

7510 USE OF SCHOOL FACILITIES (M)

[See POLICY ALERT No. 196 and 221]

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~~The Board of Education believes the school facilities of this district should be made available for community purposes, provided that such use does not interfere with the educational and co-curricular programs of the school district. For the purpose of this policy, "school facilities" also includes school grounds. The Board of Education has a responsibility to preserve, for educational purposes, the usefulness and integrity of district facilities. To this end, the district shall manage community usage of school facilities and property with scheduling aimed at maintaining reasonable limits on wear and tear. The fee structure shall assure that the district incurs no additional cost in the operation of the facility and shall help assure the district's continued ability to maintain and upgrade its facilities.~~

~~The Board will permit the use of school facilities when such permission has been requested in writing and has been approved by the **Superintendent**. The Board reserves the right to withdraw permission after it has been granted in the event circumstances change requiring such school facilities or school grounds will be needed for a school district purpose or due to a school closing due to weather or other emergency.~~

~~In weighing competing requests for the use of school facilities, the Board will give priority to the following uses, in the descending order given:~~

Number the following uses in the appropriate order

- ~~1. Uses and groups directly related to the schools and the operations of the schools, including student and teacher groups;~~
- ~~2. Uses and organizations indirectly related to the schools, including the P.T.A., P.T.O., Home-School Association, and other school-parent related organizations;~~
- ~~3. Departments and agencies of the municipal government;~~
- ~~4. Governmental agencies;~~
- ~~5. Community organizations formed for charitable, civic, social, or educational purposes;~~



6. Community political organizations;

7. Community church groups;

8. Private groups and organizations;

Organizations related to the school district, including but not limited to sponsored and non-sponsored student groups, shall receive preference in consideration for the use of district facilities. The Board of Education shall also make district facilities available to responsible organizations, associations, and individuals of the community for activities to include, but not be limited to, civic, cultural, welfare, recreational, and commercial activities, which do not infringe upon or interfere with the conduct of school activities, and do not counter the best interests of the school system. Community usage shall be subject to the Board's adopted fee schedule, policies, and regulations.

The Board reserves the right to waive a usage fee where it has a reciprocal use agreement with another municipal entity, or with a South Orange or Maplewood based program.

Preferences

The Board recognizes that certain organizations and activities should be granted a preference concerning the availability and use of school facilities. The following factors will be considered in determining any preference for use of facilities:

1. A South Orange or Maplewood based program operated by an entity with a reciprocal facility usage agreement with the district, over a South Orange or Maplewood based program operated by an entity without such a reciprocal facility usage agreement;
2. A South Orange or Maplewood based organization over a non-South Orange or Maplewood organization;
3. An organization whose majority membership is comprised of South Orange and/or Maplewood residents over an organization having majority membership of non-residents;
4. An organization whose activities are generally free and open to the public over an organization charging for activities.

~~Prohibited Activities~~



~~The Board recognizes that authority to use District facilities is not without limitation. Accordingly, the following types of activities shall be prohibited:~~

~~The use of school facilities will not be granted for any purpose that is prohibited by law.~~

~~Each user shall present evidence of the purchase of organizational liability insurance to the limit as prescribed by district regulations. Each user shall inspect any facility or school grounds to be used prior to such use and shall notify a district representative of any existing safety or dangerous conditions. In the event such conditions exist, the district may cancel or modify the user's access to the school facility until such conditions are addressed. Users shall be financially liable for damage to the facilities and for proper chaperonage as required by the school district administration.~~

~~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 Policy No. 7520. 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, certain items of equipment may only be used by a qualified operator approved by the school district administration.~~

~~The Board shall approve annually a schedule of fees for the use of school facilities based upon the following guidelines:~~

- ~~1. The use of school facilities for activities directly related to the educational program and district operations~~
- ~~2. All other organizations or persons granted the use of school shall pay in advance the scheduled fee and the cost of any additional staff services required by the use.~~

~~The school district shall provide a copy of Policy and Regulation 2431.4 – Prevention and Treatment of Sports-Related Concussions and Head Injuries to all youth sports team organizations that operate on school grounds or in school facilities. In accordance with the provisions of N.J.S.A. 18A:40-41.5, the school district shall not be liable for the injury or death of a person due to the action or inaction of persons employed by, or under contract with, a youth sports team organization that uses school facilities or operates on school grounds if the youth sports team organization provides the school district proof of an insurance policy in the amount of not less than \$50,000 per person, per occurrence; insuring the youth sports team organization against liability for any bodily injury suffered by a person. The youth sports team organization must also provide a statement of~~



compliance with the school district's Policy and Regulation 2431.4 - Prevention and Treatment of Sports-Related Concussions and Head Injuries.

