

## USE OF SCHOOL FACILITIES

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The district facilities belong to the community, which paid for them for the primary purpose of offering a full educational program for its children. Prudent use and management of school facilities outside of the regular operating schedules providing that such use does not interfere with the orderly conduct of a thorough and efficient system of education allows the community to benefit more broadly from the use of its own property.

School-sponsored programs shall have priority, followed by youth-oriented groups, community groups and others. Authorization for use of school facilities shall not be considered an endorsement of or approval of the activity, group or organization, nor the purposes represented. The Chief School Administrator (CSA) or Designee shall approve or deny such a request. The Board of Education or its authorized agents may reject any application or cancel any permit. The CSA or Designee shall devise detailed regulations to:

- A. Set up application and review procedures to guarantee that no one group monopolizes the facilities unfairly;
- B. Make clear the conditions under which use is granted: insurance coverage, care of property, chaperonage.

A certificate of insurance shall be required of individuals or organizations for use of facilities and kept on file. The applicant must provide certification of liability insurance, both bodily injury and property damage, in an amount satisfactory to the Board of Education (Board).

The Board will permit the use of school facilities when such permission has been requested in writing and has been approved by the CSA or Designee for:

- A. Uses and groups directly related to the school and the operations of the school;
- B. Uses and organizations indirectly related to the school;
- C. Departments or agencies of the municipal government;
- D. Other governmental agencies;
- E. Community organizations formed for charitable, civic or educational purposes.

### Eligible Organizations - (No Charge)

- A. All Board sponsored organizations.
- B. The following categories of organizations other than those sponsored by the Board; when approved by the CSA or Designee:
  1. Kittatinny Cougar Athletic Association, Kittatinny Band Boosters and other school organizations other than those sponsored by the Board, when approved by CSA or Designee.
  2. Non-profit educational and/or recreational groups which include public school pupils and/or residents of Kittatinny Regional as participating members.
  3. Elected municipal, county, state and federal organizations or their appointed sub-groups.
  4. Teacher staff development training programs sponsored by colleges and universities.

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### Eligible Organizations (Charge)

- A. Non-profit educational/recreational groups which do not include public school pupils from districts within the KRHS region. Private or parochial schools will be subject to charge.
- B. Organizations other than those listed above when approved by the CSA or Designee.

### Facilities Available

- A. All rooms and special service units will be available for community use.
- B. School grounds are available for community use with the following stipulations and restrictions:
  - 1. The use of snowmobiles, ATV, or any other motorized vehicle are prohibited unless approved by CSA.
  - 2. Use of athletic fields for scheduled and organized athletic events will be permitted only with the written approval of the CSA or Designee.
- C. Swimming Pool  
Kittatinny Regional High School Board of Education authorizes the use of the pool by residents of the region when it is opened for community use. Nonresident groups may use the pool at the discretion of the Board of Education and upon proper application to the CSA or Designee.
- D. All other facilities will be available upon application to the CSA or Designee and approved by the Board.

### Application and Approval

- A. School groups shall have precedence in the use of all school facilities; and when necessary school groups are entitled to bump pre-approved outside organizations subject to the CSA or Designee's approval. Facilities and grounds may be used only when not needed for school purposes and under such circumstances that the use will not interfere in any way with the regular day school program.
- B. School facilities are rented solely by the Board of Education. The Board expressly reserves to itself the right to change the rules and regulations and rental charges at any time and to revoke, for cause, permission previously granted.
- C. No grant or permission to use school facilities or grounds carries with it any right to exclude members of the Board or Board representatives from the property. Any member of the Board or Board representatives shall have full and free access at all times to any part of the building or grounds.
- D. No one shall be permitted in any building unless a maintenance person or custodian is on duty. The maintenance person/custodian shall be present as representing the school for purposes of security, inspection and observation, and shall have authority to eject unruly persons. His/her services shall not be at the disposal of the sponsor unless so directed by CSA or Designee. In the absence of a maintenance person or custodian, the CSA or Designee or his/her designee will be responsible for security, inspection and observation of building.
- E. A representative of the organization using the facility shall be the first person admitted and the last person to leave, and shall be in attendance at all times during the occupancy of the building. It is the responsibility of the sponsor to see that the premises are vacated promptly as specified on the permit. The using

