

# Letting Others Use Your Building

*by Paul Blume*

**Short answer: If you've opened your doors to some, you must do so for others.**

It's not unusual for some outside group to ask to use school facilities for some kind of meeting or other. That's especially true in smaller communities where there are no meeting places of any substantial size other than, say, the school auditorium or gym.

Okay, so how do you figure out this one? Do you let this group or that use school facilities? Well, much of the answer lies in history. No, not the Revolutionary War. Not even Desert Storm. It's a bit simpler - and usually less violent - than that.

The history we're interested in for this purpose is: What have you done in the past? That is, have you previously let other outside groups use the gym or auditorium? If so, you've probably created what's known as a "limited open forum," creating an opening for other groups to use your facilities under the same terms and conditions as before.

That is, if you let the Calhoun Family Reunion use the gym on a Saturday afternoon, asking that they pay for cleanup and some amount for utilities, then when the Mama Xenon's Psychic Fair folks want to use the gym to have tea leaves read, you're probably stuck with Mama Xenon and crew. Mama Xenon will have to pay for cleanup and utilities, along the same lines as with the Calhouns.

But, you ask, what about the Ku Klux Klan, huh? What if THEY want to use our gym? Not to worry.

While we can't refuse someone use of our limited open forum based on the content of the message to be expressed there, regardless of the odiousness of that message, we can dig in our heels if we think that there is some realistic prospect for unpleasantness or damage. If the Klan shows up, it is likely that their little hootie-nanny is not going to be attended only by its members. There likely will be protesters, some with signs and some with really bad feelings toward the Klan and toward the people who provided the venue (you).

So while we can't refuse the Klan the use of our gym because we disagree with them, we can refuse because of what is likely to happen when they show up.

Anyway, that is a fairly extreme example. On a somewhat less controversial note, let's say that the donkey basketball people want to use your gym for a game? Fun? Of course. Donkeys are always fun, right? Unless they kick you or (personal experience) you're riding one, and he decides to head for the deep woods without regard to what is a reasonable speed or the fact that the trees in those woods have low-hanging branches! And he won't stop! I digress.

Your basketball coach and/or your high school principal are convinced that the donkeys will mar the brand- new floor on the basketball court, even with their cute little booties. In that case, you may say no to the donkey basketball folks. And the donkeys. (By my way of thinking, you especially tell those donkeys to go mess up somebody else's floor.)

Religious groups can cause the greatest confusion due to the popular and judicial misconception known as "separation of church and state." That is, if a religious group wants to use your facilities, and if you have let nonreligious groups use them, do we tell the religious folks no because there might be preachin' and prayin' going on in a public school? Nope. Remember, I told you that you may not refuse to allow anyone to use your facilities based on the content of the message to be expressed at the meeting? Well, the same holds true with religious groups. Now I'm not saying that you must or should, for example, allow a bunch of folks whose church building has burned to use your auditorium as their church every Sunday until they can raise the money to rebuild. We're talking about occasional use, not the regular use, of your buildings without regard to whether or not the group is religious. You should limit the use of your buildings by outside groups to activities that don't happen every weekend or every Tuesday night. You're creating an expanded "limited open forum" if you do that. (Mind you, I'm not talking about student religious groups that meet every Monday after school. They're governed by the Equal Access Act, which we might talk about at some other time.)

You're not locked in if you decide that, although you have allowed outside groups to use your buildings in the past, you don't want to permit that anymore. You may pass a policy stating that your school district will no longer allow any outside groups or

individuals to use your facilities. Then you just stop it. Don't think, though, that you can allow your bridge club to use the Home Ec building on alternate Thursdays. That opens up the limited open forum again, regardless of your policy. You'll just have to tell your grandmother that she'll have to find another place for her quilting bees.

But please don't call me. I don't deal with irate grandmothers.

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