



## Mine Hill Township School District

42 Canfield Avenue

Mine Hill, New Jersey 07803-3085

Phone: (973) 366-0590 Fax: (973) 366-8786

www.minehillcas.org

*Superintendent of Schools  
Lee S. Nittel*

*Business Administrator &  
Board Secretary  
Carolina Rodriguez*

August 2021

Dear Building Facilities Users:

Please complete the attached Application for the Use of School Facilities form along with the Hold Harmless Agreement and Insurance Certificate Application (naming Mine Hill BOE as additional insured). **Please note you will need to obtain an Insurance Certificate listing each event you are requesting\***. The Responsibility for Use of School Facilities form should also be signed to verify your receipt of the Use of School Facilities forms. These forms, along with the updated Certificate of Insurance should be returned to Angela Sabatino.

All users are required to maintain, in addition to any insurance required by law, Comprehensive Liability Insurance, in an amount not less than \$1,000,000 per occurrence. The Mine Hill Township BOE must be named as an additional insured on this policy. A certificate of insurance as described must be provided before the facility is used. Failure to enforce the required production of the certificate will not void user's obligation to provide the insurance as aforesaid. In addition, by making this application, user agrees that should this application be granted, user will indemnify, hold harmless, and defend the District against any and all demands, claims, damages, fees, cost and liabilities of any kind (including but not limited to attorney's fees) to the fullest extent permitted by law. Solely at the discretion of the District, the insurance certificate may be waived and replaced in total with the hold harmless and indemnity agreement included in this paragraph.

In addition to the hold harmless language above, Mine Hill Township BOE requires concussion protocol language involving athletics.

Mine Hill Township BOE 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 operates on school grounds, if the youth sports team organizations provide the district, as applicable, with the following:

- (1) Proof of an insurance policy of an 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;
- (2) A statement of compliance with the school districts policies for the management of concussions and other head injuries.

As used in this section, 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 school, county, or municipal recreation department.

All users further acknowledge, understand, and agree that:

1. The CDC and NJDOH have determined that the PANDEMIC ILLNESSES re highly contagious viruses, diseases, and medical conditions.
2. Exposure to or infection from these PANDEMIC ILLNESSES may cause serious permanent bodily injury, including respiratory failure, cardiac arrest, and death in healthy persons of all ages.
3. These PANDEMIC ILLNESSES are new. The standards and recommendations on how to prevent and protect against the risk of exposure to infection and the spread of these PANDEMIC ILLNESSES continues to change as more data becomes available.

---

*"We envision all learners to maximize their creative potential to be innovators, creators, and global thinkers."*



## Mine Hill Township School District

42 Canfield Avenue

Mine Hill, New Jersey 07803-3085

Phone: (973) 366-0590 Fax: (973) 366-8786

www.minehillcas.org

*Superintendent of Schools  
Lee S. Nittel*

*Business Administrator &  
Board Secretary  
Carolina Rodriguez*

4. These PANDEMIC ILLNESSES presently exist and remain prevalent throughout all areas of the State of New Jersey and continue to infect persons and spread throughout all counties and local communities, including the residents of the Mine Hill Township BOE.
5. These PANDEMIC ILLNESSES have a high probability of spreading to person(s) who are either in direct contact with, or in close proximity to (within about 6 feet or 2 meters) an infected person.
6. The CDC and NJDOH believe these PANDEMIC ILLNESSES are most likely to spread from person to person by droplets produced into the air when an infected person coughs, sneezes, talks or otherwise moves air out through their nose and mouth; and from touching/contacting surfaces on which droplets containing the virus exist.
7. There are vaccination(s), immunization(s) available or soon to be available for these PANDEMIC ILLNESSES that may or may not prevent Pandemic Illness.
8. The CDC and the NJDOH maintain that the best way to prevent and protect against infection and/or spread of these PANDEMIC ILLNESSES is to self-quarantine and to avoid contact with other individuals, large gatherings and spending time in public places and buildings.
9. Mine Hill Township BOE makes its facilities available to Township and non-Township owned or controlled organizations that offer to the public the option of participating in or attending a variety of indoor and outdoor physical, social and educational programs and activities, including competitive and non-competitive sports and sporting events, organized leagues, day camps, games, and instructional/training programs and camps ("RECREATION PROGRAM(S)") which are essential to the social, physical, educational and character development and the mental and physical health of the public.
10. Attending or participating in any PROGRAM on or at a District property or facility poses an inherent risk of infection and a heightened risk of injury from and exposure to these PANDEMIC ILLNESSES regardless of the measures taken by the District: (i) to avoid close contact with other persons, including infected persons; (ii) to disinfect District facilities, equipment and public property; and (iii) to discover, contact trace, and quarantine infected persons and/or persons exhibiting signs and symptoms of infection of these PANDEMIC ILLNESSES.
11. Attending and/or participating in any PROGRAM at a District owned property or facility may also increase the risk of exposure to these PANDEMIC ILLNESSES and the further spreading of these PANDEMIC ILLNESSES to other family members, PROGRAM PARTICIPANTS, and third persons.

