

**Policy**

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USE OF SCHOOL FACILITIES

Prudent use of school facilities outside of the regular operating schedules is allowed providing that such use does not interfere with the orderly conduct of a thorough and efficient system of education.

The Franklin Lakes Board of Education will permit the use of school facilities when such permission has been requested in writing and has been approved by the School Business Administrator/Board Secretary for:

Class I Users:

Uses and groups directly related to the school and the operations of the school; (i.e., PTA, Scouts, FLEF)

Uses and organizations indirectly related to the school;

Class II Users:

Departments or agencies of the municipal government; (Including Recreational Activities)

Other governmental agencies;

Community organizations formed for charitable, civic or educational purposes.

Class III Users:

Private organizations within Franklin Lakes or the FLOW area (Including after school activities facilitated by a School's PTA)

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 with the exception of Board approved activity sponsored by the PTA.

In the event the Superintendent of Schools deems it advisable, any application may be submitted to the board of education for action.

The School Business Administrator/Board Secretary or board may refuse to grant the use of a school building whenever in their judgment there is good reason why permission should be refused. They shall not be required to give a reason for refusal.

Smoking is prohibited at all times in any district building or on school grounds. 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.

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

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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. No district equipment shall be removed from the premises for use by nondistrict personnel.

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.

Recreational Use of Playgrounds

The Franklin Lakes Board of Education 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.

The school District shall provide a copy of Policy and Regulation 5141.8 Sports Related Concussion and Head Injury 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 5141.8 Sports Related Concussion and Head Injury.

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.

Animals on School Property

The Board of Education 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.

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

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: June 5, 2001  
 Revised: December 2, 2008  
 NJSBA Review/Update: September 2009, June 2016  
 Readopted: August 3, 2010; November 10, 2015  
 Revised: April 2016

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. 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  
  
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)

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**Possible**

<b><u>Cross References:</u></b>	*1230	School-connected organizations
	*3514	Equipment
	*3515	Smoking prohibition
	*6145	Extracurricular activities

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