

() Required
(X) Local
(x) Notice

PUBLIC USE OF BOCES FACILITIES

While the BOCES buildings and grounds are maintained primarily for the purpose of educating students and providing services to component districts, the BOCES Board recognizes that the buildings and grounds are a valuable community resource and believes that this resource should be available to the community for specific uses that will not interfere with BOCES activities. This policy is intended to identify the uses that community groups may make of those facilities.

Permitted Uses

BOCES facilities may be used for the purposes listed below, subject to the conditions and restrictions set forth in this policy.

- A. Instruction in any branch of education, learning or the arts.
- B. Social, civic and recreational meetings and entertainments, or other uses pertaining to the welfare of the community so long as such uses are non-exclusive and open to the general public.
- C. Public library purposes, subject to provisions of the Education Law, or as stations of public libraries.
- D. Polling places for holding primaries and elections, for the registration of voters.
- E. Civic forums.
- F. Child-care programs when school is not in session, or when school is in session for the children of students attending BOCES programs and, if there is additional space available, for children of employees of the district.
- G. Graduation exercises held by component elementary and secondary schools, provided that no religious service is performed.

Allowed Groups

The appropriate Division Director has the responsibility and authority to approve or deny applications of the external organizations listed below for the use of BOCES facilities when such use would not conflict or interfere with BOCES programs and services:

- A. Boy Scouts, Girl Scouts, Cub Scouts, Brownies, and auxiliaries, committees, Boards and Councils associated with scouting
- B. Veterans organizations
- C. Colleges and Universities of the State of New York
- D. Recruiters representing military branches of the United States
- E. 4-H organizations
- F. Employee Groups recognized by the BOCES
- G. Volunteer Fire Companies located within the BOCES geographical area
- H. State Licensing Bureaus
- I. Professional Hair Designers Clubs
- J. Parent-Teacher Associations
- K. Junior Achievement

- L. Cooperative Extension
- M. Approved Apprentice Organizations
- N. Senior Citizens Organizations located within the BOCES geographical area
- O. Municipal, County or State Agencies

Requests for use of facilities by social, civic, or recreational organizations not identified above must be submitted in writing to the Executive Officer ten (10) days prior to the anticipated use of the facility.

Upon application, commercial organizations may use BOCES facilities for non-commercial use, when such use, as determined by the Board, will result in a direct benefit to education, charity or the community. A fee for use by commercial organizations will be charged as determined by the Board.

Prohibited Uses

Any use not permitted by this policy is prohibited. In addition, the following uses are specifically prohibited.

- A. Meetings sponsored by political organizations.
- B. Meetings, entertainments and occasions that are under the exclusive control of and the proceeds are to be applied for the 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 veterans' organizations or volunteer fire fighters or volunteer ambulance workers.

Conditions of Use for District Facilities

- A. BOCES facilities may only be used if the following conditions are met:
 - 1. The facilities are not in use for BOCES purposes, or if they are in use by BOCES, the use by the outside organization will not disrupt normal BOCES operations as determined by the BOCES.
 - 2. The safety and security of pupils is assured.
 - 3. Where leased facilities are to be used, the use is subject to the terms of the lease.
 - 4. The use of the facilities is open to all members of the general public.
 - 5. All costs and expenses associated with the use are paid in advance by the outside organization.
- B. No charge shall be made for normal use of the facilities by the groups listed in the Allowed Groups section above; however a charge shall be made whenever:
 - 1. Additional or special custodial or other personnel (e.g., NERIC) services are needed; or
 - 2. Public Address Systems, A-V Systems or other special equipment may be needed.
- C. Charges shall be computed by the appropriate Division Director at the time that the application for use is made, and shall be paid prior to actual use of facilities. It shall be the responsibility of the appropriate building administrator to give specific instructions to the custodians concerning their responsibilities when use of facilities has been granted to any organization. Arrangements shall include provisions for moving furniture and equipment as required and then restoring same to its original locations, and for building security.
- D. Administrators shall contact persons in charge of groups and the Executive Officer at once, if there is any misuse of BOCES facilities. Building administrators shall take the steps they feel necessary to prevent future difficulties, including recommending withdrawal of the privilege.
- E. Custodial services, A-V equipment and classroom rental fees shall be assessed in accordance with the fee schedules prepared by Central Administration.

- F. Organizations using BOCES facilities shall furnish, at their own expense, Comprehensive General Liability Insurance with the following limits: Personal Injury Liability - \$1,000,000 each occurrence; Broad Form Property Liability - \$1,000,000 each occurrence. A certificate of such insurance, with the BOCES and BOCES Board of Education named as an additional insured, must be submitted prior to use of the facility. In high risk situations, the Executive Officer may require higher insurance limits.
- G. Organizations using the BOCES facilities are responsible for the proper care of the building, grounds and equipment which they have been permitted to use, and will be assessed for any damage.
- H. The Board reserves the discretion to deny use of district facilities described above, or to terminate use of district facilities:
1. By an applicant who has previously misused or abused district facilities or property or who has violated this policy;
 2. For any use which could have the effect of violating the Establishment Clause of the United States Constitution or other provisions of the United States or New York State Constitutions;
 3. For any use which, in the estimation of the Board, could reasonably be expected to or actually does give rise to a riot or public disturbance;
 4. For any use which the Board deems inconsistent with this policy;
 5. For any use by a private for-profit entity that has the direct or indirect effect of promoting the products or services of such entity;
 6. In any instance where alcoholic beverages or unlawful drugs are sold, distributed, consumed, promoted or possessed;
 7. For any use prohibited by State or Federal law or BOCES Policy (e.g., discrimination policies that go farther than law.

Ref: Education Law §414

Adopted: March 20, 1978

Ratified: April 17, 1978

Amended: May 16, 1983

Amended: June 17, 1991

Amended: March 18, 1996

Amended: June 12, 2003

Amended: December 15, 2008