By signing this WAIVER, I/WE do further acknowledge the contagious nature of these PANDEMIC ILLNESSES, and that an inherent and heightened risk of danger to infection and exposure to these PANDEMIC ILLNESSES exists for all PROGRAM PARTICIPANTS, persons and other participants attending any PROGRAM on or at District property or facilities at this time. I/WE acknowledge and agree to voluntarily assume all risks that I/WE, the PROGRAM PARTICIPANT(S), and our other family member(s) may be exposed to or infected by these PANDEMIC ILLNESSES by attending or participating in any PROGRAM at a District property or facility; and that such exposure or infection may result in personal injury, illness, permanent disability, and death. I/WE understand that the risk of becoming exposed to or infected by these PANDEMIC ILLNESSES at an event at a District property or facility may result from the actions, omissions or negligence of myself and others, including, but not limited to the District officials, officers, employees, and volunteers; and other participants/attendees of the PROGRAM and their families.

---

*"We envision all learners to maximize their creative potential to be innovators, creators, and global thinkers."*



Mine Hill Township School District  
 42 Canfield Avenue  
 Mine Hill, New Jersey 07803-3085  
 Phone: (973) 366-0590 Fax: (973) 366-8786  
 www.minehillcas.org

Superintendent of Schools  
 Lee S. Nittel  
 Business Administrator &  
 Board Secretary  
 Carolina Rodriguez

I/WE voluntarily agree to assume all of the foregoing risks, and do accept sole and complete responsibility for any and all injuries, damage(s) and other losses to the PARTICIPANT(S), my/our other dependent(s), the other members of my/our family, and/or to myself/ourselves for attending or participating including for all bodily injuries, disabilities, permanent disabilities, deaths, illnesses, damages, losses, claims, demands, liabilities, medical treatment and expenses, attorney's fees, costs of suit and/or expenses of any kind that is incurred in connection with attending or participating in any PROGRAM at a District property or facility.

I/WE UNDERSTAND AND AGREE THAT THIS WAIVER AND RELEASE INCLUDES ANY AND ALL CLAIMS BASED ON THE ACTIONS, OMISSIONS, OR NEGLIGENCE OF THE DISTRICT, GOVERNING BODY MEMBERS, OFFICERS, EMPLOYEES, AGENTS, VOLUNTEERS AND REPRESENTATIVES, REGARDLESS OF WHETHER INFECTION FROM THESE PANDEMIC ILLNESSES OCCUR BEFORE DURING OR AFTER PARTICIPATION AND/OR ATTENDANCE IN ANY RECREATION PROGRAM(S).

If Participate is less than 18 years of age:

Signature of Parent(s)/Guardians: \_\_\_\_\_ Date: \_\_\_\_\_

If Participate is 18 years of age or older:

Signature of Parent(s)/Guardians: \_\_\_\_\_ Date: \_\_\_\_\_

**"I would like to emphasize that the discussion set forth above is only an insurance/risk management perspective and is NOT legal advice. We do not provide legal advice and I highly recommend that you seek the advice of legal counsel in order to become fully apprised of the legal implications related to these issues."**

The Board of Education and PTA functions will take precedence. Priority will be given to town-sponsored organizations, town-based organizations and then to all others.

*\*Please be sure EACH EVENT is listed on the facility use form and the insurance certificate.*

Sincerely,

**C. Rodriguez**  
 Carolina Rodriguez, SBA  
 Board Secretary

Attachments



## Mine Hill Township School District

42 Canfield Avenue

Mine Hill, New Jersey 07803-3085

Phone: (973) 366-0590 Fax: (973) 366-8786

[www.minehillcas.org](http://www.minehillcas.org)

*Superintendent of Schools  
Lee S. Nittel*

*Business Administrator &  
Board Secretary  
Carolina Rodriguez*

Dear User of the Mine Hill Township School District Facilities:

The Mine Hill Board of Education is required under N.J.A.C. 2:36-1.13 to enact a Food Biosecurity Management Plan. This plan identifies what the district would do in the event that a contaminant entered the food distribution system and its procedures to prevent such an event from occurring. As part of this plan, the district must restrict areas of the kitchen to only authorized personnel in order to reduce that possibility of contamination.