For the purpose of this Policy, a "youth sports team organization" means one or more sports teams organized pursuant to a nonprofit or similar charter or which are member teams in a league organized by or affiliated with a county or municipal recreation department.

The Board shall provide to all persons who supervise youth programs that are not sponsored by the school district, but operate a program in a district building before or after school hours, on the weekend, or during a period when school is not in session, information on the district's school practices and procedures in the event of a school safety or security incident at a school including non-confidential information on evacuation procedures, emergency response protocols, and emergency contact information in accordance with the provisions of N.J.S.A. 18A:41-7.

The Superintendent shall develop regulations for the use of school facilities; such regulations shall be distributed to every user of the facilities and every applicant for the use of school facilities. Permission to use school facilities shall be granted only to persons and organizations that agree to the terms of Policy and Regulation 7510, the requirements as outlined in the use of school facilities application, and in accordance with the terms outlined in the approval granted by the school district.

Prohibited Activities

The Board recognizes that authority to use District facilities is not without limitation. Accordingly, the following types of activities shall be prohibited:

The use of school facilities will not be granted for the advantage of any commercial or profit-making organization, political activity, or any private social function.]

1. Any activity promulgating any theory or doctrine subversive to the laws of the United States or any political sub-division thereof, including, but not limited to, activities which advocate governmental change by violence;
2. Any activity which would be injurious to the buildings, grounds or property of the District or any activity which conflicts with school activities or the administration of educational objectives;



3. Any activity which discriminates against members of any protected class, including but not limited to discrimination based on age, sex, race, national origin, disability, religion or sexual orientation, except where exempt by law.

Usage Conditions

The Board reserves the right to limit, control, and determine the conditions of any and all uses of school facilities. These conditions include, but are not limited to:

1. Time and location restrictions must be observed
 - a. Community usage should not interfere with school activities.
 - b. Community usage should not interfere with thorough maintenance and cleaning of school facilities.
 - c. Use of lighted fields at night must be sensitive to the needs of the surrounding neighborhood.
2. User groups must be responsible and cause no damage to or worsen appearance of district facilities
3. User groups must provide adequate supervision to any underage persons
4. Restrictions related to animals on school property must be observed per Policy #7490
5. User groups must compensate the district for any damages caused by user negligence

~~The Superintendent is authorized to approve and arrange for scheduling the use of school facilities by applicants satisfying the above purposes and limitations. The Superintendent shall provide ample notice to user groups when usage conditions change, including variable times and locations. The Superintendent is directed to establish guidelines and procedures governing the use of District facilities and restrictions concerning the use of lighted fields at night.~~

~~The Superintendent shall recommend a fee structure for facilities usage. That fee structure will be designed to ensure that community facility usage is cost neutral to the~~



~~district, and will include but not be limited to reimbursement for the security, custodial, utility and maintenance, and upkeep costs incurred by the district.~~

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~~The school district shall provide a copy of Policy and Regulation 2431.4—Prevention and Treatment of Sports-Related Concussions and Head Injuries to all youth sports team organizations that operate on school grounds or in school facilities. In accordance with the provisions of N.J.S.A. 18A:40-41.5, the school district shall not be liable for the injury or death of a person due to the action or inaction of persons employed by, or under contract with, a youth sports team organization that uses school facilities or operates on school grounds if the youth sports team organization provides the school district proof of an insurance policy in the amount of not less than \$50,000 per person, per occurrence; insuring the youth sports team organization against liability for any bodily injury suffered by a person. The youth sports team organization must also provide a statement of compliance with the school district's Policy and Regulation 2431.4—Prevention and Treatment of Sports-Related Concussions and Head Injuries.~~

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~~For the purpose of this Policy, a “youth sports team organization” means one or more sports teams organized pursuant to a nonprofit or similar charter or which are member teams in a league organized by or affiliated with a county or municipal recreation department.~~

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~~Nothing in this policy shall be construed as prohibiting the Board from entering into facilities usage or lease agreements on a “for profit” basis with outside organizations that desire to do so, provided such agreements are not harmful to the interests of the school system and do not otherwise violate this policy.~~

N.J.S.A. 18A:20-20; 18A:20-34, 18A:41-7

Adopted: 16 November 2009

Revised: 13 May 2019

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First Read: 28 September 2023

Second Read:

