

## 7510 USE OF SCHOOL FACILITIES (M)

### M

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 will permit the use of school facilities when such permission has been requested in writing and has been approved by the Building Principal. 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:

1. Uses and groups directly related to the schools and the operations of the schools;
2. Uses and organizations indirectly related to the schools;
3. Departments and agencies of the municipal government;
4. Other Governmental agencies;
5. Community organizations formed for charitable, civic, or educational purposes.

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.

Use of district equipment on the premises by non-school 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.

The Board shall approve annually a schedule of fees for the use of school facilities.

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.

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

Adopted: 17 January 2023

Revised: 14 May 2024



## R 7510 USE OF SCHOOL FACILITIES (M)

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- A. N.J.S.A. 18A:20-34 authorizes the Oakland Board of Education to permit the use of school facilities when not in use for school purposes. For any of the following:
1. The assembly of persons for the purpose of giving and receiving instruction in any branch of education, learning, or the arts, including the science of agriculture, horticulture and floriculture;
  2. Public library purposes or stations of public libraries;
  3. The holding of such social, civic and recreational meetings and entertainment and such other purposes as may be approved by the Board;
  4. Such meetings, entertainment, (excluding filming production from outside agencies), and occasions where admission fees are charged as may be approved by the Board;
  5. Polling places, holding elections, registration of voters and holding political meetings.
- B. The Oakland Board of Education (the "Board") encourages the responsible use of the school buildings by organized groups of residents whose purpose and intent are to promote programs of an educational, civic or recreational nature for the youth and residents of the community. Fees will be established to cover reasonable operating costs. The Board's primary responsibilities towards its regular student body shall remain paramount in the interpretation and application of the rules established under Policy and Regulation 7510.
- C. This Board has designated the School Business Administrator/Board Secretary as having the authority to issue permits for the use of school facilities within the policy and approved financial limits of the Board. Authorized permission to use school facilities should not be considered as endorsement or approval of the group or organization nor the purpose they represent. The use by such groups shall not be construed as a matter of right but a privilege afforded by the Board.
- D. School functions, athletics, and extracurricular activities shall have first priority over any and all non-school uses. No permit shall be issued for the use of school



facilities which shall conflict with the priority of classes as use set forth herein, unless specific such approval is granted by vote of the Board. When two or more groups request simultaneous use of a school facility, preference shall be given to that function which serves best the maximum number of Oakland youth. The following system of priorities will apply in determining the issuance of facility permits and the charges and costs related thereto:

## Class One Use

1. Use of school facilities by school classes, school clubs, or groups of students or teachers for extracurricular school activities including band boosters, athletic boosters, PTA/PTO groups, scout groups and Board approved community school activities shall be designated as Class One Use and given first preference for use of school facilities.
2. Each school support group will be granted free use of the facilities for fund raising events the proceeds of which will directly benefit the educational program, with a waiver of all fees, including regularly scheduled custodial service only, which shall be supplied at no charge. When extra custodial service is necessary, the cost of same at overtime rates in accordance with Schedule A must be borne by the sponsoring organization. In addition, charges incurred for custodians who would not otherwise be working during a regularly scheduled work day will be paid by the sponsoring organization. This charge will not be assessed if weather conditions are such that travel is prohibitive or if the administrator is notified in writing at least twenty-four hours in advance that the event will not take place.
3. The Board acknowledges and greatly appreciates the work done by the PTOs to provide donations which directly affect the school learning environment. Therefore, the Board will annually provide use of a facility for two (2) Saturdays for each school PTO to conduct fundraising events free of all charges.

## Class Two Use

1. Use of school facilities by a division of the local municipal government, regular business meetings of local community groups, locally sponsored athletic teams (i.e. Boys and Girls Club, Police Athletic League (PAL), Oakland Little Leagues, Oakland Senior Citizen groups, etc.) and/or



educationally oriented associations where the function is on behalf of general education or youth and public welfare, shall be designated as Class Two Use provided no admission is charged.

2. The hourly charges under Section K below shall be waived for all Class Two Use groups, for activities which provide recreational programs for children of the district. Regularly scheduled custodial service only shall be supplied at no charge, but when extra custodial service is necessary, the cost of same at normal overtime rates must be borne by the requesting organization in addition to the rental fee, if any. In addition, charges incurred for custodians who would not otherwise be working during a regularly scheduled work day will be paid by the sponsoring organization. This charge will not be assessed if weather conditions are such that travel is prohibitive or if the School Business Administrator/Board Secretary is notified in writing at least twenty-four hours in advance that the event will not take place.

