

### 7510 USE OF SCHOOL FACILITIES AND EQUIPMENT

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 education 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 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.

#### A. Application

Request for each use of school facilities and equipment will be made to the office of the School Business Administrator/Board Secretary. The application form adopted by the Board will be completed in full; an incomplete application will be returned to the applicant and will not be considered. The application will be signed by the person(s) who will be present during such use and who will be responsible for the observance of the Use of School Facilities by Outside Groups Rules and Regulations.

Unless otherwise provided for herein, an application must be received at least thirty days prior to the event date so that it may be considered, approval granted and the official approval issued before plans for use are completed. Applications for use later than the end of the current school year will not be accepted more than eight months prior to the date requested.

#### B. Approval

The Board will permit the use of school facilities when such permission has been requested in writing and has been approved by the Superintendent of Schools and/or the School Business Administrator. The following uses and groups shall be eligible to use



school facilities.

1. Uses and groups directly related to the school and the operations of the school (application must be submitted within a reasonable time prior to the date of the event);

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2. Uses and organizations indirectly related to the school, but consistent with the school's educational purposes (application must be submitted within a reasonable time prior to the date of the event);
3. Departments or agencies of the municipal government (application must be submitted within a reasonable time prior to the date of the event);
4. Other governmental agencies (application must be submitted at least seven days prior to the event);
5. Community organizations formed for charitable, non-profit, civic or education purposes (and capable of providing proof of tax-exempt or charitable status) (application must be submitted at least fourteen days prior to the event, unless the organization has previously applied for and has been granted use of school facilities, in which case the application must be submitted within a reasonable time prior to the event);
6. Commercial purposes.

Unless otherwise approved by the Board, permission to use school facilities will not be granted for private social functions, or any purpose which is prohibited by law.

After receipt of a completed application for the use of school facilities, the application will be approved or rejected by the Superintendent of Schools and/or the School Business Administrator. Nothing contained herein will limit the right of either the Superintendent or the School Business Administrator to submit the application to the Board of Education for consideration and possible approval at a duly advertised meeting.

Once approval is given, the applicant will be granted permission to use the specific area(s) requested. An applicant may not use any other facilities or parts of facilities for which permission has not been granted.

The Board and its designated representatives reserve the right to refuse the use of a school building whenever, in their judgment, which shall be final, absolute and binding in all respects, there is good reason why permission should be refused. The Board also reserves the right to refuse permission to use school facilities to any organization or applicant which has violated the rules and regulations governing the use of school facilities.

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The Board reserves the right to deny approval for the use of facilities when the Board determines that a proposed activity may place at risk the safety of students, staff, members of the community, or the participants, or may adversely affect the facility, or which may place the Board in a position of bearing inordinate liability. In this regard, the determinations of the Board are binding. Such activities, which may be denied, include those activities for which the sponsors are unable to certify the presence of adequate security.

The Superintendent, Business Administrator and/or the Board may waive the time requirements for the submission of applications for the use of school facilities if strict application of these regulations proves impossible or impractical, so long as facilities are available for use.

### C. Rules and Regulations

The School Business Administrator/Board Secretary shall notify all persons requesting the use of the school facilities and equipment of the specific rules and regulations pertaining to such use.

Unless prior approval shall be granted by the Board, buildings and facilities shall not be available for community use during holidays, vacation periods, or during the time school is not in session over the summer, or at any time when the programs interfere with cleaning and maintenance schedules. Additionally, if the school building/district is closed for an unplanned emergency (i.e., inclement weather) then all scheduled uses of that facility shall also be cancelled at no liability to the Upper Township Board of Education. On school days or at other times when school is in session, no activities may be scheduled at the Middle School earlier than 3:30 p.m. or at the Elementary and Primary School earlier than 4:00 p.m. Moreover, the applicant may not instruct or advise event participants to arrive at the schools before the times specified herein.

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

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 facilities use shall comply with State and local fire, health and safety and police regulations.

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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. 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.

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.

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 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

Adopted: 27 June 1995

Revised: 27 September 2004, 29 May 2008, 15 December 2009, 19 March 2012

### R 7510 USE OF SCHOOL FACILITIES BY OUTSIDE GROUPS

It will be the policy of the Upper Township Board of Education to encourage and pemlit the use of its buildings, grounds, and/or equipinent with the following considerations:

