

USE OF SCHOOL FACILITIES

The Board of Education believes that the school facilities of this district should be made available for community purposes, provided that any such use does not interfere with the educational program of the schools.

The Board of Education will permit the use of school facilities when such permission has been requested in writing on the appropriate permit, the building principal or his/her designee has recommended the approval of the application, and the Superintendent of Schools or his/her designee approves the application. Approval by the Board of Education is only required when an exception to this policy is needed to authorize the use of schools. Unless a restriction is contained in this policy, the Board delegates the authority to make a decision to the Superintendent of Schools or his/her designee. The Board reserves the right to withdraw permission for use by outside organizations after it has been granted.

In considering competing requests for the use of school facilities, the Board will give priority to uses and groups directly related to the schools and the operations of the schools, including the adult education program, and to Borough government agencies generally, including the recreation commission.

Each user shall present evidence of the purchase of organizational liability insurance for at least \$1,000,000 in coverage. The Board shall be named as an additional insured under the policy. The user shall indemnify and save and hold harmless, including the reimbursement of reasonable attorneys fees and litigation expenses, the Board of Education, its employees, servants, and administrators from any and all liability arising out of the use of the Board of Education's premises or property. Users shall be financially liable for damages to the facilities and for proper chaperonage.

Use of school equipment in conjunction with the use of school facilities must be specifically requested in writing and may be granted in accordance with the procedure by which permission to use facilities is sought. The users of school equipment must accept liability for any damage or loss to such equipment that occurs while it is in their use, regardless of any assignment of negligence. Where rules so specify, no item of equipment may be used except by a qualified operator.

Smoking is prohibited at all times in any district building and 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 Board shall annually approve a schedule of fees for the use of school facilities. This function shall not be delegated to the Superintendent of Schools.

Regulations for the use of school facilities shall be approved by the Board and distributed to every user of the facilities and to every applicant for such use. This function shall not be delegated to the Superintendent of Schools. No person or organization shall be granted permission to use school facilities who has not agreed in writing to be bound by those regulations.

Special regulations exist for the use of school grounds.
Political Activity

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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.

<u>N.J.S.A. 2C:33 16</u>	Alcoholic beverages; bringing or possession on school property by person of legal age;
<u>N.J.S.A. 18A: 11-1</u>	General mandatory powers and duties
<u>N.J.S.A. 18A: 20-34</u>	Use of school house and grounds for various purposes
<u>N.J.S.A. 26:3D-55 et seq.</u>	<u>New Jersey Smoke Free Air Act</u>
<u>N.J.S.A. 18A: 54-20</u>	Powers of Board (County Vocational Schools)
<u>N.J.S.A. 19:44A-19.1</u>	Solicitation on state owned property prohibited; certain circumstances
<u>N.J.A.C. 6A:26-12.2(a)4</u>	Policies and Procedures for school facility operation
<u>20 U.S.C.A. 4071-4074</u> -	<u>Equal Access Act</u>

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)

Adopted: June 8, 1959
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