#### Class Three Use

1. Use of school facilities for fund raising events sponsored by Class Two Use groups shall be designated as Class Three Use.
2. All custodial services expenses, whether regular or overtime, must be borne by the sponsoring organization (Section K below).
3. A security deposit in the amount of \$500 may be required prior to the issuance of a facility use permit (Section J below).

#### Class Four Use

1. Use of school facilities by groups from outside the community shall be designated as Class Four Use, provided no admission is charged, unless, where an admission is charged, the net proceeds are for the benefit of a non-profit service, educational, cultural, or recreational organization.
2. A rental charge shall be made in accordance with Board regulations (Section L below).
3. All custodial service expenses, whether regular or overtime, must be borne by the sponsoring organization (Section K below).



4. A security deposit in the amount of \$500 may be required prior to the issuance of a facility use permit (Section J below).

#### Class Five Use

1. Use of school facilities for activities sponsored by responsible groups or individuals for their own profit shall be designated as Class Five Use.
2. A mini charge shall be made in accordance with Board regulation. All other items as noted under Class Two Use shall apply (Section L below).
3. All custodial service expenses, whether regular or overtime, must be borne by the sponsoring organization (Section K below).
4. A security deposit in the amount of \$500 may be required prior to the issuance of a facility use permit (Section J below).

#### E. Restrictions

1. Smoking and the use of smokeless tobacco is prohibited in all district owned buildings, on all school grounds, and in all school vehicles. Violators are subject to penalties as set forth in Board Policy 7434 - Smoking in School Buildings and On School Grounds, Policy 5530 Substance Abuse, and N.J.S.A. 26:3D-55 the New Jersey Smoke-Free Air Act.
2. Smoking and the use of smokeless tobacco is prohibited on the grounds of district-owned buildings during the hours of 7:00 a.m. to 3:30 p.m. on days when school is in session. All Board employees are further prohibited from smoking or using smokeless tobacco on school grounds and at all school-sponsored functions off school grounds when they are acting within the scope of their employment.
3. The possession of tobacco and/or products containing tobacco is prohibited in district-owned buildings, on school grounds, and at school-related functions for any person under eighteen years of age.



4. Possession or use of alcohol/drugs (substance abuse) is prohibited at all times on any property or in any buildings owned by the Board and at all school sponsored functions pursuant to Board Policies 3218 and 4218 Use, Possession, or Distribution of Substances, 5530 Substance Abuse, and applicable law.
5. “No smoking” signs shall be prominently displayed in all school buildings and grounds.
6. Eating, drinking, etc., unless specifically granted and noted on the facility use permit which has been issued, is prohibited.

F. Insurance

All applicants must provide a certificate of insurance with minimum limits in the amount of a minimum of \$1,000,000 combined single limit for commercial/general liability.

G. Bodily Injury and Property Damage

The Oakland Board of Education shall be named an additional insured on each policy of insurance. The certificate of insurance must be provided at the time the permit application is submitted. Unless legally precluded from doing so, all applicants shall also sign an Indemnification/Save Harmless agreement in favor of the Board prior to issuance of the facilities use permit.

H. Rules for the Use of School Facilities

1. Users of school facilities will be bound by the law.
  - a. Users must comply strictly with all applicable statutes; municipal ordinances; and rules of the Board of Health, Fire Department, and Police Department regarding public assemblies.
  - b. The use must not exceed the established capacity of the facility used.
  - c. The use must not involve gambling or games of chance without proper licenses from the State of NJ and the Borough of Oakland..
  - d. The use, possession, and/or distribution of alcohol and/or controlled



dangerous substances is absolutely prohibited, in accordance with law and Policy Nos. 5530 and 7435.