1. The Board of Education reserves the right to accept or refuse applications for the use of the requests for school facilities. Acceptance of usage will specify the space granted to the user and the date, time and any special conditions pertaining to such use.
2. School functions and activities take priority in the use and scheduling of school facilities.
3. Types of Organizations:
  - a. Charitable, non-profit organizations, and City, County, and State government agencies, which serve the community of Upper Township will be charged for a "community use" fee., Such groups shall be required to providing proof of tax-exempt or charitable status.
  - b. Commercial purposes will be charged based on a different fee schedule.
  - c. Fee schedules for each such use are attached.
4. Procedure: File formal application for use of school facilities or equipment with the Office of the School Business Administrator/Board Secretary on the form provided by the Board of Education.
5. Unless otherwise specified in Board Policy, an application must be filed at least 30 days prior to date of event to give sufficient time for application review, scheduling and approvals in accordance with Upper Township Board of Education Policy.
6. Custodial services that are rendered as required at the activities will result in a separate charge for said services.
7. On school days or at other times when school is in session, no activities may be scheduled at the Middle School earlier than 3:30 p.m. or at the Elementary and Primary School earlier than 4:00 pm. Moreover, the applicant may not instruct or advise event participants to anive at the schools before the times specified herein.

8. No school equipment is to be removed from the school premises or used within the school without prior approval.
9. All conditions set forth in the Application shall be binding.
10. When kitchen is used, a qualified member of the kitchen staff or other qualified person must be present to advise and supervise the use of the equipment, which will result in a charge for said services. No food may be prepared in any other part of the building.
11. If kitchen is used, it shall be left in a clean and orderly manner.
12. A post-use inspection will be conducted by authorized school personnel and the applicant.
13. Payment for broken or damaged equipment will be made to the Board by the renting organization within thirty days of notification. The Board reserves the right to deny future use of the facility. A security deposit, set in the fee schedule, may be required by the Board of the renting organization.
14. A "Certificate of Insurance" for a minimum of \$1,000,000 of General Liability insurance naming the Board of Education named as an "additional insured" must be furnished by the organization along with the completed use of facilities application. Organization must execute the attached "Indemnity and Hold Harmless Agreement".
15. Alcoholic beverages in any form are not to be brought to or served on school premises.
16. Smoking is not permitted in any and all school district buildings and grounds.
17. Food is not allowed in the auditorium or gyms.
18. In the event of a request for the use of the outside playground facilities only by an organized group, all above Regulations apply except item Nos. 9 and 10. Also, the grounds shall be left in a clean and orderly manner.
19. Organizations shall acquire a permit for use of open flame equipment by contacting the Fire Official at the Local Fire Enforcement Agency. A copy of the permit shall be submitted thirty days prior to the date of approved event.

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20. Security Deposit for Equipment/Facilities damage in the amount of \$500 may be required. Said deposit is to be held until inspection of used areas has been performed. Upon observance of no damage, security deposit shall be returned in full within thiy days.
21. Once approval is given, the applicant shall be granted pemlission to use the specific area(s) requested. An applicant may not use any other facilities or paiis of facilities for which permission has not been granted.

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### School Fee Schedule For Community Use

Free access to district facilities shall be provided for:

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1. Those programs supported by public tax funds of Upper Township or Cape May County.
2. Those programs conducted specifically for the participation of the children of the school district or sending districts for non-profit and/or charitable organizations i.e., Girl Scouts, Boy Scouts.
3. Those activities clearly initiated and supported by the community education program.

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4. PTA sponsored activities.

For uses and groups directly related to the school and the operations of the school, uses and organizations indirectly related to the school, but consistent with the school's educational purposes, and requests made by departments or agencies of the Upper Township, Ocean City or Corbin City municipal governments, a completed application must be submitted within a reasonable time prior to the date of the event.

For requests made by other governmental agencies, a completed application must be submitted at least seven days prior to the event.

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use of a school building whenever, in the judgment of the Board, it is in the best interest of the district, absolute and binding in all respects, there is good reason why permission should be refused. The Board also reserves the right to refuse permission to use school facilities to any organization or applicant which has violated the rules and regulations governing the use of school facilities.

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Staff fees may be charged to these groups and/or organizations if the staff needs to be provided. The user will be charged according to the following hourly rate schedule: (all rates are hourly)

- o Custodial \$25.00 per hour (or prevailing rate)
- o Cafeteria \$16.00 per hour (or prevailing rate)

### School Fee Schedule for Non-Profit Organizations

Reduced-fee access to district facilities shall be provided for:

- ii Programs organized and sponsored by charitable and/or non-profit organizations providing proof of tax-exempt or charitable status i.e. Cape May County Scholarship, Miss Cape May County.

For requests made by community organizations formed for charitable, non-profit, civic or educational purposes (and capable of providing proof of tax-exempt or charitable status, a completed application must be submitted at least fifteen days prior to the event. However, if the organization has previously applied for and has been granted use of school facilities, the organization may, with the approval of the Superintendent, Business Administrator and/or the Board submit its complete application within a reasonable time prior to the event.

