

# Hamilton County Board of Education

Monitoring: <b>Review: Annually, in October</b>	Descriptor Term: <b>Community Use of School Facilities</b>	Descriptor Code: <b>3.206</b>	Issued Date: <b>02/20/14</b>
		Rescinds:	Issued: <b>02/20/14</b>

1 Subject to rules and regulations that may be adopted by each principal, school facilities may be used  
2 by the public for charitable, civic, recreational, cultural and other purposes when not in use for school  
3 purposes.<sup>1, 2, 3</sup> This policy sets forth the guidelines pursuant to which school facilities may be used by the  
4 public.

## 5 **Outdoor Facilities at Elementary Schools**

6 During daylight hours on any day school is not in session, the public is permitted to access the play-  
7 grounds and outdoor basketball courts of any elementary school; provided, however, that any recognized  
8 school group shall have the right to reserve any such property for its exclusive use in accordance with  
9 procedures established by the school principal; and further provided that the principal of each elemen-  
10 tary school shall have the right to establish rules and regulations governing the conduct of the public on  
11 the school campus.  
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## 13 **Use of School Facilities by Groups**

14 If any group wishes to use a school building or grounds or portions thereof, the group shall complete a  
15 school facilities use form available at the school office. The following terms and conditions shall apply to  
16 the use of any school facilities by any group:  
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- 18 1. Any group seeking to use a school building or ground or any portion thereof must complete a  
19 school facilities use form and have it approved both by the principal and by the Office of Risk  
20 Management prior to use of the facilities.
- 21 2. The school system will charge any group using the school facilities a fee to offset the school  
22 system's costs arising out of this use; provided, however, that student clubs and activities,  
23 parent/teacher associations and any recognized school support organization shall be permitted to  
24 use the school facilities without charge.
- 25 3. Any group receiving permission for use of the school facilities are restricted to the dates and  
26 hours approved unless the principal and Office of Risk Management approves a change in the  
27 proposed date and time of use.
- 28 4. Groups receiving permission for the use of any facilities are responsible for the observance of  
29 all rules and regulations established by the school system and the principal. Groups are also  
30 responsible for their use of the facilities and will be liable for any damage to the building or any  
31 equipment. Under no circumstances will groups allow the use of alcoholic beverages, drugs,  
32 or profane language at any time during their use of school facilities, and no group will permit  
33 gambling in any form during its use of school facilities.  
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- 1 5. If a group is to use a school kitchen, at least one member of the cafeteria staff must be present to  
2 supervise the use of the cafeteria equipment.  
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4 6. Each building principal is responsible for assigning a school employee to be present during a  
5 group's use of school facilities. At all times, there will be appropriate adult supervision over  
6 any use of school facilities.  
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8 7. School facilities may not be used for private profit; provided, however, that this restriction does  
9 not prevent a group using a school facility from paying an honorarium or *de minimus* compen-  
10 sation to someone where the payment is incidental to an otherwise acceptable public, charitable,  
11 civic, recreational or cultural use of the facilities; and further provided that a principal may  
12 allow the operation of private daycare centers and kindergartens which provide educational and  
13 childcare services to the community. <sup>2</sup>  
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15 8. Any use of any school facility will comport with the requirements of state and federal law in-  
16 cluding but not limited to the First Amendment to the United States Constitution.  
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Legal References:

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27 1. TCA 49-50-201  
28 2. TCA 49-2-203(b)(4)  
29 3. *Lamb's Chapel v. Center Moriches Union Free School District*,  
113 S. Ct. 2141 (1993)  
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Cross References:  
Tobacco-Free Schools 1.803