

**Policy**

USE OF SCHOOL FACILITIES

The Little Silver 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. Users and groups directly related to the schools and the operations of the schools, including student and teacher groups;
- B. 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;
- C. Departments and agencies of the municipal government;
- D. Community organizations formed for charitable, civic, social, or educational purposes;
- E. Governmental agencies;
- F. Community political organizations;
- G. Community church groups;
- H. Private groups and organizations;
- I. All others

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.

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

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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.

The board shall require 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.

Fee Schedule

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

- A . The use of school facilities for activities directly related to the educational program and district operations shall be without cost to the user except that the user shall be responsible for any custodial costs incurred by the use and any fees charged by a law enforcement agency in connection with the use.
- B . 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.

Animals on School Property

The board will make every reasonable effort to maintain school grounds in a condition appropriate for the activities of school students.

Pet animals are not permitted on school district grounds, except by the express permission of the Building Principal. Without such permission, a pet owner who brings or permits his/her animal on school grounds has committed an act of trespass. If an animal is found running at large on school grounds, its owner will be deemed to have permitted the animal to enter school property.

The board directs the building principal to give notice regarding the prohibition of pets by posting appropriate signs on school property. The principal shall report to the appropriate municipal authorities any pet that runs at large on school property and any pet owner whose animal is present on school property is in violation of this policy.

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Playgrounds

The board requires that the playground of the school affords residents with a recreational area when school is not in session. The board reserves the right to determine, in the interest of the safety of district residents and the integrity of the school facility, the uses to which the playground may be put and the hours when it may be used.

The board will publish rules of conduct, which shall govern all persons who use the facilities of this district. Students and employees of this district who violate those rules will be subject to discipline. The board directs that any other person who violates a rule of this board be requested to leave the school premises.

Because of its potential for hazard, no object that is powered by fuel or battery shall be brought onto the school grounds for any purpose that is primarily recreational without the express permission of the principal. Such objects include, but are not limited to, mini-bikes, mopeds, motorized model airplanes, and rockets.

Motor Vehicles on School Property

The school grounds owned and maintained by this board of education are subject to damage by motor vehicles. Accordingly, the board has provided areas, adjacent to the school building, in which employees of the district and visitors to the school may drive and park motor vehicles.

The board prohibits the use or presence of any motor vehicle, including motorcycles, all-terrain vehicles, snow mobiles, and mopeds, for any purpose on any part of the school property owned by the board other than the driving and parking areas established by the board except as expressly permitted by the superintendent, school business administrator/board secretary or principal.

The board directs the superintendent to have conspicuous notices posted forbidding the parking of motor vehicles in undesignated areas of the school grounds.

The board reserves the right to prosecute in a court of competent jurisdiction any person whose violation of this rule results in damage to the property of this district.

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.

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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. 18A:54-20 Powers of board (county vocational schools)  
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.A.C. 6A:26-12.2(a)4 Policies and procedures for school facility operation  
  
20 U.S.C.A. 4071 et. seq. Equal Access Act  
  
GOALS 2000: Educate America Act (Pro Children Act of 1994), Pub. L. 103-227  
  
Every Student Succeeds Act of 2015, 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  
\*5131.1 Harassment, intimidation and bullying  
\*6145 Extracurricular activities

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