The District Facility Fee Schedule for Non-Profit Organizations is as follows:

#### Classrooms and Conference Rooms

\$30.00	0-4 hours
\$50.00	5-8 hours and \$8.00 per hour for every hour thereafter

#### Library/PS Music Room

\$40.00	0-4 hours
\$80.00	5-8 hours and \$10.00 per hour for every hour thereafter

#### Cafeteria and Kitchen PS or MS

\$240.00	4 hours
\$400.00	8 hours

#### Cafeteria and Kitchen ES

\$165.00	4 hours
\$325.00	8 hours

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### Gyms PS or MS

\$480.00 per day (up to 8 hours), \$75.00 per hour over 8 hours  
Only to be used for athletic purposes or school functions  
No food or beverages will be permitted in the gyms

### GymES

\$405.00 per day (up to 8 hours), \$75.00 per hour over 8 hours  
Only to be used for athletic purposes or school functions  
No food or beverages will be permitted in the gym

### MS Gym & Stage

\$480.00 per day (up to 8 hours), \$75.00 per hour over 8 hours

### Outside Basketball Courts

\$25.00 per day or fraction thereof

### Baseball or Soccer Fields

\$50.00 per day or fraction thereof

Staff fees may be charged to these groups and/or organizations if the staff needs to be provided. The user will be charged according to the following hourly rate schedule: (all rates are hourly)

- Custodial \$25.00 per hour (or prevailing rate)
- Cafeteria \$16.00 per hour (or prevailing rate)

### School Fee Schedule for Commercial Organizations

The District Facility Fee Schedule is as follows:

#### Classrooms and Conference Rooms

\$40.00 0-4 hours  
\$80.00 5-8 hours and \$8.00 per hour for every hour thereafter

#### PS Library or Music Room

\$ 80.00 0-4 hours  
\$160.00 5-8 hours and \$10.00 per hour for every hour thereafter

#### Cafeteria PS or MS

\$320.00 0-4 hours  
\$480.00 5-8 hours

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Cafeteria ES	
\$245.00	0-4 hours
\$405.00	5-8 hours
MS Gym & Stage	
\$800.00	per day (up to 8 hours) \$75.00 per hour over 8 hours
Gym PS or MS	
\$640.00	per day (up to 8 hours) \$75.00 per hour over 8 hours
Gym ES	
\$565.00	per day (up to 8 hours) \$75.00 per hour over 8 hours
	Only to be used for athletic purposes or school functions
	No food or beverages will be permitted in the gym
Outside Basketball Courts	
\$25.00	per day or fraction thereof
Baseball or Soccer Fields	
\$50.00	per day or fraction thereof

Staff fees may be charged to these groups and/or organizations if the staff needs to be provided. The user will be charged according to the following hourly rate schedule: (all rates are hourly)

- Custodian \$25.00 per hour (or prevailing rate)
- Cafeteria \$16.00 per hour (or prevailing rate)

Commercial uses shall specify in detail, when completing their application, what security arrangements they propose for the event. The Board, acting as a whole or through the Superintendent and/or Business Administrator, reserves the right to deny approval for the use of facilities when the Board determines that a proposed activity may place at risk the safety of students, staff, members of the community, or the participants, or may adversely affect the facility, or which may place the Board in a position of bearing inordinate liability. In this regard, the determinations of the Board are binding. Such activities, which may be denied, include those activities for which the sponsors are unable to certify the presence of adequate security.

Issued: 19 March 2012



# POLICY

BOARD OF EDUCATION  
TOWNSHIP OF UPPER

## Upper Township School District Application for Use of School Facilities

Please complete this application in full; incomplete applications will be returned without consideration. Additional information may be requested prior to approval. **A Certificate of Insurance** must be submitted with this application. Unless otherwise indicated, please submit this application 30 days prior to the date of your event in order for review and approval.

Name of Organization & Representative: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Nature of Organization (please check one):  Community  Non-Profit  Commercial

Nature of Event: \_\_\_\_\_ Non-Profit # (if any): \_\_\_\_\_

Expected Number of Participants: \_\_\_\_\_ Tickets being sold (circle): YES NO Price: \_\_\_\_\_

Event Date(s): \_\_\_\_\_ - \_\_\_\_\_ Time of Event: \_\_\_\_\_

Please check the days in which you wish to use the schools' facilities:

Sunday  Monday  Tuesday  Wednesday  Thursday  Friday  Saturday

The above organization hereby applies for the use of the:

Primary School

Elementary School

Middle School

Please note which facilities you wish to use (gym, cafeteria, etc.): \_\_\_\_\_

\_\_\_\_\_

Equipment you wish to use (tables, chairs, etc.) if any: \_\_\_\_\_

\_\_\_\_\_

Field prep and lining: \_\_\_\_\_

\*NOTE: Requests to use a Cafeteria and/or Kitchen is subject to special rules and regulations and may require arrangements for appropriate District personnel to be present for the Event. Please refer to the Board's Use or Facilities Policy and Regulations for further information.

Any request to use specific pieces of school equipment (i.e., athletic equipment, sound or lighting equipment, etc.) in connection with this request to use school facilities must be submitted along with this application in order to be considered.

