

7510 USE OF SCHOOL FACILITIES

The district facilities are a part of 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.

The Board will permit the use of school facilities when such permission has been requested in writing and has been approved by the Superintendent for the following purposes and groups:

1. Uses and groups directly related to the schools and the operations of the schools including student and teacher groups; and Board of Education activities.
2. Uses and organizations indirectly related to the schools, such as the Home-School organization, which are of direct benefit to the schools.
3. Departments or agencies of the municipal government.
4. Community organizations formed for charitable, civic, social or educational purposes; (LWV, church groups, adult sports groups, etc.)
5. All others who qualify, in order of application.

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

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

The Superintendent or Board of Education 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. 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 shall 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.

Organizations shall be charged for the use of school facilities as described in the Administrative Procedures.

A fee may apply for any organization using the building for a fund-raising activity or when admission is charged, or a business using the school buildings at any time. The Board shall approve annually a schedule of fees for the use of school facilities.

Use of facilities for long-term purposes such as a day care or senior citizens' center shall be according to lease prepared by the Board Attorney. Long term approval shall be subject to approval by the Board of Education.

The Board shall approve annually a schedule of fees for the use of school facilities based upon tiers of fees and rents based on users' status with respect to:

- Community or non-community
- Profit or not-for-profit
- School based or not school based
- Serving students or community or not serving student or community

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

The Superintendent shall develop procedures for the granting of permission to use school facilities and shall promulgate rules and regulations for such use. He/she shall cause such



rules and regulations to be distributed to each user of school facilities and monitor such use to a degree sufficient to ensure that it is in conformity with those rules.

Certain activities in the schools or on school grounds are prohibited by law, policy of the Board of Education, or execution of the Board's moral responsibility. Among these prohibited activities are:

1. Activities advocating governmental change by violence or promulgating any theory or doctrine subversive to the laws of the United States or any political subdivision thereof.
2. Any activity that may be contrary to goals or objectives of curriculum of MendhamTownshipSchools, or damaging to the building, grounds or equipment.
3. Any use in conflict with school activities, except as provided by law.
4. Fund-raising campaigns except as permitted by Board of Education policy or special action of the Board.
5. Activities which are discriminatory.

Each user shall present evidence of the purchase of organizational liability insurance to the limit prescribed by district regulations. Users shall be financially liable for damage to the facilities and for proper chaperonage. All activities must terminate by 10:30 p.m.

Users shall assume full responsibility for damages caused by or during such use. The school district shall not be held liable for injuries to persons occurring as a result of a building or grounds use. All users not directly affiliated with the district shall provide a certificate of insurance (minimum of \$1,000,000 liability coverage) in advance, naming MendhamTownshipSchool District as an additional insured, to indemnify and hold the Board harmless against any liability or loss occurring as a result of building or grounds use.

Any and all of the foregoing notwithstanding, the Board of Education shall reserve the right to refuse any and all applications for use of the school buildings. Any person or group attempting to use district facilities without prior Board approval shall be considered as trespassing and appropriate remedies shall be invoked.



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 \$5000, for each violation.

The school district shall provide a copy of Policy and Regulation 2431.4 – Prevention and Treatment of Sports-Related Concussions and Head Injuries to all youth sports team organizations that operate on school grounds or in school facilities. In accordance with the provisions of N.J.S.A. 18A:40-41.5, the school district shall not be liable for the injury or death of a person due to the action or inaction of persons employed by, or under contract with, a youth sports team organization that uses school facilities or operates on school grounds if the youth sports team organization provides the school district proof of an insurance policy in the amount of not less than \$50,000 per person, per occurrence; insuring the youth sports team organization against liability for any bodily injury suffered by a person. The youth sports team organization must also provide a statement of compliance with the school district's Policy and Regulation 2431.4 - Prevention and Treatment of Sports-Related Concussions and Head Injuries.

For the purpose of this Policy, a "youth sports team organization" means one or more sports teams organized pursuant to a nonprofit or similar charter or which are member teams in a league organized by or affiliated with a county or municipal recreation department.



