

Washington West Supervisory Union Model Policy

CODE H3

H-3: COMMUNITY USE OF SCHOOL FACILITIES

It is the policy of the member district schools of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) that while the primary purpose of the school facilities is to educate students within this district, the school board recognizes that the facilities are a valuable community resource. Accordingly, the principal may make school facilities available to individuals and community groups without discrimination in accordance with this policy, provided the facilities are preserved for regular school activities.

Individuals and groups may use school facilities for the following purposes:

- A. Meetings by parent-teacher organizations and school booster organizations whose purpose is to support the operations of the schools and the school district;
- B. Meetings by employees' professional organizations comprised of school district employees;
- C. Instruction in any branch of education, learning, and the arts;
- D. Social, civic and recreational meetings, and entertainment, provided the events are open to the public;
- E. Civic forums and community centers, provided the events are open to the public;
- F. Recreation, physical training and athletics, including competitive athletic contests for children and adults;
- G. Private academic tutoring or music lessons;
- H. Child care programs;
- I. Meetings, entertainment and occasions where admission fees are charged, when the proceeds are to be spent for an educational or charitable purpose, and the events are open to the public.

The principal may deny an application for use of facilities or terminate an individual or group's use for:

- A. Uses that are likely to cause a material and substantial disruption to school operations;
- B. Events and meetings promoting or sponsored by a political party;
- C. Political campaign events by someone running for office;
- D. Uses that interfere with school district maintenance and repair of facilities;
- E. Uses that could damage special equipment in the facilities;
- F. Uses that could reasonably be expected to or actually do give rise to a riot or public disturbance;
- G. Events or meetings of private for-profit entities;
- H. Events at which fees are charged for profit;
- I. Uses where alcoholic beverages or unlawful drugs are sold, distributed, consumed, promoted or possessed; and
- J. Uses prohibited by law.

The Boy Scouts of America, Big Sisters of America, Boys and Girls Clubs of America, Future Farmers of America, Girl Scouts of America, Little League Baseball, Inc. and any other group intended to serve youth under the age of 21 listed in Title 36 of the U.S. Code may use school facilities upon payment of suitable fees and costs according to the district fee schedule. The principal may place reasonable time, place, and manner restrictions on the use of facilities.

The principal shall set a fee schedule and shall administer it in a manner that does not discriminate based on viewpoint. All users shall be required to demonstrate adequate insurance coverage and shall agree to hold the district harmless from any and all liability resulting from their use of the facilities. All users shall be required to make clear in all announcements and publicity that their events and activities are not sponsored by the school district.

The principal may allow individuals and groups to use special equipment, such as audiovisual equipment, provided that the group uses an operator of the equipment who is approved by the principal.

Date Warned: 5/28/2015
Date Adopted: FES 6.11.15; HUHS 6.17.15; MES 6.8.15; WES 6.8.15; WS 6.16.15; W-D 6.9.15
Legal references: 16 V.S.A. §563 (3), (5) (Powers of school boards)
Boy Scouts of America Equal Access Act, 20 U.S.C. 7905
Lamb's Chapel v. Center Moriches Union Free School Dist., 508 U.S. 384 (1993)
Good News Club v. Milford Central Schools, 533 U.S. 98 (2001)
Travis v. Owego-Apalachin School Dist., 927 F.2d 688 (2d Cir. 1991)
Bronx Household of Faith v. Board of Education, 331 F.3d 342 (2d Cir. 2003)
Bronx Household of Faith v. Board of Education, ___ F.3d ___ (2d Cir. July 2, 2007)
Child Evangelism Fellowship of South Carolina v. Anderson, 47 F.3d 1062 (4th Cir. 2006)
Hickock v. Orange County Comm. College, 472 F. Supp. 2d 469 (S.D.N.Y. 2006)
Cross-reference: Policy F11 Student Clubs and Activities (Secondary)