

USE OF SCHOOL FACILITIES AND GROUNDS

The Long Hill Township 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. Community use shall be encouraged so long as such use results in no additional net costs to the district or impedes in anyway the ability of the District to provide a thorough and efficient education to the children of the District or detract from District goals and objectives that may exceed the minimum requirements of a thorough and efficient education.

The Long Hill Township Board of Education (BOE) will permit the use of school facilities when such permission has been requested in writing and has been approved by the Chief School Administrator (CSA) or an authorized designee. Organizations and individuals using school facilities and/or grounds are categorized and prioritized as follows:

- A. Category A: Category A users are given top priority for the use of school facilities and/or grounds and may use them without payment of a use fee or charge for custodial cost. The BOE reserves the right to assess custodial fees if no custodian is on scheduled duty or if additional custodial help and services are needed. Category A users and groups must be directly related to the District schools and the operations of the schools, i.e., school teams and intramural sports, parent advisory groups appointed by the District.
- B. Category B: Category B users are given priority over Category C,D,E, and F users and may use school facilities without payment of a use fee, but will be charged custodial costs if no custodian is on scheduled duty or additional custodial help and/or services are needed. Category B users and organizations are indirectly related to the school, i.e., PTO, FORCE, collective bargaining unit(s) representing district employees.
- C. Category C: Category C users are given priority over Category D,E, and F users and may use school facilities without payment of a use fee, but will be charged custodial costs if no custodian is on scheduled duty or additional custodial help and/or services are needed.

Category C users are Community-based organizations, whose offices or activities are principally located or conducted in Long Hill Township and with a majority of its participants residing within the District. These organizations have been formed for charitable, civic, or educational purposes, and shall be permitted usage so long as these criteria are met:

- (1) the use is for the sole benefit of school age children through grade 8,
- (2) there is no admission charge or other form of membership fee or participation fee charged, and
- (2) that all workers are volunteers, i.e., scouts, parent/booster groups, local service clubs, non/not-for-profit groups.

D. Category D: Category D users are given priority over Category E and F users and may use school facilities without payment of a use fee, but will be charged custodial costs if no custodian is on scheduled duty or additional custodial help and/or services are needed. Category D users are divided into 3 groupings:

D-1: Department of agencies of the municipal government, i.e., governing body, recreation department, boards and committees of the municipal government;

D-2: Other governmental agencies, i.e., county, state, federal governmental agencies

D-3: Community-based organizations that do not meet the three-point criteria in Category C;

E. Category E: Category E users are given priority over Category F users. These users may be charged a use fee, as well as custodial costs if no custodian is on scheduled duty or additional custodial help and/or services are needed. Category E users are **non-community** based organizations, whose office or activities are not principally located or conducted in Long Hill Township and/or without a majority of its participants residing within the District and who have been formed for charitable, civic or educational purposes, i.e., scouts, parent/booster groups, local service clubs, non/not-for-profit groups;

- F. Category F: Category F users are given the lowest priority for use of school facilities upon payment of a use fee. Custodian costs may be assessed if no custodian is on scheduled duty or additional custodial help and/or services are needed. This category is comprised of commercial, profit-making organizations, and private social functions. Use may be granted upon Board approval, subject to recommendation of the CSA or appointed designee, so long as all costs to the District for labor and utilities and other expenses are provided by the user in addition to use fee.

Applications for the use of school facilities and grounds may be submitted up to six (6) months prior to the requested start date of the use of the facilities or grounds. If there is more than one conforming request for specific facilities or grounds on a specific date(s), a determination will be made through a lottery drawing to be conducted by the School Business Administrator.

The Board reserves the right to impose a fee for additional expenses incurred during the usage of the facilities and/or grounds and/or equipment in order to restore the facilities, grounds or equipment to their original condition.

The District shall not permit the use of facilities to individuals, groups prohibited by law, or for purposes which are prohibited by law.

Each group is required to sign the appropriate application form and receive copies of regulations related to the use of the facilities and equipment and a drug-free workplace. Complete applications must be presented to allow for sufficient time for the CSA or appointed designee to review the information. In the event the CSA or the appointed designee 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 or grounds whenever in their judgment permission should be refused. Neither the CSA nor Board shall be required to give a reason for such refusal.

Smoking is prohibited at all times in any District building. No one may bring alcoholic beverages onto any school property. All facility users shall comply with state and local fire, health, safety and police regulations; and with the directions of administrative, maintenance, or other designated staff of the District.

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

Use of School Equipment

Use of school equipment in conjunction with the use of school facilities must be specifically requested in writing and may be granted by the same 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; liability to users, attendees, or participants; or liability that occurs while it is in use. Where rules so specify, no items of equipment may be used except by a qualified operator.

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 all purpose room; the basketball baskets in the gym. The use of District sporting goods equipment is specifically prohibited i.e., baseballs, bats, protective gear. No District equipment shall be removed from the premises for use by non-district personnel, without the written consent of the CSA.

Loan of School Equipment

The Board of Education believes that district owned equipment is a valuable resource that may be loaned for community and staff use under certain conditions and when such use does not interfere with the educational program of the school.

The Board may lend specific items of equipment on the written request of the user when approval has been granted by the CSA or an appointed designee and when such equipment is unobtainable elsewhere.

School equipment may be removed from school property by pupils or staff members only when such equipment is necessary to accomplish a task arising from their school or job responsibilities. The consent of the CSA or an appointed designee is required for such removal. The removal of school equipment from school property by pupils or employees for personal use is prohibited.

The user of school owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use, regardless of any assignment of negligence, and shall be responsible for its safe return. When equipment authorized for loan requires the services of a qualified operator, the user shall employ the services of a person designated by this district and shall pay such costs as may have been set for such services.

Recreational Use of Playgrounds

The Board of Education recognizes that the playgrounds of the school affords residents with a recreational area when school is not in session. The Board reserves the right to determine, in the interest of the safety of district residents and the integrity of the school facility, the uses of the playground and the hours when they may be used.

The Board will publish rules of conduct, which shall govern all persons who use the facilities of this district. Pupils and employees of this district who violate those rules will be subject to discipline. The Board directs that any other person who violates a rule of this Board be requested to leave the school premises.

Because of its potential for hazard and destruction of the grounds, no object that is powered by fuel or battery shall be brought onto school grounds for any purpose that is primarily recreational without the express permission of the CSA or appointed designee. Such objects include, but are not limited to mini-bikes, mopeds, ATVs, fireworks, and rockets. Reasonable use of bicycles, skateboards, rollerblades, and such are permitted unless otherwise posted.

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 with coverage of not less than \$1,000,000 and product liability insurance, where applicable, as an absolute pre-requisite to use of the facilities, grounds and/or equipment.

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.

The person completing the use application shall be a bona fide official of the requesting group/organization possessing the legal authority to bind the group/organization to the terms and conditions for such use and for the liability of the group organization.

The CSA will develop rules and regulations and fees involved in governing the use of school facilities.

Use Fees

To be established by the BA/BS on a fiscal year basis and published in the regulation accompanying this policy.

Staff Usage of Property and Equipment

Any staff member requesting use of school grounds, buildings and/or equipment should refer to Policy 3514 for restrictions and guidelines.

Custodial Fees

To be determined as the estimated hourly loaded labor rate cost.

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 elective 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.

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First reading: July 19, 2010

Second reading: August 16, 2010

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. 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.S.A. 18A:54-20	Powers of board (county vocational schools)
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: Education America Act (Pro Children Act of 1994).

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 and eligibility

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

