

REGULATION

Nutley Public Schools
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Use of School Facilities

R 7510 USE OF SCHOOL FACILITIES

A. Classification of Users

Organizations and individuals using school facilities will be classified as Class I, II, or III users as follows:

1. Class I users will be given priority for the use of school facilities over other users and may use school district facilities without payment of a use fee or charge for custodial and service (fuel, water, and electricity) costs. Class I users include the following organizations and individuals:

School groups, Parent Teacher Organizations, Booster Clubs, Student activities, school committees, staff committees, Boys Scouts and Girl Scouts, programs sponsored by the Township of Nutley.

2. Class II users will be given priority for the use of school facilities over Class III users and may use school district facilities without payment of a use fee but will be charged custodial and service costs. Class II users include the following organizations and individuals:

Non-profit community groups charging fees; travelling youth sports teams comprised of more than 50% Nutley residents.

3. Class III users will be given lowest priority for the use of school facilities and may use school district facilities only on payment of a use fee and charges for custodial and service costs. Class III users include the following organizations and individuals:

All community groups operating for profit; all groups profit and non-profit who do not operate within the Town of Nutley; adult sports leagues.

4. No other organizations or individuals will be permitted to use school facilities.



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B. Application Procedures

1. Application must be made in writing and on the form supplied by the school district. The form is available in the business office.
2. Application for use of school facilities must be submitted to the business office not less than ten (10) working days before the date of the requested use. A use that requires the approval of the Board must be submitted not less than ten (10) working days prior to a regular Board meeting and not less than ten (10) working days before the date of the requested use.
3. The application must be signed by an adult representative of the requesting organization, who will be considered by the Board to be the agent of the organization.
4. The application must include all the facilities that the applicant wishes to use and all the dates and times of the requested use. Approval of any application is limited to the facilities, dates, and times expressly requested on the application. Approval does not include the privilege of additional rehearsal time or the use of rooms or buildings not expressly requested.
5. The application must include all the equipment and supplies that the applicant wishes to include in the use, pursuant to Policy No. 7520, Loan of School Equipment.

C. Approval

1. The rental coordinator will review each application and check the school calendar to determine whether the facility requested is available at the date and time requested, that is, the facility has not been scheduled
 - a. For use in the instructional or co-curricular program,
 - b. For maintenance, repair, or capital improvement, or
 - c. For use by another organization.



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2. If the facility is not available for use, the rental coordinator will so inform the representative of the organization and may suggest alternative dates, times, or facilities.
3. If the facility is available for use and the applicant meets the standards set by Policy No. 7510 and these regulations, the rental coordinator will note his/her approval on the application form and will record the classification of the applicant organization and forward the application to the Business Administrator for final approval review and ~~or for~~ referral to the Board for requests that may be approved only by the Board.
4. Standards for approval include the following limitations on use:
 - a. School facilities are available for use only on weekdays, including school vacations.

[Select one option below

School facilities are not available for use on Saturdays, Sundays, and other public holidays.

School facilities may be available for use on (Saturdays Saturdays and Sundays Saturdays, Sundays, and other public holidays depending on appropriate and adequate custodial coverage.]

- b. School facilities are available for use only during the hours of 3:30 p.m. and 10 p.m while school is in session and during the hours of 8 a.m. to 10 p.m on Saturday and Sunday. Permission may be granted for a use prior to 8 a.m and up to 12 p.m., provided the user pays an overtime fee regardless of the user's classification. School facilities are not available for use during the school day **or for any use that may interfere with the school district's educational or co-curricular programs.**
- c. The use of school facilities will generally not be granted for observances or celebrations that are essentially private in



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nature or for meetings of small groups that can conveniently convene in private homes.

- d. In accordance with Policy No. 7510, the use of school facilities will not be granted for the advantage of any commercial or profit-making organization or partisan political activity, or any purpose that is prohibited by law.
5. The Business Administrator or his or her designee will determine the classification (I, II, or III) of the applicant organization and the fees and costs, if any, to be charged for the use of the facility. ~~This That~~ information will be **provided entered** on the application form.
6. In the event of a conflict between requesting organizations within the same class, the request received earlier by the district will be honored first.
7. A copy of each approved or disapproved application will be distributed to the representative who signed the application form.
8. The application form will include the rules governing the use of school facilities, and the representative's signature on the application will signify notice of those rules and the organization's agreement to be bound by those rules.
9. The Board reserves the right to deny an application and to withdraw permission to use school facilities after approval has been granted and after the use has commenced. Permission may specifically be withdrawn from any organization whose representative has willfully made misrepresentation on the application or whose members violate the rules established for the use of school facilities. Such withdrawal of permission may constitute grounds for denying a future application made by the organization.
10. Permission to use school facilities is not transferable.
11. The organization representative must inform the rental coordinator of any canceled use request as soon as he/she is



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aware of the cancellation. An organization's failure to inform the rental coordinator of a canceled use at least one (1) working days in advance of the scheduled time of the use may result in imposition of service charges.

12. Permission to use a school facility is automatically withdrawn on a day when the facility is closed for inclement weather, work stoppage, or other emergency.

