

Policy

USE OF SCHOOL
FACILITIES

The River Edge School 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. Facility use privileges are renewable and revocable at the board's discretion at any time.

The board will permit the use of school facilities when such permission has been requested in writing and has been approved by the school business administrator/board secretary 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.

The use of school facilities shall not be granted for the advantage of any commercial or profit-making organization, private social functions, or to any organization or any purpose which is prohibited by law.

All applications must be submitted to the school business administrator/board secretary at least thirty (30) days prior to the requested use. In the event the school business administrator/board secretary deems it advisable, any application may be submitted to the board of education for approval at the next regularly scheduled meeting.

The school business administrator/board secretary or board of education may refuse to grant the use of school facilities whenever in their judgment there is good reason why permission should be refused. They shall not be required to give a reason for such refusal.

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.

As mandated by law, an individual with a Black Seal License is required to be on duty while the building is open for use. The board retains the right to charge for that and other custodial or personnel services and/or for building usage.

A fire permit is required for use of a room with permitted occupancy of 100 or more. The permit shall be obtained by the user organization from the appropriate fire department.

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The buildings shall not be available for community use during school functions, or holidays, vacation periods, or during the time school is not in session over the summer when the programs interfere with cleaning and maintenance schedules.

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.

Use of district equipment on the premises by nonschool 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 nondistrict personnel.

All users of school facilities shall comply with policies of this board and the rules and regulations of this district. Users who do not comply with the conditions established herein may be denied facilities usage at the discretion of the board.

Each user shall present evidence of the purchase of organizational liability insurance to at least a combined single limit of \$1,000,000 per person/per occurrence against any liability for bodily injury and property damage. The board shall be named as an additional insured on such insurance policy.

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 \$5000, for each violation.

Signage on School Grounds

Users of school facilities, including school fields and/or other outdoor spaces, may not establish or erect any permanent or temporary structures, including, but not limited to, banners, posters, signs or lights, on the premises without approval from the board, pursuant to the procedures established herein.

Users seeking to establish or erect such structure(s) on school property must submit a written request to the school business administrator/board secretary detailing the specifications of the proposed structure(s), including, but not limited to, the wording, depictions, size, location/placement and duration. The duration shall

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be limited to the end date of the event or the length of the recreational sports season or other extracurricular activity for which the structure(s) is approved. The submission must be signed by a non-student, adult representative of the requesting individual, group or organization, who is eighteen (18) years of age or older, and who will be considered by the board to be the agent and representative of the requestor.

The requestor and/or representative must assume responsibility for any approved structure(s) and for its orderly and careful use. This includes installing, maintaining and removing the structure(s), and restoring the space to its original condition at the conclusion of the event or season for which the structure(s) was approved.

The requestor and/or representative must also assume liability for any damage to or loss of property of the board or any person, or injury to any person, caused by the structure(s) or the use of the structure(s). The requestor and/or representative must agree to indemnify and hold harmless the board, its members, administrators, employees, contractors, agents, servants, volunteers, licensees or invitees from any and all liability arising out of the approved use of school facilities or grounds, whether such liability is direct or vicarious, including reasonable attorneys' fees and costs.

Adopted: December 21, 1984
 Revised: November 28, 1990; December 3, 1999; April 2, 2003, October 6, 2010,
 November 28, 2012
 NJSBA Review/Update: August 2017
 Readopted: September 27, 2017
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Key Words

Use of School Facilities, Use of School Equipment, District Facilities, Facilities Equipment

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:20-20 Control and regulation of playgrounds and public recreation places
N.J.S.A. 18A:20-34 Use of schoolhouse and grounds for various purposes
N.J.S.A. 18A:40-41.5 Immunity from liability
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:26-12.1 Facilities maintenance requirements
N.J.A.C. 6A:26-12.2 Policies and procedures for school facility operation
 20 U.S.C.A. 4071 et. seq. Equal Access Act
 GOALS 2000: Educate America Act (Pro Children Act of 1994), Pub. L. 103-227
Every Student Succeeds Act of 2015, Pub. L. 114-95, 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)

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

Possible

Cross References: *1230 School-connected organizations
*3514 Equipment
*3515 Smoking prohibition
*5131.1 Harassment, intimidation and bullying
*6145 Extracurricular activities

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