

USE OF COMMISSION FACILITIES

General

The Hunterdon County Educational Services Commission (HCESC) facilities belong to the Hunterdon County Representative Assembly District Members, which paid for them for the primary purpose of offering Representative Assembly/Board of Directors approved programs and services for its constituents. Prudent use and management of Commission Facilities outside of the regular operating schedules -- providing that such use does not interfere with the orderly conduct of the programs and schools of the Commission -- allows the community to benefit more broadly from the use of its own property.

The Representative Assembly/Board of Directors will permit the use of school facilities when such permission has been requested in writing and has been approved by the Superintendent or his or her designee provided that such use:

- A. Does not interfere with the orderly conduct of the programs and schools of the Commission;
- B. Is conducted in a safe manner, in accordance with the law and Representative Assembly/Board of Directors policies and procedures;
- C. Does not interfere with normal or planned cleaning, maintenance, and modification schedules.

Who May Use the Facility

Priority will be given in the following order:

- A. The HC ESC and any groups directly related to the ESC to conduct all approved Commission activities;
- B. HCESC staff;
- C. Member Districts;
- D. Governmental Agencies;
- E. Other Non-Profit Organizations;
- F. Profit Making Organizations.

Commission Property Defined

- A. All real property owned or leased by the Hunterdon County Educational Services Commission, to include buses, fields, parking lots, and buildings;
- B. Any Commission owned vehicle normally used in the transport of students to and from school and school-sponsored events or activities;
- C. Any privately owned vehicle while it is being used to transport students to and from school or off-site Commission sponsored events or activities, provided that such vehicle is considered to be a Commission vehicle for transportation activity in accord with Policy 3541.31, Privately Owned Vehicles.

Use of Commission Equipment

Use of Commission equipment in conjunction with the use of Commission 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 Commission equipment must agree, in writing, to 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 Commission equipment on the premises by non-commission personnel is limited to 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 Commission equipment shall be removed from the premises for use by non-commission personnel.

Liability

The Representative Assembly/Board of Directors shall require that all users of Commission facilities comply with the policies of the Representative Assembly/Board of Directors and the rules and regulations of this Commission. Each group shall sign the appropriate application form and receive copies of the regulations related to use of facilities and drug-free workplace. Complete applications must be presented to allow for sufficient time for the Representative Assembly/Board of Directors to review at regularly scheduled meetings. Each group shall present evidence of the purchase of organizational liability insurance not less than \$1,000,000 and product liability insurance, where applicable, as an absolute prerequisite to use of facilities.

- A. The Superintendent and or his or her designee may submit any application to the Representative Assembly/Board of Directors for action when he/she deems it advisable.
- B. The Superintendent or Representative/Board of Directors may refuse to grant the use of Commission Facilities whenever, in either's judgment, there is good and sufficient reason why permission should be refused. No reason for such refusal need be given.
- C. Smoking and illegal gambling are prohibited at all times on school property. No one may bring or consume alcoholic beverages or controlled substances onto any school property. All facility use shall comply with state and local fire, health, safety and police regulations.
- D. The names of the individuals using the facility will be on record relative to our Emergency Management regulations.

Authorization for use of school facilities shall not be considered as endorsement or approval of the activity, person, group, organization nor the purposes they represent.

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 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.

Implementation

The Representative Assembly/Board of Directors directs the Superintendent to develop rule, regulations, and request form to implement this policy. A fee schedule for use of the Commission facilities shall be reviewed on an annual basis. The fee schedule shall be separate from the regulations. The building and grounds committee and the finance committee will work to develop the fee schedule.

Adopted: August 2003

NJSBA Review/Update: June 2011, February 2012

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Key Words

Use of School Facilities, Use of School Equipment, District Facilities, Facilities Equipment

Legal References:

Possible Cross References:

*[3514](#) Equipment

*[3515](#) Smoking prohibition

*[6145](#) Extracurricular activities

*Indicates policy is included in the Critical Policy Reference Manual