- e. Smoking is prohibited in accordance with Policy No. 7434.
- f. School facilities cannot be used for any purpose prohibited by law or likely to result in rioting, disturbance of the peace, damage to property or for the purpose of defaming others.
- g. All organizations using any part of the building will be responsible for the proper care of the buildings and equipment used. The organization will be billed for any damages incurred.
- h. Smoking will not be permitted in school buildings or on school grounds.
- i. The Board of Education does not assume any liability for personal property or bodily injury incurred during the use of the buildings and grounds. In instances of damage to facilities or loss of equipment, necessary repairs and replacement shall be charged to the organization.
- j. Use of space in a school while any election is being held at that school will not be permitted.
- k. All organizations must leave rooms and equipment in the same order as found.
  - (1) Chairs and tables are to be replaced.
  - (2) If the kitchen is used for light refreshments, kitchen equipment, tables, and floors must be cleaned.
  - (3) If the kitchen is used for a prepared meal, all equipment, tables, and floors must be cleaned.
  - (4) If the kitchen is rented, equipment may be used only if a member of the cafeteria staff is present. Otherwise, no equipment or utensils may be used.



1. Failure to observe above rules will jeopardize an organization's right to future rental of the building.
2. Users of school facilities will respect Board property.
  - a. The user will not damage, destroy, or deface school property. The facility will be used with care and left in an orderly and neat condition.
  - b. The user must obtain the Principal's permission to bring equipment, decorations, or materials to the school facility. No equipment, decorations, or materials may be nailed to floors, walls, windows, woodwork, curtains or fixtures or affixed to the same in any manner that defaces or damages school property.
  - c. Any equipment, scenery, decorations, or other material brought to the school facility and any debris caused by the use or remaining after the use must be promptly removed by the user. Any such materials left on school premises more than twenty-four hours after the use may be removed by the Board at the user's expense. The Board assumes no liability for damage to or loss of materials brought to school facilities.
  - d. Users of the gymnasium must ensure that all participants wear rubber soled footwear to prevent damage to floors.
  - e. No school facility may be used for a purpose in conflict with the purpose for which the facility was designed.
  - f. Lighting equipment, ventilation systems, and thermostatic controls may be operated only by an employee of the district.
  - g. No signs, posters, advertisements, or other displays may be placed in a school building without the approval of the Principal.
  - h. No school keys shall be issued to a user.
  - i. With the exception of service animals, no animal shall be allowed on school premises without proper authorization.



- j. The Principal/head custodian is responsible for examining the facility immediately after the use and informing the user of any loss or damage that must be corrected.
  - k. Permission to use school facilities extends only to the facility requested. Users are not entitled to enter health offices, administrative offices, storage closets, or any other room to which permission to use has not been expressly granted. Users are not permitted to use district telephones, typewriters, and office equipment. Users may make use of public telephones.
  - l. No vehicles of any type shall be operated in any area that is not designed for such vehicles.
3. Users Must Be Properly Supervised.
- a. A school custodian must be on duty during the entire time a use occurs. The custodian is present for the purpose of ensuring the security and proper functioning of the facility and of enforcing these regulations. The custodian is paid by the Board and may not accept gratuities from users.
  - b. The use of certain school facilities (such as kitchen and auditorium stage) may require the services of school employees trained in the use of the facility. The user will be charged an additional fee and the school employee will be compensated accordingly by the district.
  - c. The user must assume full responsibility for the conduct of all participants in the use while they are in or about school buildings and grounds and must enforce these regulations. The user must provide an adequate number of persons to supervise participants in the activity.
  - d. The user must, in consultation with the Principal, anticipate the need for the assistance of police officers, fire fighters, and/or parking attendants. All such services must be arranged by the user and will be at the expense of the user. When a user refuses or fails to secure police, fire, and/or parking assistance after having been advised to do so by the Principal, the Principal may recommend that permission to use the facility be withdrawn.



I. Regulation for the Use of School/Athletic Facilities

1. All groups who contract to use athletic fields, courts or areas where organized athletic activities are conducted must keep the areas clear of debris and trash. These areas must be policed after use and the trash placed in dumpsters located adjacent to the school buildings.
2. No alcoholic beverages are allowed or are to be consumed on school property in accordance with School Board policy and township ordinance.
3. Motor vehicles of any type are not allowed on playing fields or grassed areas only in designated black topped parking areas.
4. School conducted activities in or on school facilities will always take precedence over another group's activities in case of any conflict.
5. Violation of these rules will result in suspension of user privileges.
6. Responsibility for property damage will rest with the organization reserving the playing area.
7. All outside groups who wish to use Oakland K-8 School facilities must make application at least one month prior to the occurrence of the event. All other requests will only be considered on a space available basis.
8. Certificate of Insurance must be presented prior to the event.
9. Cancellation of an event without sufficient notice may result in the charge for custodial fees.
10. Building and Grounds usage rates and classification as included on Schedule A.

