

Policy

USE OF SCHOOL FACILITIES

The Milltown 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 through and efficient education to the children of the district or detract from the district goals and objectives that may exceed the minimum requirements of a through and efficient education.

The board will permit the use of school facilities when such permission has been requested in writing and has been approved by the chief school administrator for:

- A. Category A: Uses and groups directly related to the school and the operations of the school, i.e., school varsity and intramural sports, parent advisory groups appointed by the board;
- B. Category B: Uses and organizations indirectly related to the school, i.e., PTA, collective bargaining unit(s) representing district employees;
- C. Category C: Community organizations formed for charitable, civic or educational purposes, whose offices or activities are principally located or conducted in Milltown and a majority of its participants residing within the district and:
 - 1. The use is for the sole benefit of the school age children through grade 12;
 - 2. There is no admission charge or other form of membership fee or participation fee charged; and
 - 3. That all workers are volunteers, i.e., scouts, parent booster groups, local service clubs, non/not-for-profit groups;
- D. Category D-1: Departments or agencies of the municipal government, i.e., governing body, recreation department, boards and committees of the municipal government;
- Category D-2: Other governmental agencies, i.e., county, state, federal governmental agencies;
- Category D-3: Community-based organizations that do not meet the three point criteria in Category C;
- E. Category E: Non-community based organizations formed for charitable, civic or educational purposes, i.e., scouts, parent booster groups, local service clubs, non/not-for-profit groups;
- F. Category F: The use of school facilities shall not be granted for the advantage of any commercial or profit-making organizations, or private social functions. Use may

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be granted upon board approval, subject to the recommendation of the chief school administrator and that all cost to the district for labor and utilities and other expenses are provided by the user in addition to a general rental fee for the use of facilities.

The district shall not permit the use of facilities to individuals or groups prohibited by law or any purpose which is prohibited by law.

In the event the chief school administrator deems it advisable, he/she will submit any application for the use of facilities to the Board of Education for action.

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. A reason for such refusal shall not be required.

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; and with the directions of administrative, maintenance, or other designated staff to 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 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 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 nondistrict 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.

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.

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

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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.

Adopted: August 22, 2000
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 Readopted:

Key Words

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

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: 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)

Possible

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

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