

SECTION K

SCHOOL/COMMUNITY RELATIONS

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SECTION K

SCHOOL/COMMUNITY RELATIONS

1. Community Use of Active School Buildings (Voted 11/16/81, #81-504; 4/11/95, #95-33; 6/1/05, #95-59; 5/21/96, #96-58; 12/22/05, #05-136; 6/5/14, #14-43)

In accordance with MGL Ch. 71, Section 71 and this policy, PSB school buildings may be available for community use in non-school hours when not in use for school purposes. With this policy, the School Committee's objectives are to ensure that access to PSB's facilities is provided at a reasonable cost that largely recovers costs incurred by the PSB for making space available.

a. Scheduling and Fees

The Deputy Superintendent for Administration and Finance (DSAF), or his/her designee, in consultation with building principals, shall be responsible for scheduling the use of school buildings outside of regular school hours, and for charging and collecting any and all associated fees.

i. **Scheduling Preference.** Preference in scheduling shall normally be given first to school-sponsored activities composed exclusively of PSB students and then to district, town, and independent partners as defined below in Section K2.

ii. **Scheduling System.** The DSAF or his/her designee shall establish and maintain a coherent and transparent scheduling system and guidelines for school building usage.

a. **Principals' Role:** All scheduling in a school building shall be subject to the building principal's approval. Principals shall have the flexibility to adjust scheduling on any given day, as necessary.

iii. **Schedule of Fees.** The DSAF, or his/her designee, shall develop and maintain a fee schedule and payment process for community use of PSB facilities. Fees may be required for (but not limited to): facility use, use of equipment, custodial services and/or required public safety personnel (See Section c.iii below on police/firefighter detail.)

iv. **Administrative Guidelines.** The DSAF shall develop guidelines to administer this policy. Said guidelines shall be available in written and electronic form from the DSAF's office under "Use of School Buildings."

v. **Conflicts in Scheduling:** Building principals, or their designees, shall have discretion in resolving scheduling conflicts that may arise on any given day (see above at K1a(ii)a), and their decision shall be final. Disputes may also be referred by the principal to the DSAF or his/her designee.

v. **School Committee Review.** Fee schedules and administrative guidelines for community use of PSB facilities shall be periodically reviewed and approved by the School Committee, in accordance with MGL c.71, s.71.

b. Requirements for Building Use

Use of PSB facilities shall be subject to the following requirements:

i. Payment of all fees according to the fee schedule and any assessed charges resulting from the use of the facility.

ii. Execution of an agreement releasing the Town of Brookline, its officials, officers, and employees from all liability in connection with the use of the facility,

along with evidence of adequate liability insurance in the context of the proposed use.

Violations of these and/or any other published regulations concerning use of PSB facilities may cause a user's event to be closed down immediately, and could result in the responsible organization being banned from utilizing PSB facilities in the future.

c. Special Events and Large Gatherings

i. Alcoholic Beverages/Beer Wine License Requests

In almost all cases, and consistent with current Massachusetts' law, the serving of alcoholic beverages on school property is prohibited. MGL. Ch. 272, Sec. 40A articulates this prohibition and the penalties for any violation. The above law does provide for certain exceptions. Application for exceptions, in the form of a beer/wine license, must be made to the Town's Board of Selectmen. Licenses are contingent upon the Selectmen's requirements, including the purchase of sufficient liability insurance, and contingent upon the School Committee's requirements, including compliance with building use policies, and certification that no students will be present at events where beer and wine are to be served.

ii. Alcoholic Beverages Other than Beer/Wine.

Application for exceptions involving alcoholic beverages other than beer/wine must be approved by the School Committee prior to review by the Board of Selectmen. Unless specifically authorized by vote of the School Committee, these other alcoholic beverages may not be served on school property and/or at any event in a school building where students will be present.

iii. Public Safety Details (Voted 2/23/76, pg. 59)

The provision of police and fire prevention details shall be required as mandated by these departments and any relevant law and regulations. The individual or organization using PSB property shall be responsible for the cost and payment of such details, and shall provide sufficient proof that appropriate public safety details have been contracted.

d. Facility Use in the Event of Public Emergency

In the event that Brookline or neighboring communities experience public emergencies that prevent the ability of relevant populations from enjoying normal housing and protection, certain PSB facilities may be devoted to emergency shelter and aid. Under such circumstances, emergency use of any facility shall take precedence over other normally scheduled use. Under these circumstances, the PSB shall not be responsible for the loss of revenues or costs incurred by the individual or organization seeking to use the facility. Likewise, the PSB shall release the individual or organization scheduled to use the facility from its financial obligations during the period the facility is unavailable for use.

(NOTE: The Application for the Use of a School Building will be made available by the School Department.)

e. Cancellation of Reservations for Building Use:

Any organization that has reserved space must cancel its reservation with the DSAF's Office within 48 business hours prior to the event to avoid payment of fees. In the event that reserved space is unavailable for their use due to PSB cancellation or Town emergency, the PSB shall release the individual or organization from the 48 business hour cancellation requirement and the financial obligation for the date(s) of the facility closure.

f. Rental or Lease of School Property:

As authorized under MGL c. 40, s. 3, the School Committee encourages the rental or lease of any surplus space in any school building to public or private profit-making businesses or non-profit organizations, where such use does not interfere with educational programs being conducted in the school building. Any such lease must be approved by the School Committee.