**Security:** Please describe your organization's plan to provide security or to control the event, including the name(s) of persons designated by your organization to oversee the event. Please note, the person(s) named as providing security shall be required to be present during the entire event.

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### **Reservation of Rights**

The Board of Education reserves the right to deny approval for the use of facilities when the Board determines that a proposed activity may place at risk the safety of students, staff, members of the community or the participants, or may adversely affect the facility, or which may place the Board in a position of bearing inordinate liability. In this regard, the determinations of the Board are binding. Such activities, which may be denied, include those activities for which the sponsors are unable to certify the presence of adequate security.

As the representative of the organization completing this application, I agree to the following:

1. Unless otherwise specified herein, a completed application must be submitted to the Board Office at least 30 days prior to the event.
2. No applications will be approved for personal gain of any individual(s) or for political or sectarian purposes, except by special permission of the Board of Education.
3. It is understood and agreed that the applicant assumes full responsibility for the preservation of order in the school building or on its premises and liability for any damage or loss of school property.
4. On school days or at other times when school is in session, no activities may be scheduled at the Middle School earlier than 3:30pm or at the Primary and Elementary Schools earlier than 4:00pm. Moreover, the applicant may not instruct or advise event participants to arrive at the schools before the times specified herein.
5. It is understood that all fees will be paid in full at least two weeks prior to the event or the event will be cancelled. Please make checks payable to the Upper Township Board of Education.
6. If required, a Fire Safety Permit must be on file in the Board of Education office and the appropriate Fire Department (the Marmora Fire Department & the Seaville Fire Department, depending upon school) two weeks before the event or the event will be cancelled.

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7. The organization must comply with all local and state laws regarding public assemblies.
8. All applicants must have liability insurance of at least \$1,000,000 naming the Upper Township Board of Education, as additionally insured on the Certificate of Insurance for the date(s) the facility will be used pursuant to this application. Proof of coverage must accompany the application or it will not be approved.
9. SMOKING or the possession and consumption of ALCOHOLIC BEVERAGES on any part of the school facility used pursuant to this application is positively prohibited.
10. ANIMALS of any kind, except service animals, are not permitted in any school facility.
11. NO OUTSIDE FOOD CONCESSIONS ARE PERMITTED, except by special permission of the Board of Education. All food arrangements must be made through the District's food service contractor.
12. Advertising is the responsibility of the organization and must not begin until written approval for the use of the facility is received from the district. Advertising must not use the school telephone number for information.
13. NOTIFICATION OF CANCELLATION IS REQUIRED TWO WEEKS PRIOR TO THE EVENT.
14. Modification in the dates, times or locations requested may result in additional charges for the organization.
15. A copy of the Board of Education's Policy and Regulation for Use of School Facilities was provided with this application packet, including fee schedules. All terms and conditions of the Board's Policy and Regulations are incorporated herein by reference, and that if there is any discrepancy between this application and the Board's Policy and Regulations, the latter shall control.
16. The organization will indemnify and hold harmless the Upper Township Board of Education, its members, officers, administrators, teachers, staff, employees, volunteers and agents from against any and all claims, suits, damages, fines, penalties, liabilities and expenses (including reasonable attorney's fees and other related charges of outside and/or of in-house counsel), resulting from or arising out of or in connection with any claimed act or omission by the organization or any of its directors, officers, employees, volunteers or agents pertaining to the use of the Board's facilities under this application.
17. A separate security deposit check shall be made at least two weeks prior to the event date. Please make checks payable to Upper Township Board of Education.

I AGREE TO THE TERMS AND CONDITIONS DESCRIBED:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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**Upper Township Board of Education  
Upper Township, New Jersey**

**INDEMNITY AND HOLD HARMLESS AGREEMENT**

(I) \_\_\_\_\_ (Organization, Responsible Individual, Group, etc.) agrees to indemnify and hold harmless the Upper Township Board of Education, its officers, employees, volunteers and agents from and against all claims, damages, losses and expenses, including reasonable attorney's fees in case it shall be necessary to file an action, arising out of use of school facilities requested herein, which is: 1) for personal or bodily injury, illness, or death, or for property damage, including loss of use; and 2) caused in whole or in part by the negligent act or omission or that of the Organization/Responsible Individual/Group, their officers, employees, volunteers and agents or that of anyone for whose acts the organization may be liable. This indemnification and agreement shall apply in all instances made a party to the action or claim or is subsequently made a party to the action by third-party in-pleading or made a party to a collateral action arising, in whole or in part, from any of the issues emanating from the original cause of action or claim.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Name of Organization

\*END OF APPLICATION. Do not write below this line.

\_\_\_\_\_

\_\_\_\_\_  
Approving Signature by Superintendent

\_\_\_\_\_  
Date