POLICY

MENDHAM TOWNSHIP
BOARD OF EDUCATION

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N.J.S.A. 18A:20-20; 18A:20-34

Adopted: 25 February 2014



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A. Application and Approval

1. Requests for the use of school facilities should be made through the main office of the building being requested at least a week in advance of the date of use.
2. School or Board of Education activities take precedence over all other uses of the school facilities.
3. The Board of Education or its representatives must have free access to all facilities at all times. The applicant agrees to assume responsibility for all liability from all claims resulting from accident, personal injury, theft, or other causes which occur during hours school facilities were used.
4. The Board of Education or its representatives reserve the right to deny any application or to stop any activity, or to revoke a permit previously granted at any time.
5. No application shall be approved without satisfactory documentation of adequate personal injury and liability insurance in effect to cover activities for which school facilities are to be used, such coverage to name the Board of Education as additionally insured in the minimal amount of \$5,000,000 liability.
6. Any youth sports team organization that is granted permission to use school facilities must provide the school district proof of an insurance policy against liability for any bodily injury in the amount of not less than \$50,000 per person per occurrence, insuring the youth sports team organization against liability for any bodily injury suffered by a person. The youth sports team organization must also provide a statement of compliance with the school district's Policy and Regulation 2431.4 - Prevention and Treatment of Sports-Related Concussions and Head Injuries, which will be provided to the adult representative of the requesting organization with the application to use school facilities.

For the purpose of this Policy, a "youth sports team organization" means one or more sports teams organized pursuant to a nonprofit or similar



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charter or which are member teams in a league organized by or affiliated with a county or municipal recreation department.

B. Charges of Use of Facilities

1. There shall be no charge for individuals, groups, or organizations whose activities bear a direct relationship to the schools' programs.
2. There shall be no charge for official activities of the municipal government.
3. There shall be no charge for organizations administered on a volunteer basis which directly support the civic welfare of the community when used if during regular duty hours of licensed school custodians. Beyond such hours a charge will be made for the cost of the custodians' prevailing overtime rate.

Notwithstanding the above, all Home School Association events (e.g. the Holiday Boutique and Strawberry Festival) shall not be required to pay for custodial services beyond the regular duty hours of the licensed school custodians. Events cosponsored or partially funded by the Board of Education may be exempted from paying for custodial services beyond regular duty hours, but on a case-by-case basis by vote of the Board of Education.

4. A charge to cover actual costs to the Board of Education may apply for activities which require a fee for participation. Costs shall include custodial service, utilities, and other items directly attributable to the use of the facility.
5. A rental fee shall be charged for use of facilities for commercial or business purpose.

Requirements for facility use will be established according to the following organizational tiers. Determination of which tier is appropriate rests with the Superintendent or designee.

Tier 1 - refers to use of school facilities outside of the school day by school classes, clubs, parent organizations (i.e. Parent Council, Home & School Association). The Board



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bears the expense of custodial, light and heat needs in connection with such affairs for one use per year. Additional use by parent organizations is treated as Tier 2 use.

Tier 2 - refers to use of school facilities by local organizations (i.e. local municipal government, recreation department, and traveling teams) that serve the children of the district, providing that no admission is charged. Regular custodial service is provided at no cost. When extra custodial service is needed, the organization pays for it. A service charge for opening the building applies.

All groups under contract to the Recreation Program are classified as Tier 2 for the purpose of assessing fees, assuming that no admission is charged. If admission is charged, it is within the discretion of the district to categorize the group as either Tier 2, 3 or Tier 4.

Tier 3 - refers to use of school facilities by responsible groups from outside the community providing that no admission is charged. The Board charges for facilities, custodial and utility expenses.

Tier 4 - refers to use of school facilities for activities that are of benefit to the community and sponsored by responsible groups of individuals or private for-profit activities. The Board charges for opening the building, all expenses, and rental fee.

Requests to use facilities that exceed 12 full days (24 half days) will be negotiated as a separate contract.

Fees vary according to the part of the facility used. The categories follow:

- Classroom
- Gymnasium
- Cafeteria – multipurpose room
- Fields

Equipment use must be requested at the time of the building request. Any damage, regardless of how sustained will be the responsibility of the party borrowing/renting the equipment.



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Fees for Specific facilities for a full 8-hour day

	Not - for - Profit			Profit
	Tier 1	Tier 2	Tier 3	Tier 4
Classroom	0	20	40	70
Gymnasium	0	20	250	400
Cafeteria- Multipurpose	0	35	200	350
Fields	0	20	250	400

All facilities, including fields and outside areas

The person signing the Application for Use shall agree to pay custodial non-duty time rate for actual time required for cleanup or repairs due to other than "fair wear-and-tear".

Charge for use of facilities by a commercial organization shall be at a rate to be determined by the Board.

If an approved activity is cancelled, the school must be informed no later than noon of the scheduled date. The same applies if a request is made for an unscheduled session of a previously approved activity. A penalty of \$20.00 will be assessed for failure to observe these conditions.

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