**Guidance for School Facilities Usage under the**

**Archdiocese of Washington Policy for Facilities Usage**

The Archdiocese of Washington Policy for Facilities Usage (“Facilities Usage Policy”), located at Section II of the Archdiocese of Washington Contract Review Policies and Procedures, was promulgated in 2015 and sets forth the requirements, procedures, and guidelines for parish and school facilities usage.[[1]](#footnote-1) The Facilities Usage Policy operates to protect our students, families, schools, parishes, and facilities users in three areas: (1) ensuring that we provide a safe environment and comply with all child protection requirements; (2) ensuring that the usage of our facilities is consistent with our religious mission and tax-exempt status; and (3) mitigating exposure to risk and potential liability, particularly in relation to usage involving third parties.

We are aware that our parishes are often faced with questions regarding how the overarching principles within the Facilities Usage Policy apply to specific scenarios. Our schools, in particular, confront frequently reoccurring inquiries regarding the usage of their facilities, including school buildings, gyms, and athletic fields, for tutoring, aftercare, athletics, and a variety of other enrichment programs. This document is tailored to provide further guidance to address these and other frequently reoccurring facilities usage inquiries.

The guidance provided in the remainder of this document, organized into three categories: permissible usage, potentially permissible usage, and prohibited usage. Please note that this guidance is intended to complement, rather than supersede, the Facilities Usage Policy, Child Protection and Safe Environment Policy, Code of Conduct, and other applicable policies of the Archdiocese of Washington.

If you have any additional questions regarding any facilities usage matters after reviewing this guidance, along with the Facilities Usage Policy any other relevant Archdiocesan policies, please contact the Office of the General Counsel (“OGC”) at (301) 853-4495 or legaladmin@adw.org. Additionally, please be aware that the following guidance may be updated from time to time to address additional circumstances.

1. **School- and Parish-Sponsored Programs and Activities: Permissible.**

For the most part, school-sponsored programs and activities are permissible uses of school facilities. If you have concerns about insurance coverage, or if the event involves an unusual or new activity, it is recommended that you first check with our local Catholic Mutual service office. Common examples of permissible school-sponsored programs and activities include:

* Before/Aftercare operated by the school, using school staff;
* School-sponsored extracurricular activities, clubs, enrichment programs that are run by school staff;
* Parish-sponsored activities (CYO, youth ministry, catechism, etc.);
* Tutoring by school teachers and school/parish staff;
  + **Note:** The Archdiocese has published separate guidelines for Tutoring and School Enrichment Activities on school/parish property by faculty/staff, which provide additional requirements and guidance for managing tutoring programs.
* Scouting: Boy Scouts, Girl Scouts, American Heritage Girls;
  + **Note:** Scouting involves additional requirements, such as the execution of a Charter Agreement, a Facilities Usage Agreement (Involving Minors), or other applicable documents. See page 6 of the Facilities Usage Policy for additional guidance regarding scouts.
* Any other school- or parish-sponsored program or activity that otherwise meets the requirements of the Facilities Usage Policy (see page 13 of the Facilities Usage Policy for a list of prohibited activities).[[2]](#footnote-2)

1. **Use by Vendors, Volunteers, and Non-Parish Organizations: Potentially Permissible.**

There are times when schools seek to utilize third parties, including vendors, volunteers, and non-parish organizations, to provide a ministry or service for the parish or school, or to assist with a parish/school-sponsored event. Though not directly operated by the parish or school, such usages by third parties may function as a parish or school activity, consistent with the Facilities Usage Policy, and, therefore, be a permissible use of parish or school facilities.

In determining whether any proposed facilities usage by a third party would be permissible as a parish or school activity, you should consider (1) whether the event enriches the parish or school community; (2) whether the event is open and marketed to all members of the parish or school, or to a reasonably limited subsection of the parish or school;[[3]](#footnote-3) and (3) the handling of funds/proceeds, including whether any money flows directly or indirectly to the parish or school. With respect to handling of the funds, the preference is for the parish or school to hire the vendor as a service provider and pay them, processing all funds through the school. However, if this is not feasible, then the parish or school may consider alternate arrangements, as long as those arrangements have been approved by the pastor and/or principal and clearly communicated to the families and parents. It is recommended that these funding arrangements also be reviewed and approved by the Catholic Schools Office and OGC.