In order to comply with these mandated guidelines, the Mine Hill Board of Education is unable to offer organizations access to its kitchen's refrigerators, stoves or ovens. Organizations that still wish to use the kitchen's food line with their own warming and cooling equipment may do so; the district can offer the milk cooler in order to keep bottled water, juice and sodas cold. However, a Food Service Employee must be present to supervise the kitchen area at all times. This employee must be reimbursed by the organization for their time at a rate of \$20.00 per hour, unless a Food Service Employee is willing to volunteer for the particular organization's event. Please see the attached form. The organization must have the Food Service Employee complete and sign that they are volunteering for the event.

The Board of Education extends its appreciation to all organization for their assistance in implementing this policy to protect the food preparation area for the children.

If you have any questions, please contact our office at 973-366-0590.

Sincerely,

*C. Rodriguez*

Carolina Rodriguez, SBA  
Board Secretary

Attachments

**MINE HILL TOWNSHIP BOARD OF EDUCATION  
APPLICATION and AGREEMENT  
FOR USE OF PUBLIC SCHOOL FACILITIES**

Name of Sponsor: \_\_\_\_\_ Date: \_\_\_\_\_

If this application is granted to Licensee: \_\_\_\_\_  
(Name of organization or group)

All applications must be submitted to the school office at least thirty (30) days prior to requested use.

The organization or individual applying for the use of the Mine Hill Township Public School District's facilities shall be referred to as the "Licensee." The Mine Hill Township Board of Education shall be referred to as the "Licensor."

The Mine Hill Board of Education is required under N.J.A.C. 2:36-1.13 to enact a Food Biosecurity Management Plan. This plan identifies what the district would do in the event that a contaminant entered the food distribution system and its procedures to prevent such an event from occurring. As part of this plan, the district must restrict areas of the kitchen to only authorized personnel in order to reduce that possibility of contamination.

In order to comply with these mandated guidelines, the Mine Hill Board of Education is unable to offer organizations access to its kitchen's refrigerators, stoves or ovens.

The Board of Education extends its appreciation to all organization for their assistance in implementing this policy to protect the food preparation area for the children.

The Licensee hereby makes application for the use of:

Classroom:       Gymnasium:       EMC:       Field:       Parking Lot:

Date(s) & Time(s): \_\_\_\_\_

\_\_\_\_\_  
(if additional space is required, attached a list)

Event & Activities planned: \_\_\_\_\_

Purpose of Use: \_\_\_\_\_

Additional services requested:

Special lighting (other than house lights):

Audio System:       Microphone:

Projector Screen:

\_\_\_\_\_ Tables      \_\_\_\_\_ Chairs

Will there be an audience:  Yes     No

If yes, estimate number: \_\_\_\_\_

Will an admission be charged:  Yes     No

If yes, for what purposes will funds be used?  
\_\_\_\_\_

**For use by the Board Office (documents received):**

- Insurance Certificate guaranteeing proper liability coverage/Insurance Policy w/Mine Hill BOE named as additional insured
- Additional insured endorsement via CG 20100704 or equivalent

Licensee agrees to:

