

USE OF SCHOOL FACILITIES

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.

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 in the descending order given:

- 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 Superintendent or the Board of Education shall make every effort to ensure that all groups have an opportunity to benefit from the school facilities.

The Superintendent or Board of Education may refuse to grant the use of a school facility whenever in their sole and exclusive judgment there is good reason why permission should be withheld, including but not limited to a determination that adhering to the above order would result in an inequitable use of the facilities by one group over another. Notwithstanding the foregoing, under no circumstances shall the Superintendent or the Board of Education be required to give any reason whatsoever for such refusal.

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.

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.

In accordance with state statute, candidates for public office and/or any agents of a candidate for public office are prohibited from soliciting and/or accepting any contributions while on school property unless the property has been made available for the exclusive use of the group for a non-governmental purpose as a meeting location. The Election Law Enforcement Commission

USE OF SCHOOL FACILITIES (continued)

shall have the jurisdiction to enforce the provisions of the statute for violations.

The facilities shall not be available for community use during school observed holidays, vacation periods, or during the time school is not in session over the summer when the programs interfere with cleaning and maintenance schedules. The buildings shall also not be available for community use during any emergency school closings due to inclement weather or any other emergencies. (If a school building is closed on a Friday due to an emergency, the use of facilities use for Saturday may be at the discretion of the Superintendent or School Business Administrator).

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 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.

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. 26:3D-15 through -21 Legislative findings and declarations ... (smoking in educational institutions)
N.J.S.A. 18A:54-20 Powers of Board (county vocational schools)
N.J.S.A. 19:44A-19.1 Campaign contributions for candidates on school property
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)

USE OF SCHOOL FACILITIES (continued)

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

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

Key Words

Use of School Facilities, Use of School Equipment, District Facilities, Facilities Equipment, Campaign Contributions

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