For every such third party usage, the following requirements must be met: (1) approval and oversight of the event by the pastor and/or principal; (2) compliance with all facilities usage, child protection, child supervision, and background check requirements; and (3) the facility user’s execution of the applicable, standardized Archdiocese contract forms, including appropriate insurance coverage and indemnity requirements.

Please contact OGC for assistance before proceeding with any such usage by a third-party, as there may be particular risks, including those related to child protection, tax, legal liability, and licensing and certification requirements. OGC will help you obtain the contract documents necessary for any third-party usage. Please also contact OGC with any particular concerns.

The following examples are potentially permissible upon compliance with the above factors:

* Before/Aftercare operated by third-party vendor for school students (Requires review and approval by the Catholic Schools Office and OGC due to regulatory, child protection and risk management requirements);
* Extracurricular enrichment programs run by vendors or volunteers for school students, such as sports clinics, afterschool clubs, classes (music, first aid, exercise/yoga, etc.), summer camps;
* Use by Catholic homeschooling groups with parish/school permission;
* Non-profit or volunteer-run programs for school students that are religious, educational, charitable in nature;
  + However, note that such non-profit or volunteer programs raise special fundraising concerns, as further addressed in the Archdiocese of Washington Fundraising Policy. In particular, note that fundraisers for non-parish groups are generally not permitted. Contact OGC regarding any such non-profit or volunteer-run programs.
* Private inclusion teachers, therapists, or educational consultants who provide a necessary service for the student and have been authorized. by CSO, the pastor and principal to work with students at the school;
  + However, see section C, below, regarding impermissible private tutoring, such as private dyslexia tutoring and private test preparation.
* Community forums open to general public, or for election polling.

1. **Rentals and Usage by Third Parties for Non School-Sponsored Enrichment Activities, Events or Programs: Prohibited.**

Certain requested uses of parish/school facilities are not consistent with our Facilities Usage Policy for a variety of reasons, including those relating to child protection, legal and risk management, and our religious mission and tax-exempt status. In general, parish and school facilities cannot be rented to the public, or used for any for-profit event or program that is not school-sponsored.[[4]](#footnote-4) Common examples of prohibited uses that would not be consistent with the Facilities Usage Policy include:

* Private Before/Aftercare open to the public or arranged by individual families;
* Extracurricular or enrichment activities, sports, clubs, or camps that are marketed to the general public;
* Tutoring by non-school staff;
* Other for-profit or private sports clinics, lessons or other programs that involve one-on-one or small group lessons and not intended to enrich the parish or school community, such as:
  + AAU basketball, travel sports teams;
  + private music/sports lessons;
  + private language or dyslexia classes;
  + private test preparation classes (high school placement test, SAT, etc.).
* Any other for-profit programs marketed to the general public, and not intended primarily for the parish/school community;
* Other non-profit programs that are not religious, educational, or charitable;
* Fundraising events for non-parish or non-school causes or charities;
* Any event or program that conflicts with any Archdiocese of Washington policies, including the Policy on the Consumption, Distribution and Sale of Alcoholic Beverages, the Fundraising Policy, the Child Protection Policy, and the Code of Conduct, as applicable.

1. The Contract Review Policies and Procedures is available on the parishes-only section of the Archdiocese’s website, www.adw.org. [↑](#footnote-ref-1)
2. See page 1 of the Facilities Usage Policy for the definition of a parish-sponsored event. [↑](#footnote-ref-2)
3. For example, it is appropriate for a soccer program to be limited to pre-K students or a first aid class to be offered for middle school students only. It is also appropriate to limit enrollment to a reasonable number of participants based upon practical considerations (e.g., safety concerns, time constraints, staff or space limitations, etc.), so long as the program is open and marketed to the parish or school community on a first-come, first-served basis. [↑](#footnote-ref-3)
4. The Facilities Usage Policy, at Section II, pages 7-9, provides further explanation regarding acceptable and prohibited examples of facility use for non-parish sponsored events. For examples of acceptable facility use for non-parish sponsored events, such as wedding receptions and birthday parties, see page 7 of the Facilities Usage Policy. For prohibited facilities usage examples, see page 8 of the Facilities Usage Policy. [↑](#footnote-ref-4)