

Policy

USE OF SCHOOL FACILITIES

The district facilities belong to the community of Chester, 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 chief school administrator 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 chief school administrator deems it advisable, any application may be submitted 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.

Smoking is prohibited at all times in any district building or on school grounds. No one may bring alcoholic beverages onto any school property. 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 may 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.

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 auditorium, the basketball baskets in the gym. No district equipment shall be removed from the premises for use by nondistrict personnel.

USE OF SCHOOL FACILITIES (continued)

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.

Use of the schools facilities by outside organizations will be permitted but shall not incur additional expense to the board. The chief school administrator shall recommend and the board shall approve a fee schedule for use of the school facilities. In addition to the standard fee as denoted on the fee schedule, organizations wishing to use facilities shall be responsible for any and all additional costs the board may incur associated with the facility use (i.e. cost of custodial service, cafeteria staff, security, utilities, and other expenses) at the hourly rate commensurate with the board's expense. Fees for facility use shall be waived for organizations directly connected with the school programs and/or supporting school programs such as the PTO and Education Foundation during regular operating hours. All other organization shall be charged the scheduled fee for a four-hour minimum use.

If the period of facility use is a holiday or outside the normal operation hours of the school facility the user shall be responsible for the scheduled facility use fee and for any and all additional costs associated with the facility use (i.e. cost of custodial service, cafeteria staff, security, utilities, and other expenses) at the hourly rate commensurate with the board's expense. Groups exempt from the facility use fees shall be responsible for additional costs associated with facility operation when using the facility during holidays and outside of normal operating hours.

Organizations that are staffed by volunteers and open to all district children may also have their fees waived for use before or after school. Organizations that have paid staff and/or organizations that are not open to all district children will be charged according to the fee schedule for facility use before or after school. All for-profit organizations shall be charged according to the fee schedule.

The chief school administrator shall develop regulation for the equitable implementation of this policy.

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.

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 \$5,000 for each violation.

Adopted:	May 23, 2006
NJSBA Review/Update:	July 2008, August 2016, September 2018
Readopted:	April 27, 2009, September 17, 2018, August 16,
Revised:	2021, January 2024
Revised:	March 12, 2012, February 2014

Key Words

USE OF SCHOOL FACILITIES (continued)

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. 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

Every Student Succeeds Act, 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
*6145 Extracurricular activities

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