2. Use of School Buildings by District Partners, Town Partners, & Independent Partners

(Voted 10/8/74, #74-353; 4/3/78, #78-124; 6/16/87, #87-312; 6/5/14, #14-43)

Recognizing the need for affordable, accessible, and varied after-school and out-of-school time (ASOST) programs for PSB students, the Brookline School Committee encourages coordination with district partners, town partners, and independent partners to provide those opportunities. This policy is intended to reinforce the PSB's strong relationships with those partners and to clarify priorities and commitments reflected in the BSC's agreements with partner agencies, departments, or organizations. The School Department shall develop and maintain a list of district, town, and independent partners as part of its ASOST administrative guidelines.

DEFINITIONS

District Partners are non-profit agencies or organizations that operate on-going ASOST programs on site at school buildings exclusively for PSB students.

Town Partners are departments or agencies of the Town of Brookline that operate on-going ASOST programs primarily serving Brookline residents; and

Independent Partners are unaffiliated local non-profit agencies or organizations that operate on-going ASOST programs primarily serving Brookline residents or PSB-affiliated populations.

a. Access and Licensing

In order to reserve or operate in PSB facilities, all district, town, and independent partners must:

- i. Provide certification of required background checks (e.g. CORI, fingerprinting) of all program staff in accordance with PSB policy Section G2m.
- ii. Provide certification of appropriate liability coverage for the activities they offer.
- iii. Provide copies of any relevant state licenses (e.g. organizations offering childcare services)
- iv. Ensure that all admission and retention criteria, consistent with law, does not discriminate against any student on the basis of a recognized protected class

including, but not limited to, race, ethnicity, color, religion, national origin, sex, sexual orientation, gender identity or expression, age, disability, or genetic information.

b. Other Requirements of School Use

In order to ensure adequate safety and supervision of students in school-based ASOST programs and access to such programs all district, town, and independent partners shall:

- i. Promptly report to the DSAF, or his/her designee, any challenges to student safety and supervision in order to find remedies to these challenges.
- ii. Submit to the DSAF the most current available financial statements and participant demographic data by October 31st of each year. The Superintendent may use this data to evaluate whether programs are meeting the expectations for affordability and accessibility of ASOST programs established by the School Committee.

Failure to meet any of the requirements set forth in Sections a and b may lead to the discontinuation of a program's permission to operate in PSB facilities and/or other sanctions.

c. Agreements and Administration

- i. The School Department shall develop, maintain, and publish guidelines to facilitate the operation of ASOST programs by district, town, and independent partners.
- ii. The Superintendent shall establish an Advisory Committee of District and Town Partners which shall meet on a regular basis with the purpose of encouraging communication and coordination between the PSB and school-based ASOST programs.

3. *Community Use of School Buildings during School Vacations and Session Breaks*
(Voted 6/5/14, #14-43)

The provisions of this policy, including requirements set out in Sections K1 and K2, apply equally to use of PSB buildings during summer months, vacation periods, and/or any other time that buildings are not in use for regular school purposes.

4. *Public Conduct on School Property:* (Voted 1/17/77, #77-25; 6/5/14, #14-43; 12/18/14, #14-85)

The Superintendent of Schools, or his/her designee, shall enforce all relevant state and federal laws pertaining to public conduct on school property, and is further authorized to enforce the following Rules and Regulations of the Brookline School Committee:

SECTION 1

No person shall injure, mutilate, or destroy any property or equipment, real or personal, belonging to the Public Schools of Brookline.

SECTION 2

No person shall park or operate a motor vehicle on school property, except while attending functions at, or doing business in, the adjoining school building. Such parking shall be only at designated locations and may not conflict with faculty or school personnel

parking, nor violate relevant Town By-Laws. There shall be no overnight parking of vehicles on any school property, except for vehicles under the direct control of the Public Schools of Brookline, or by special permit issued by the Superintendent of Schools or his designee.

Violation of any of the aforesaid rules and regulations is punishable under the provisions of General Laws, Chapter 45, Section 24; Chapter 90, Section 20C as well as Town By-Laws. In addition, any vehicle found in violation of this Section or Section 3 may be towed, in accordance with the tow regulations of the Brookline Traffic Rules and Regulations.

In addition, in accordance with G.L. c. 90 s. 16B(b), no person shall cause, suffer, allow or permit the prolonged idling of a motor vehicle engine on school property in violation of registry of motor vehicles regulations relative thereto. This subsection shall be enforced by law enforcement agencies.

SECTION 3

No person shall refuse or neglect to obey any rule, posted by sign, concerning the use of school property; nor shall they refuse or neglect to obey any reasonable direction of a police officer, custodian, or PSB employee during the time they are on school property.

SECTION 4

No unauthorized person shall remain in a school building during the periods when school is not in session. No person or persons shall congregate in doorways, or recess areas of school buildings for purposes of loitering or any other activity not specifically authorized by the Building Principal or his/her designee.

SECTION 5

No person shall solicit contributions or donations on school property without approval of the Building Principal, and in accordance with relevant laws and BSC policies.

SECTION 6

No person shall act in any manner that disrupts the educational environment or disturbs the peace.

SECTION 7

No person shall drink or be under the influence of or have possession of any intoxicating beverage on school property without authorization from the School Committee or its designee, as described above in Section K1(c) i and ii. In addition, in accordance with GL c.71 sec. 37H and town by-laws, no person shall use tobacco products within the school buildings, school facilities, at any event or activity held on school property, or on school grounds or buses.

SECTION 8

No person shall sell or offer for sale any merchandise of any description and without limiting the generality of the foregoing, any food or drinks on school property without permission from the Building Principal or his/her designee.

SECTION 9

The Superintendent or his/her designee(s) may enlist the assistance of the Brookline Police Department to enforce all the above rules and regulations.