

Policy

USE OF SCHOOL FACILITIES

By law, the Oradell Board of Education may, subject to reasonable regulations to be adopted by the board, or upon notification of the Commissioner of Education, permit the use of school facilities and/or rooms, and the grounds and other property of the district, when not in use for school purposes for any of the following purposes:

- A. For educational, social, civic and recreational meetings and entertainments as may be approved by the Board of Education;
- B. For meetings, entertainments, and occasions where admission fees are charged as may be approved by the board of education;
- C. For polling places, or holding elections and for the registration of voters.

It is the obligation of the board of education to provide suitable facilities (buildings, furniture, equipment and grounds) to meet the educational needs of school children of this district. However, the board recognizes the desirability of cooperating with all organizations in the utilization of school facilities for community programs and entertainment insofar as they do not interfere with regular school activities.

The use of any school facilities for other than school purposes shall be within the policies prescribed herein to protect the interests of the Oradell Public School District. The use of school facilities shall not be granted for any purpose which is prohibited by law.

School activities shall have priority in the use of school facilities.

Except under special conditions, the use of the school buildings or grounds during the school day shall be limited to the educational program and school activities as scheduled. The educational equipment and apparatus of the school system are to be used only for educational purposes and will not be loaned or rented unless prior written permission is received from the business administrator/board secretary.

In approving any application for the use of school facilities as described herein, the board reserves the right to cancel such reservations upon reasonable notice for any cause which it deems good and sufficient or to assign other suitable space in the event that any important school activity makes this action desirable or necessary. The board also reserves the right to change the rules and regulations and rental charges with reasonable notice. The board recognizes that it may be in the best interest of the Oradell community to grant exceptions to this policy and therefore reserves its right to grant such exceptions on a case-by-case basis.

Any rearrangements of furniture or the installation of any special equipment, furnishing, apparatus, etc., shall be done only with the prior written consent of the business administrator/board secretary, and under the supervision of the appropriate school staff, and any associated costs for labor or materials shall be borne by the using group or organization.

No granting of permission to use school property shall carry with it any right to exclude members of the board of education, chief school administrator, principal, business administrator/board secretary, or any representatives of the board of education from the property. Any member of the board of education, chief school administrator, principal or business administrator/board secretary, or any representatives of the board of education shall have at all times full and free access to any part of the buildings and grounds.

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Requests for use of any facility should be made at least two months in advance of the scheduled event. In case of conflict of dates, the first application received in writing (i.e. letter or official form), by the business administrator/board secretary, shall receive priority by the business administrator/board secretary, unless the board of education shall determine otherwise.

The chief school administrator 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. 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 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.

Supervision of Activity and General Requirements

All organizations requiring use of the school, equipment or grounds must designate a supervising adult(s) to be present at all time during utilization of plant and/or services. A school custodian shall be on site during such activities. 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.

Any organization or group which has been granted the use of a school facility shall assume full responsibility for the conduct of all persons while they are in or about the building or grounds, and shall enforce the board's rules and regulations as outlined herein.

Organizations or groups which have been granted permission to use the school building or grounds shall be fully responsible and liable for any damages to school property while using same. The board of education assumes no liability to such organizations or individuals attending such activities, and requires that such organizations, or groups, obtain liability insurance policies in amounts satisfactory to the board of education, covering bodily injury and property damage, containing the prescribed hold harmless clause, and naming the Oradell Public School District as "additional insured." Prior to the use of the buildings and/or grounds, such organizations, or groups, shall furnish the board of education with a certificate of insurance evidencing coverage in the amount of \$1,000,000 combined single limit for bodily and property damage.

The board of education may also, at its discretion, require submission of a special indemnity, guarantee or bond against damage or loss.

Rules and Regulations

All activities must be conducted in accordance with all local, state, and federal regulations.

A. Fire or flames - no fires or flames of any type are to be allowed on school premises;

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- B. Smoking - smoking is prohibited on school premises (see the definition of smoking above).
- C. Alcoholic beverages - alcoholic beverages are prohibited;
- D. Refreshments - any refreshments being served on/or within the school premises must receive prior approval of the business administrator/board secretary;
- E. Closing hour - the building must be vacated by 12 midnight unless prior special written permission is granted by the board of education;
- F. Decorating - generally, decorations will not be permitted, although exceptions may be allowed if approved in writing by the business administrator/board secretary. No decorating will be permitted while school is in session or while another group is using the same facility. If approval for decorations has been given by the business administrator board secretary, said decorations must be flame proofed in accordance with the State Board of Education rules and regulations;
- G. Pianos - pianos shall not be removed from stage to floor or vice versa, except by written permission of the business administrator board secretary. The work shall be done only by those engaged in the business of piano moving, or approved by the business administrator board secretary, and at a cost to those renting the building. If a school piano is to be used, any tuning of this piano must be done through the business administrator board secretary, and such expense will be charged to the lessee;
- H. Non-school property - scenery, properties and rented pianos must be delivered after 3 p.m. on the day of use, and removed before 12 noon the following day. In the event that properties are not removed in accordance with these regulations, the board reserves the right to remove such equipment and scenery at the expense of the applicant. Arrangements shall be handled through the head building custodian;
- I. Temporary work - no person or organization renting any school facilities shall do any temporary construction work, such as installing temporary seating, platforms, or runways, or install any additional lighting equipment, wiring or projection equipment, without the approval of the board of education before commencing such work. Under no condition shall nails or other materials be driven into the stage, gym floor or other woodwork. No signs of any kind are to be hung in or about the school building or premises without written permission from the board of education. No part of the building is to be marked or defaced in any way;
- J. Printed tickets - in the event that the applicant shall print tickets for the use of any part of the school building to be rented to it, said tickets shall have printed upon them in noticeable places the following language: "The Oradell Board of Education is not liable for damages sustained."
- K. Missing articles - the board of education shall not be responsible to any of the users of the district building for any articles that may be lost or stolen;
- L. Concessions - the renting of school property from the Board of Education does not carry with it the right to grant or sell a "concession" to any person or group. Such arrangements must be made through the board of education;
- M. Gymnasium - suitable rubber-soled footwear shall be used for all athletic affairs and any gymnasium classes;
- N. School facilities shall not be used by, or on behalf of, any individual or any foreign or domestic organization, association, movement, group or combination of persons which are subversive or which advocate or approve the commission of acts of force or violence to deny others their rights under the

