

COMMUNITY USE OF SCHOOL FACILITIES

Code **KF** Issued **5/23**

Purpose: To establish the basic structure for community use of school facilities.

As a service to the community, the board will allow responsible and properly organized community groups to use school facilities in keeping with the following general policies.

- The board provides public school facilities through the use of taxpayers' funds collected for educational purposes.
- Use of school facilities by the schools and by school related organizations takes precedence over all other uses.
- Requests by local agencies and by other agencies/organizations for the use of facilities for educational purposes take priority over other requests for the use of facilities.
- The board restricts the use of facilities to recognized nonprofit community organizations. The board will not rent any building or part thereof to an individual or group for private or corporate gain, except when the activity is considered to be a desired part of the school curriculum and the school does not offer the activity in its curriculum. This would include activities such as music lessons, art lessons, and dance lessons. Both the principal of the school and the superintendent must approve any such use or rental where a profit could be realized.
- The use of a school building, facility, or other school property for any non-school purpose must not interfere with the school program.
- A political party or the state election commission may conduct a primary or election, without charge, in a school facility based upon availability as determined by the board.
- Non-school groups may not use school facilities for money-raising events.
- Some city, county, and state government entities may use some facilities without charge upon approval of the principal and superintendent.
- Organizations using school facilities are responsible for the proper conduct of all persons attending the event, for providing police protection if needed, for immediate restoration of school property in the event of any damage and for all liabilities of all persons in attendance. The district will set forth all terms in a contract which an official representative of the organization must sign.
- The administration will set up a schedule of fees which takes into consideration the purpose of the event. Fees will be sufficient to cover operational expenses and a reasonable amount for overhead.
- When school facilities are used by non-school persons, a school employee must be present while the facility is in use. The employee's services will be paid for by the group using the facility, except when a primary or election is conducted in a school facility.
- Non-school groups wishing to use any school kitchen must have members of the kitchen staff from that particular school present. Kitchen staff members will be paid for their services by the organization using the facility.

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- The administration may establish detailed administrative rules pertaining to public use of school facilities in keeping with the above policies. However, the board will not allow groups to use school facilities if they advocate unconstitutional or illegal acts, or if their activities are contrary to the best interests of the public schools or to the educational welfare of its students.
- The board will not allow groups to use school facilities when the proposed function presents an obvious danger to the safety of persons and property.
- The board directs the administration to seek board approval prior to administrative action in any case of doubt.
- No alcoholic drinks will be sold, distributed, or used on school property at any time by anyone.

Adopted 8/13/91; Revised 5/10/05, 11/13/07, 5/9/23

Legal References:

- A. United States Code of Laws, as amended:
 - 1. Boy Scouts of America Equal Access Act, 20 U.S.C.A. Section 7905.
- B. S.C. Code of Laws, 1976, as amended:
 - 1. Section 7-9-110 - Conducting elections or primaries in a facility that receives state funds.
 - 2. Section 59-1-370 - Closing of educational institutions on general election day.
 - 3. Section 59-19-90(7) - General powers and duties of school trustees.
 - 4. Section 59-19-120 - Rules and regulations governing use of school buildings.
 - 5. Section 59-19-125 - Leasing school property for particular purposes.
- C. Federal Cases:
 - 1. *Child Evangelism Fellowship of South Carolina v. Anderson School District Five*, 470 F.3d 1062 (4th Cir. 2006).