D. Insurance and Indemnification

1. The representative of an organization granted permission to use a school facility must assume responsibility for the orderly and careful use of the facility and must agree to assume liability for any damage or loss of property caused by the use or in the course of the use.
2. The organization and/or its representative will hold the Board of Education harmless from claims arising out of the permitted use of the school facility or during the user's occupancy. In addition, the user shall agree to save the Board harmless from liability for injury or damage to any person or property of any person who may be attending or participating in the function or activity for which permission has been granted.
3. The user shall furnish evidence of the purchase of liability insurance for Bodily Injury and Property Damage in the minimum sum of \$1,000,000 prior to the approval of the application. Such policy shall protect lessee from liability claims, but shall also name the Nutley Board of Education as "Additional Insured". In addition, the Lessee agrees to hold the Nutley Board of Education harmless from any and all accidents resulting out of the activities of the Lessee. The Nutley Board of Education assumes no responsibility for damage or theft of property of others left on school premises.
4. **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**



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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 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.

E. 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.
 - 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.
2. Users of school facilities will respect Board property.



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- a. The user will not damage, destroy, or deface school property. The facility **shall** ~~will~~ be used with care and left in an orderly and neat condition.
- b. The user must **request in the application and receive** ~~obtain the~~ _____'s permission to bring **and use** 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 **or grounds**.
- 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 **beyond the time period approved in the application** ~~more than _____~~ 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. The user must **request in the application and receive** ~~obtain the~~ _____'s permission to use, move, or tune a district piano. A piano may be moved only by **school district staff or by** a competent and experienced commercial mover **approved by the Board** and at the expense of the user. Any piano that has been moved must be returned to its original placement with the same care and at the expense of the user.
- e. Users of the gymnasium must ensure that all participants wear rubber-soled footwear to prevent damage to floors.
- f. No school facility may be used for a purpose in conflict with the purpose for which the facility was designed.
- g. Lighting equipment, ventilation systems, and thermostatic controls may be operated only by an employee of the district.



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- h. The user must **request in the application and receive** ~~obtain the~~ _____'s permission to serve and consume food and/or beverages on school premises. The service and consumption of food and/or beverages is strictly limited to the area for which permission is granted. If food and/or beverages are served, the user must clean all utensils, equipment, serving dishes, and the like and restore the facility to its proper condition. The user may not consume food or beverages or use supplies purchased with public funds.
- i. No signs, posters, advertisements, or other displays may be placed in a school building without **prior** ~~the~~ approval of the _____.
- j. No school keys shall be issued to a user.
- k. No animal shall be allowed on school premises without **prior** ~~the~~ approval of the _____.
- l. **An authorized school district staff member shall examine** ~~The~~ _____ ~~is responsible for examining~~ the **school facilities and/or grounds** ~~immediately~~ after the use and **will** ~~informing~~ the user of any loss or damage that must be corrected.
- m. 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, word processors, and office equipment. ~~Users may make use of public telephones.~~
- n. No vehicles of any type shall be operated in any area that is not designed for such vehicles **without prior permission.**



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3. Uses 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 insuring 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. If the custodian is ~~directed by the _____~~ **needed** to perform extra services as an accommodation to the user, the user ~~may will~~ be charged an additional fee and the custodian will be compensated accordingly by the district.
- b. The use of certain school facilities (such as kitchen and auditorium stage) 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.

The use of the school district lighting and sound equipment must be operated by school personnel/students. The lessees required to pay the students directly at a rate of \$10/hour Monday through Friday and \$12/hr on Saturday and Sunday. All shows at the high school auditorium require ushers/ticket takers. The same rates as above apply.

- 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. **The district, depending on the activity, may require as a condition of approval, a certain number of chaperones, law enforcement officials, and/or a school district representative(s) to be present at 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.



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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.

- e. Board members and school officials are entitled to full and free access to any part of the school premises during any use. No user may exclude a Board member or school official from a school facility for any reason.

F. Fee Schedule

1. Class I users will not be charged a fee or costs for the use of schools, except that special charges for the specific services of school employees rendered pursuant to paragraph E3a and paragraph E3b will be billed.
2. Class II users will not be charged a facility fee, but will be charged
 - a. For the specific services of school employees rendered pursuant to paragraph E3a and paragraph E3b, if any, and
 - b. For service costs of the use as follows:

Custodial costs: \$67.50/hour inclusive of a half hour before the event and a minimum of one hour after the event.
3. Class III users will be charged the costs charged Class II users (paragraph F2a and paragraph F2b) and the attached facility fee for each use.
4. **An The _____ will prepare an itemized bill for the use of school facilities ~~will be prepared~~ based on the approved application form. The bill will be sent to the representative of the applicant organization at least _____ working days in advance of the use and ~~is payable immediately~~ **payment may be requested in advance of the use.****



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5. ~~Payment must be received by the _____ before the scheduled use. Permission will be withdrawn from any use that is not paid in advance, except as expressly exempted by the _____.~~
- G. Long Term Lease
1. Long Term lease agreements are subject to board approval and will be negotiated separately. The fees however shall be no less than the rates in the attached schedule.

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