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organization must observe the following rules, adopted by the Board as policy:

1. Request for use of school facilities on official application form must be made to CSA or Designee at least one month prior to date requested, unless waived by CSA or Designee.
2. Application form must be completed in full by a representative of the sponsoring organization. If fee is involved, a check made out to Kittatinny Regional Board of Education must accompany completed application, prior to use of the facility. Organizations using the building on a fee basis several times during the year may remit on a monthly or semi-annual basis.
3. The sponsoring organization is responsible for maintaining proper order on the part of all participants and spectators.
4. The sponsoring organization assumes liability for all claims resulting from accident, damage to facilities, theft or any other cause. The Board requires all groups take out sufficient insurance to protect them against any contingency. Groups that sponsor athletic events or practice must have \$1,000,000 minimums and non-athletic groups must have \$500,000 minimums. A *save harmless* clause covering the Kittatinny Regional Board of Education will be signed by an authorized representative of all groups using facilities or grounds.
5. Only the times, dates and facilities listed on the application are included in any approval. All rehearsals, decorations, special rooms, services or equipment to be used must be listed on the application.
6. Materials must not be nailed to floors, walls or fixtures; paint must not be dropped on any part of the building; and building and equipment must not be marked or defaced in any manner.
7. All performances must conform to the laws and ordinances of Hampton Township, the State of New Jersey and Board policy.
8. Pianos must not be moved, except by the permission of the CSA or Designee.
9. The sponsoring organization is responsible for police and fire protection whenever crowds demand that such personnel be present, or when made a prerequisite by the CSA or Designee for approval.
10. The sponsoring organization is responsible for removing from the facility and grounds any material or equipment which it may have introduced to the facility or grounds, and for the removal of any debris resulting from its occupancy and use of facility or grounds.
11. If any policy items now or hereafter established by the Board are violated or property is damaged through carelessness or neglect, the Board reserves right to decline to accept further applications or to terminate existing approvals for use of its facilities from any applicants. In the interim of Board meetings, the CSA or Designee may temporarily suspend a group from using the facility due to property damage through carelessness or neglect.

### Hours

All activities will begin no earlier than 8:00 a.m. and the building must be cleared by 10:00 p.m. except as expressly exempted or otherwise restricted for specific activities or affairs.

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Fees

No fees shall be charged to any groups listed under eligible organizations. However, fees shall be charged to these groups if the activity requires the school to assign additional staff to supervise and/or perform custodial tasks or the activities are conducted beyond the regular custodial hours. In the case of an eligible group being charged, the fees may be modified to reflect actual district costs.

Service Charges

A service charge shall be levied for the use of the system's facilities for any group other than a group listed above. In addition to this service use charge, custodial fees will be added as previously noted.

<u>Schedule of Charges</u>	<u>Service Charge</u>
Gym/Auditorium	\$ 100.00
Athletic Fields or School Grounds	\$ 75.00
Classrooms and Meeting Rooms	\$ 25.00
Cafeteria	\$ 75.00
Kitchen	\$ 100.00
Pool (charge per hour) plus charge for lifeguard cost	\$ 40.00

- A. All charges must be paid upon the approval of the application.
- B. The Board will refund in full all fees if a cancellation occurs for any reason. However, any obligations and/or disbursements which may have been incurred by the Board will be subtracted from the original amount paid when the application was approved.
- C. Reduced rates for use of facilities  
Groups using the same facility(ies) on a weekly or monthly basis for any non-profit purpose and for which there is no charge for admission, no tickets collected, and no denial of admission to any member of the public, may apply to the CSA or Designee to have rental costs reduced by one-half on the second day and for all succeeding uses during any single school year.
- D. Appropriate additional fees may be charged if employees of the school district must be present at the functions of the group.

Supervision by School Personnel

A school building being used and occupied under regulations established by these policies must be covered by a maintenance person or custodian. In the absence of a maintenance person or custodian, the CSA or Designee or other designated responsible person is responsible for the protection of the building and the safety of those in it.