1. Assume all liability for and agrees to indemnify and hold the Licensor, its respective members, agents, contractors, servants, employees, volunteers, licensees or invitees, harmless from and against any and all claims, losses, damages, injuries and expenses, including reasonable attorney's fees, arising out of, resulting from, or incurred in connection with any acts or omissions of the Licensee, its members, agents, contractors, servants, employees, volunteers, licensees, or invitees related to its use of the Licensor's facilities, including but not limited to, the Licensee's use of any portable equipment. In the event that an action or proceeding is brought against the Licensor by reason of any such claim, the Licensee, upon notice from the Licensor, covenants to resist or defend, at Licensee's expense such action or proceeding by counsel reasonably satisfactory to the Licensor.
2. Assume full responsibility for Bodily Injury and Property Damage incurred as a result of the acts or omissions of the Licensee, its members, agents, contractors, servants, employees, volunteers, licensees or invitees. The Licensee must present an insurance certificate guaranteeing proper liability coverage of at least a Combined Single Limit of \$1,000,000 per occurrence/\$2,000,000 aggregate insuring the Licensee against any liability for bodily injury and property damage. The Licensor shall be named as an additional insured on such insurance policy. The Licensee must also include an additional insured endorsement via a CG 20100704 or equivalent. A copy of the necessary insurance policy must be presented to the Licensor, upon request, prior to the Licensee's use of the facilities.
3. Assume responsibility for preserving orders in said school during its use of the facilities, for all fees in connection with the Licensee's use of the facilities, including when necessary, custodial fees.
4. Observe and adhere to all the Licensor's rules and regulations governing the use of the Licensor's facilities as set forth in the Licensor's policies and regulations. The foregoing policies and regulations are attached. Any violation of these terms and conditions may result in the immediate expulsion of the Licensee from the Licensor's facilities.
5. If school is closed due to inclement weather, Licensee's event/function will be cancelled.
6. If the Licensee is a "youth sports team organization," as that term is defined by N.J.S.A. 18A:40-41.5(b), the Licensee shall provide the Licensor with a statement of compliance with the Licensor's Policy No. 2431.4 "Concussion Testing and Return-to-Play" for the management of concussions and other head injuries. As defined in N.J.S.A. 18A:40-41.4(b) 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.
7. If the Licensee is a "sports" organization the Licensee shall provide the Licensor with a copy of their Blanket Accident Policy, or an equivalent insurance certificate guaranteeing proper accident coverage for the participants.
8. Pursuant to N.J.S.A. 18A:40-41a and N.J.S.A. 2A:62A-27, the Licensor, its employees, agents and servants shall not be liable for the injury or death of a person arising from the presence of and access to an AED, as well as the action or inaction of the Licensee or any of the Licensee's members, agents, contractors, servants, employees, volunteers, licensees or invitees.
9. Pursuant to N.J.S.A. 18A:40-41.5, the Licensor shall not be liable for the injury or death of a person due to the action or inaction of the Licensee or any of the Licensee's members, agents, contractors, servants, employees, volunteers, licensees, or invitees.
10. All charges for the use of school facilities (if applicable) will be paid within thirty (30) days after the Licensee's use of the facilities has concluded.
11. Any requested changes or modifications in this application and agreement for the use of facilities must be made in writing by the Licensee and approved by the Licensor at least three (3) days in advance of the date schedule for the use of facilities.

\_\_\_\_\_  
Print Name of Licensee

\_\_\_\_\_  
Signature of Licensee

\_\_\_\_\_  
Home Address

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
e-mail

- Organization will be billed for facility use for the cost of custodial coverage

**For use by the Board Office:**

Board Office Approval: \_\_\_\_\_

Date approved: \_\_\_\_\_

PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS  
AND HEAD INJURIES

2431.4 PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS  
AND HEAD INJURIES

A concussion is a traumatic brain injury caused by a direct or indirect blow to the head or body. In order to ensure the safety of pupils that participate in interscholastic athletics, it is imperative that student-athletes, coaches, and parents are educated about the nature and treatment of sports-related concussions and other head injuries. Allowing a student-athlete to return to play before recovering from a concussion increases the chance of a more serious brain injury.

Every school district that participates in interscholastic athletics is required to adopt a policy concerning the prevention and treatment of sports-related concussions and other head injuries among student-athletes in accordance with the provisions of N.J.S.A. 18A:40-41.1 et seq. For the purpose of this Policy, "interscholastic athletics" shall be Kindergarten through twelfth grade school-sponsored athletic programs where teams or individuals compete against teams or individuals from other schools or school districts.

The school district will adopt an Interscholastic Athletic Head Injury Training Program to be completed by the team or school physician, licensed athletic trainer(s) involved in the interscholastic athletic program, all staff members that coach an interscholastic sport, designated school nurses, and other appropriate school district personnel as designated by the Superintendent. This Training Program shall be in accordance with guidance provided by the New Jersey Department of Education and the requirements of N.J.S.A. 18A:40-41.2.

The Principal or designee shall distribute the New Jersey Department of Education Concussion and Head Injury Fact Sheet and Parent/Guardian Acknowledgement Form to every student-athlete who participates in interscholastic sports. The Principal or designee shall obtain a signed acknowledgement of the receipt of the Fact Sheet by the student-athlete's parent and keep on file for future reference.

Prevention of a sports-related concussion and head injuries is an important component of the school district's program. The school district may require pre-season baseline testing of all student-athletes before the student-athlete begins participation in an interscholastic athletic program.



PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS  
AND HEAD INJURIES

Any student-athlete who exhibits the signs or symptoms of a sports-related concussion or other head injury during practice or competition shall be immediately removed from play and may not return to play that day. Emergency medical assistance shall be contacted when symptoms get worse, loss of consciousness, direct neck pain associated with the injury, or any other sign the supervising school staff member determines emergency medical attention is needed. If available when the student-athlete is exhibiting signs or symptoms, the student-athlete will be evaluated by the school or team physician. The Principal or designee shall contact the student-athlete's parent and inform the parent of the suspected sports-related concussion or other head injury.

