

USE OF SCHOOL FACILITIES

The Frenchtown 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.

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:

- 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 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. Additionally, the superintendent may approve the use of facilities prior to a board meeting, for special circumstances, with the consultation and agreement of the board president.

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. 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 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. Any use of the building outside normal operating hours will require the presences of a Black Seal certified custodian. The cost associated with this staffing requirement shall be the responsibility of the group or organization using the facilities and shall be consistent with the rate of pay appearing on the Use of School Facilities application.

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

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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. However, at the discretion of the superintendent, equipment may be loaned to the Frenchtown Borough Council.

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 superintendent has the discretion to enumerate additional charges on the application prior to the signed agreement that are reasonable, appropriate and necessary to ensure public safety, the protection of school property and costs associated with the use of facilities.

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.

Adopted: January 29, 2013  
NJSBA Review/Update: September 2016  
Readopted: November 22, 2016

Key Words

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

<b>Legal References:</b>	<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> 19:44A-19.1	Solicitation on state owned property prohibited; certain circumstances
	<u>N.J.S.A.</u> 26:3D-55 et seq.	<u>New Jersey Smoke-Free Air Act</u>
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)

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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 – 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  
\*5131.1 Harassment, intimidation and bullying  
\*6145 Extracurricular activities

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