Personnel Services

The Board prefers a maintenance person or custodian to be present during any event in the school. The fee for that service shall be at the rate of pay for the maintenance person or custodian and charged to the organization if it is not during regularly scheduled working time.

The use of school facilities shall not be granted for private social functions or any partisan political activity or purpose that is prohibited by law.

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In the event the CSA deems it advisable, any application may be submitted to the Board for action.

The CSA or Board may refuse to grant the use of a school building whenever in their judgment there is good reason why permission should be refused.

Smoking is prohibited at all times in any district building or on school grounds. For purposes of this policy, "smoking" means inhaling the burning or vapor of a lighted cigar, cigarette, pipe, electronic smoking device or any other matter or substance which contains tobacco. Chewing tobacco is also specifically prohibited by this policy. No one may bring alcoholic beverages onto any school property. All facility use shall comply with state and local fire, health, safety and police regulations.

The buildings may not be available for community use during holidays, vacation periods, or during the time school is not in session over the summer when the programs interfere with cleaning and maintenance schedules. Requests for use during the above must be submitted to the CSA for consideration.

Use of school equipment in conjunction with the use of school facilities must be specifically requested in writing and may be granted by the procedure by which permission to use facilities is granted. The user of school equipment must accept liability for any damage to or loss of such equipment that occurs while it is in use.

Where rules so specify, no item of equipment may be used except by a qualified operator. This includes all computers and technology based equipment.

Use of district equipment on the premises by non-school personnel is limited to the equipment that is an integral part of the facility being used, i.e., the stage lights and piano in the auditorium, the basketball baskets in the gym. No district equipment shall be removed from the premises for use by non-district personnel.

The Board shall require that all users of school facilities comply with policies of this Board and the rules and regulations of this district. Each user shall present evidence of the purchase of organizational liability insurance to the limit prescribed by such rules.

Authorization for use of school facilities shall not be considered as endorsement of or approval of the activity, person, group or organization nor the purposes they represent.

### Political Activity

As used in this section, "school property" shall mean a building or buildings used for school operations.

Candidates for elective public office, holders of elected public office or their agent or representative are prohibited from soliciting campaign contributions on school property. No person shall make contributions, directly or indirectly, to or on behalf of any candidate for elective public office, or the candidate committee or joint candidates committee of any such candidate, while on school property.

This shall not apply to persons or groups reserving or renting school property for a nongovernmental purpose as a meeting location.

Any person in violation of this policy may be reported to the Election Law Enforcement Commission and liable to a penalty of not less than \$5,000, for each violation.

Key Words: Use of School Facilities, Use of School Equipment, District Facilities, Facilities Equipment

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**Legal References:** N.J.S.A. 2C:33-16 Alcoholic beverages; bringing or possession on school property by person of legal age; penalty  
N.J.S.A. 18A:11-1 General mandatory powers and duties  
N.J.S.A. 18A:20-34 Use of schoolhouse and grounds for various purposes  
N.J.S.A. 18A:54-20 Powers of Board (county vocational schools)  
N.J.S.A. 19:44A-19.1 Solicitation on state owned property prohibited; certain circumstances  
N.J.S.A. 26:3D-55 et seq. New Jersey Smoke-Free Air Act  
N.J.A.C. 6A:26-12.2(a)4 Policies and procedures for school facility operation

20 U.S.C.A. 4071 – 4074 – Equal Access Act

GOALS 2000: Educate America Act (Pro Children Act of 1994), Pub. L. 103-227

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Resnick v. East Brunswick Twp. Bd. of Ed., 77 N.J. 88 (1978)

Boy Scouts of America v. Dale, 120 S. Ct. 2446 (2000)

Good News Club v. Milford Central School, 121 S. Ct. 2093 (2001)

**Possible**

**Cross References:** \*1230 School-connected organizations  
\*3514 Equipment  
\*3515 Smoking prohibition  
\*6145 Extracurricular activities

\* Indicates policy is included in the Critical Policy Reference Manual

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