 20, 2001; March 3, 2009

**PUBLIC USE OF SCHOOL FACILITIES REGULATION**

Exclusive custody, control and supervision facilities of the District are vested in the Board of Education by the law of the State of New York. The Board shall administer the facilities to ensure that no use will disrupt normal school operations. Consistent with this authority, the Board has delegated to the Superintendent of Schools, or his/her designee, the power to accept or reject applications for use of all school facilities.

**1. Permissible Uses**

The District may permit public use of its facilities for the following purposes:

- a. Instruction in any branch of education, learning or the arts.
- b. Stations of public libraries.
- c. Social, civic and recreational meetings, entertainments, and other activities.
- d. Meetings, entertainments and occasions where admission fees are charged and the proceeds are expended for an educational or charitable purpose. However, the event shall not be permitted if it is under the exclusive control and the proceeds benefit a society, association or organization of a religious sect or denomination, or of a fraternal, secret or exclusive society, association or organization, other than organizations of veterans of the United States military and volunteer firefighters or ambulance workers.
- e. Polling places for primaries and elections, registration of voters, and political meetings. However, meetings sponsored by a political organization must be approved by a vote of the Board.
- f. Civic forums and community centers, upon the petition of at least twenty-five (25) District residents.
- g. Instruction of special needs students.
- h. Recreation, physical training and athletics, including competitive athletic contests of children attending a private, non-profit school.
- i. Childcare services during non-school hours, or during school hours for children of students attending the District and employees of the District. However, the Board shall determine whether the space will be provided and may charge an appropriate fee.
- j. For graduation exercises held by not-for-profit elementary and secondary schools, provided that no religious service is performed.
- k. Any use in (a), (c), (d) or (h) above shall not permit the exclusion of any District child because the child is not attending a District school or the District school sponsoring such use.

**2. Prohibited Activities**

The use of District facilities for activities which may be dangerous, destructive, or in any other way disruptive to the District's normal operations is strictly prohibited. These prohibited activities include, but are not limited to:

- a. Archery;
- b. Flying of gas-powered airplanes;
- c. Golf;
- d. Horseback riding;
- e. Launching of model rockets;
- f. Operation of any all-terrain vehicles, snowmobiles, go-carts, mini-bikes or unlicensed motor vehicles.

**3. Procedure**

- a. All applications shall be submitted to the Superintendent of Schools, or his/her designee, not less than two weeks prior to the date of requested use. Applicants are encouraged to submit requests thirty (30) days prior to the date of requested use, as successful approval depends on timely requests.
- b. Any application may be denied if the facilities requested are needed by the District, or if the request will disrupt normal school operations. Additionally, use of District facilities on Sundays and holidays will be discouraged in an effort to minimize costs and permit scheduled maintenance.
- c. Any application denied by the Superintendent of Schools may be appealed to the Board.
- d. Any application denied by the Board may be appealed to the Commissioner of Education.

**4. Conditions**

All applicants whose requests are approved shall be subject to the following conditions:

- a. The applicant shall provide an insurance certificate in an amount to be determined by the Board, and any other items necessary to protect the interests of the District. The terms and conditions of such certificate will be recommended by the District's attorney and insurance company.
- b. No alterations shall be made to school property or equipment unless specifically approved in writing by the Superintendent of Schools, or his/her designee.

**5. Charges and Fees**

Charges for the use of District facilities shall be determined as follows:

- a. Custodial or Maintenance Service: An hourly charge per person to be determined at the time of the application, based on the cost to the District and paid prior to the use of the facilities.
- b. Audio-Visual Services: An hourly charge for equipment use and personnel to be determined at the time of the application and paid prior to the use of the facilities.
- c. Cafeteria Kitchens: Fees for equipment use and personnel shall be as stated in the District Rate Schedule and paid prior to the use of the facilities. No kitchen use is permitted unless District personnel are present or the Superintendent of Schools, or his/her designee, has provided otherwise.
- d. Classrooms, Gymnasiums, Athletic Fields, and Auditoriums: Fees shall be as stated in the District Rate Schedule and paid prior to use of the facilities.
- e. Special Requests: Fees shall be determined at the time of the application and paid prior to the use of the facilities.
- f. District Rate Schedule shall be updated on an annual basis and submitted to the Board for approval.
- g. The Board will consider the waiver of fees for school support groups.

**6. Department of Recreation of the Town of Colonie and the Village of Colonie**

The Department of Recreation of the Town of Colonie and the Village of Colonie shall be permitted to use school facilities for a summer recreation program, provided an agreement satisfactory to the District's attorney is approved by the Board.

Reference: Education Law §414

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