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Constitution of the United States, or seek to alter or advocate altering the form of government of the United States by force or other unconstitutional means;

- O. All groups except for Oradell-based youth organizations shall be prohibited from setting up tables and displays, or from collecting mailing list information, during any type of district event where the appropriate focus is on students. Requests to set-up tables during events such as back-to-school night, parent-teacher conferences, plays, musical performances, art shows, etc. must be submitted to the chief school administrator in writing. If the chief school administrator is in agreement with the request s/he will make a recommendation to the board through the building and grounds committee;
- P. Summer use - school facilities may be used during the summer or other vacation periods provided it does not interfere with the maintenance of the school building, Schaefer Explorations or any other OPS related function;
- Q. Games of chance - raffles or drawings for chances are prohibited, unless proper New Jersey licenses have been obtained;
- R. Other uses - only those portions of the building as specifically requested in the approved application form may be used. The use of any other part of the building is prohibited;
- S. Misuse of facility - the business administrator shall have the authority to terminate use of a facility when he/she determines that the facility is being damaged. Any party who has not adhered to the regulations may be prohibited from future use of facilities;
- T. Equipment left behind - any equipment or supplies which are left longer than 48 hours following the scheduled event will become the property of the board and may be disposed of by the board;
- U. Heat and/or air conditioning - automatic night setback on heating and cooling systems will cause buildings to become cooler or warmer during evening and weekend hours. If heat or air conditioning is requested, an additional charge may be assessed, to be determined by the business administrator.

Classification of Users

Any and all uses of school facilities must be approved by the board of education. The following classifications shall determine the facility fees charged:

- A. Group A
 - 1. Regular meetings of school affiliated groups such as PTA or OEA;
 - 2. Oradell Public School parents and volunteers working on school related activities approved by the administration and the BOE, such as Sixth Grade Activities, Jr Women's Club Spelling Bee (these groups will not be required to purchase their own insurance or be charged custodial overtime fees);
 - 3. Recognized tax exempt volunteer groups, exclusive of athletic teams, working solely with the youth of the Oradell community, such as Boy Scouts, Girls Scouts, Good News Club;
 - 4. Any group or individual holding a fundraiser of which the net proceeds will be used exclusively for the improvement of the school system or the enrichment of all elementary school age residents of the Oradell community;
 - 5. Any group or individual holding a fundraiser of which the net proceeds will be used exclusively for the needs of a resident of the Oradell community.

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B. Group B

Any non-profit, volunteer led Oradell/Riverdell community recreation and travel teams • Oradell Summer Recreation Program

C. Group C

Recognized Oradell based civic, social and religious groups which will use the facility for any purpose other than listed above in Group A.

D. Group D

All other individuals, groups and occasions – including but not limited to profit, nonprofit, fundraisers, performances, practice and instruction.

Fees

Facility Location	Group A	Group B	Group C	Group D
Auditorium*/** Multi-Purpose Room/s Gymnasium Library* Fields	No Facility Fee Plus any applicable custodial overtime fees unless raising funds for OPS or all Oradell school aged children	\$15 per day Plus any applicable custodial overtime fees	\$25 per hour Plus any applicable custodial overtime fees	Minimum 4 hour block; any additional time will be in increments of 1 hour 99 people: \$150 per hour 50-99 people: \$100 per hour 50 people: \$50 per hour Plus any applicable custodial overtime fees
Classrooms	No Facility Fee	Not Permitted	Not Permitted	Not Permitted
	*If air conditioning is requested an additional fee of \$31.00 per day will be added to the total cost. This amount will not be pro-rated. ** If technical assistance for the use of sound, lighting, or computing equipment is requested an additional fee of \$50.00 per hour will be added for technical services. Technical Services may be billed in increments of four hours, or as determined by the Business Administrator. *** Nursing coverage is not automatically provided. If requested the BA will determine a fee for those services.			

Police

Police may be required during the hours of rental for traffic control, etc., at the expense of the lessee, and as determined by the Board of Education.

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If police are required or requested, any fee incurred will be paid by the group using the school facility. Prior to scheduling these fund raising activities, plans shall be submitted to the business administrator/board secretary for approval.

Equipment

When professional operators are required for technical equipment, such as the stage lights, sound equipment, etc., fees will be paid by the lessee.

Payment of Fees

A 50% deposit is required upon approval of application with the remaining balance to be paid within 30 days of the event. For Group D – A \$300 deposit is required that will be returned after building inspection confirms that no damage has occurred during building use.

Any requests for use of school facilities not covered by the aforementioned policy statement or any cases in which the interpretation of the policy is questioned either by the school administration or the requesting organization shall be referred to the business administrator/board secretary who will consult with the Board of Education.

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.

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Key Words

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

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

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N.J.A.C. 6A:26-12.2(a)4 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)

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.