J. Security Deposit

1. A security deposit in the amount set forth in this Regulation for each class of use must be delivered to the School Business Administrator/Board



Secretary prior to activating the facility use permit for any permits issued for use of school facilities.

2. Any costs incurred for repair of damage to buildings or fields as consequence of use by the group will be deducted from the security deposit as appropriate. The balance of the security deposit will be returned to the group at the end of the athletic season or event for which it was posted. In the event the cost incurred for repair of damage to buildings or fields exceed the amount of the security deposit, payment for such additional costs shall be made by the group within ninety days of receipt of the bill for such damage.

## K. Custodial Services

1. Custodial services shall be charged in accordance with the in Schedule A .  
Custodial overtime rates will be in effect during the months of July and August after 3:00 p.m. and after 11:00 p.m. during the months when school is in session and when school is closed for vacations and holidays.  
On Sundays and holidays, the double rate per hour will apply. It is expected that organizations utilizing school facilities will leave the facility in the same condition they find it when they enter the building. Any additional costs for technical assistance for videotaping, recording, etc., will be billed to the organization.
2. Special police must be hired, at the applicant's expense, should a crowd of over two hundred individuals be expected.

## L. Rental Schedule

Rental charges shall be made in accordance with Schedule A.

## M. Staffing

Each group which uses school facilities shall provide personnel of sufficient number and training to safely and properly operate all systems, machinery and equipment involved in its use of those facilities. The Board shall provide all personnel necessary for each group (other than a curricular or extracurricular school activity or group) shall be charged and shall pay to the Board a fee in addition to those fees described above which fee shall cover the salary costs and



all other costs and expenses incurred by the Board in providing the required personnel. If a group requests the use of a school kitchen and/or cafeteria equipment, a cafeteria worker must be employed and on site during the event.

N. Insurance and Indemnification

Any youth sports team organization that is granted permission to use school facilities must provide the school district proof of an insurance policy against liability for any bodily injury 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, which will be provided to the adult representative of the requesting organization with the application to use school facilities.

For the purpose of Policy and Regulation 2431.4, 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.

O. Provision of Training on School Safety and Security

1. In accordance with the provisions of N.J.S.A. 18A:41-7.c., the Board of Education 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.
2. It shall be the responsibility of the organization that sponsors the youth program to train the program's employees and volunteers on the school security and emergency procedures in effect in the school building in which the youth program is located.
3. The organization that sponsors the youth program shall file a statement of assurance with the Superintendent or designee that it has complied with the training requirements prior to the district authorizing the use of the school building.



- a. The statement of assurance shall be developed by the Commissioner of Education and shall be filed with the school district on an annual basis.

P. Fees

Fees are payable to the School Business Administrator/Board Secretary 30 days upon receipt of invoice. All checks should be made payable to the "Oakland Board of Education."

All groups will be subject to the following additional charges:

1. Custodians used on an overtime basis will be on duty during the scheduled event in addition to one half hour before the event, and the amount of time necessary to clean the facility after the event. Charges for custodial services on an overtime basis will be at \$57 per hour. Charges for custodial services on a Sunday or holiday will be \$75 per hour.



## OKLAND K-8 PUBLIC SCHOOLS USE OF SCHOOL FACILITIES APPENDIX RENTAL FEE SCHEDULE A

### Facility Room Usage fees

<b>Room</b>	<b>4 Hour Minimum Rate</b>	<b>Hourly Rate After 4 Hours</b>
Classroom	\$ 60.00	\$15.00
Gymnasium	\$100.00	\$25.00
Cafeteria	\$100.00	\$25.00
Multi-Purpose Room	\$100.00	\$25.00

<b>Custodial and other services are in addition to the above fees</b>	
Custodial Regular (Hourly)	\$36
Custodial Overtime (Hourly)	\$57
Custodial Double Time (Holiday/Sunday-Hourly)	\$75

**Class V-** Activities charging application fees to participants and wish to reserve the facility for 5 or more days per week (including weekends). \$250 per week for fields plus custodial fees as required.

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