

USE OF SCHOOL FACILITIES

1.0 Purpose:

The authority of a county board of education to permit school properties to be used by organizations not directly related to school activities

2.0 Definition: Use of County Board School Properties

WHEREAS, Chapter 18, Article 5, Section 19 of the Code of West Virginia states that "The Board of Education of any district or independent district shall have authority to provide for the free, comfortable and convenient use of any school property to promote and facilitate frequent meetings and associations of the people for discussion, study, recreation and other community activities, and may secure, assemble and house material for use in the study of farm, home and community problems, and may provide facilities for the dissemination of information useful on the farm, in the home, or in the community, and the death of a community member of distinction who was a military service member or veteran who served under honorable conditions or who served as a first responder, can have a significant impact on students and the surrounding community.

A. Liability occurring from the use of school properties may depend upon whether the event is of a governmental or proprietary nature; indicates that public lectures, concerts, other similar functions of an educational or social interest to the general public and recreational activities for children and adults might be considered as governmental functions.

B. The Board of Education requires a sponsoring group to take out liability insurance which will cover the specific occasion when there is any doubt about the nature of the function.

C. As used in this subsection, "organization" or "association" means a *bona fide, not for profit, tax-exempt, benevolent, educational, philanthropic, humane, patriotic, civic, eleemosynary, incorporated or unincorporated association or organization or a rescue unit or other similar volunteer community service organization or association, but does not include any nonprofit association or organization, whether incorporated or not, which is organized primarily for the purposes of influencing legislation or advocating or opposing the nomination, election or defeat of any candidate, or the passage or defeat of any issue, thing or item to be voted upon.*

3.0 Responsibility and Procedures:

The Wirt County Board of Education has established the following for the use of school properties:

A. No school or community organization may sponsor any activity that may be of no more than normal hazard to persons or properties, and in case of doubt about the hazard, the Superintendent shall make the final decision.

B. Parent-teacher associations and/or other organizations may sponsor events where admission is charged if the net proceeds are to be used to further the activities of the school and such event does not conflict with policy number one (1) above.

C. No individual, private group, or club may use school property for primarily furthering the interests of such individuals or clubs.

D. Meetings or public, recreational, or community organizations may be held in school buildings or on school grounds if properly scheduled by the principal of the school or the Superintendent and such activity is not considered damaging to the building or grounds. A \$15.00 deposit may be required (upon each individual school's request) for outside-school organizations or individuals using school facilities during afterschool hours or weekends. The deposit will be paid to the building principal upon receipt of the access card and will be refunded upon the return of the access card. If the access card is not returned within a reasonable time frame determined by the principal, the deposit will be utilized toward the cost of replacing the access card.

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E. An application for building and grounds usage (available on Wirt County Board of Education Website and each of the individual Wirt County Schools Main Offices) is required to be submitted to the principal of the building or facility being requested for usage. Formal approval by the principal is required. Any group approved for usage is required to leave the area as it was prior to their activity. Groups must follow the guidelines outlined by the building principal.

F. In the event it is judged that the activity being conducted requires supervision of professional, such assignment must be justified in writing by the principal to the Wirt County Superintendent.

G. Citizens or community organizations may use school buildings for social events or dinners when such use furthers the educational or social interest of the participants or community and they are properly scheduled by the principal and Superintendent.

H. The citizen(s) or community organization cannot charge admission, but can charge for the cost of the dinner. If school kitchens are used, a school cook must be on duty, with costs incurred by the user. A community organization may be granted permission to use a school building for events for which an admission fee is charged under the following conditions:

I. The sponsoring organization shall file a certificate with the Principal to show that liability insurance is in effect to protect both the organization and the Board of Education.

J. In accordance with §18-5-13d of WV State Code, notwithstanding any other provision of this code or any policy currently in place, the Wirt County shall allow school facilities in the county to be used for the funeral or memorial service, or both funeral and memorial services, of a community member of distinction who was a military service member or veteran who served under honorable conditions or who served as a first responder, consistent with this section. The Wirt County will follow the process in section (E) of this policy above.

K. Any funeral or memorial service held at a school facility may not disrupt or interfere with classroom instruction, other scheduled school event or activity, or other official governmental use such as when a school serves as a polling place for an election.

4.0 Administrative Guidelines:

The Superintendent shall have the authority to enforce these policies and may delegate this authority to any principal to schedule events for his/her building. The decision of the principal and/or the Superintendent may be appealed by the sponsor to the Board of Education.

5.0 Severability:

If any provision of this policy or application thereof to any persons or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this policy.

Review Schedule

This policy will be reviewed in accordance with the policy review schedule published by the Superintendent

Authorization: WV Code: Chapter 18, Article 5, Section 19; Chapter 18, Article 5, Section 13D,
June 5, 2019

Replaces: KGR, October 13, 2009; K-02 March 11, 2015

Reviewed: August 28, 2019