Possible signs of a concussion can be observed by any school staff member or the school or team physician. Any possible symptoms of a concussion can be reported by the student-athlete to: coaches; licensed athletic trainer; school or team physician; school nurse; and/or parent. The Principal or designee shall provide the student-athlete with Board of Education approved suggestions for management/medical checklist to provide to their parent and physician or other licensed healthcare professional trained in the evaluation and management of sports-related concussions and other head injuries.

A student-athlete who participates in interscholastic athletics and who sustains or is suspected of sustaining a concussion or other head injury shall be required to have a medical examination conducted by their physician or licensed health care provider. The student-athlete's physician or licensed health care provider shall be trained in the evaluation and management of concussion to determine the presence or absence of a sports-related concussion or head injury.

The student-athlete's physician or licensed health care provider must provide to the school district a written medical release/clearance for the student-athlete indicating when the student-athlete is able to return to the activity. The medical release/clearance must indicate the student-athlete is asymptomatic at rest and either may return to the interscholastic athletic activity because the injury was not a concussion or other head injury or may begin the district's graduated return to competition and practice protocol outlined in Regulation 2431.4. A medical release/clearance not in compliance with this Policy will not be accepted. The medical release/clearance must be reviewed and approved by the school or team physician.





PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS  
AND HEAD INJURIES

The school district shall provide a copy of this Policy and Regulation 2431.4 to all youth sports team organizations that operate on school grounds. 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 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 and 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 purposes 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.

This Policy and Regulation shall be reviewed and approved by the school physician and shall be reviewed annually, and updated as necessary, to ensure it reflects the most current information available on the prevention, risk, and treatment of sports-related concussion and other head injuries.

N.J.S.A. 18A:40-41.1; 18A:40-41.2; 18A:40-41.3; 18A:40-41.4; 18A:40-41.5

Adopted: November 8, 2010  
Revised: September 26, 2011



## 7510 USE OF SCHOOL FACILITIES (M)

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 educational 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 Business Administrator. 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.

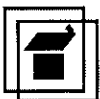
In weighing competing requests for the use of school facilities, the Board will give priority to the following uses, in the descending order given:

- 1 Uses and groups directly related to the schools and the operations of the schools, including student and teacher groups;
- 2 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;
- 3 Departments and agencies of the municipal government;
- 4 Governmental agencies;
- 5 Community organizations formed for charitable, civic, social, or educational purposes;

The use of school facilities will not be granted for the advantage of any commercial or profit-making organization, partisan political activity, or any private social function.

The use of school facilities will not be granted for any purpose that is prohibited by law.

Each user shall present evidence of the purchase of organizational liability insurance to the limit as prescribed by district regulations. 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.



Use of school equipment in conjunction with the use of school facilities must be specifically requested in writing and may be granted in accordance with Policy No. 7520. The users of school equipment must accept liability for any damage or loss to such equipment that occurs while it is in their use, regardless of any assignment of negligence. Where rules so specify, certain items of equipment may only be used by a qualified operator approved by the school district administration.

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

1. 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.
2. 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.

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 Board shall provide to all persons who supervise youth programs that are not sponsored by the school district, but operate a program in a district building before or after school hours, on the weekend, or during a period when school is not in session, information on the district's school practices and procedures in the event of a school



safety or security incident at a school including non-confidential information on evacuation procedures, emergency response protocols, and emergency contact information in accordance with the provisions of N.J.S.A. 18A:41-7.

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; 18A:41-7

Adopted: 27 May 2008  
Revised: December 21, 2020



# REGULATION

MINE HILL  
BOARD OF EDUCATION

PROPERTY  
R 7510/Page 1 of 10  
USE OF SCHOOL FACILITIES (M)

## R 7510 USE OF SCHOOL FACILITIES (M)

### 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:

Student and Teacher groups, PTA, PTO, school-parent related organizations.

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:

Department and agencies of Municipal Government upon board approval.

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:

Charitable, civic or educational purposes upon board approval.

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

### 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 Administrator not less than ASAP before the date of the requested use. A use that requires the approval of the Board must be submitted not less than 1 (one) month prior to a regular Board meeting and not less than 1 (one) month prior before the date of the requested use.



# REGULATION

MINE HILL  
BOARD OF EDUCATION

PROPERTY  
R 7510/Page 2 of 10  
USE OF SCHOOL FACILITIES (M)

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 Business Administrator and/or Superintendent 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.
2. If the facility is not available for use, the Business Office 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 Business Administrator 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 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.



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

- b. School facilities are available for use only during the hours of 6:00 p.m. and 9:00 p.m. Permission may be granted for a use up to 10:00 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 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 and/or Superintendent 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 information will be provided 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 Business Office of any canceled use request as soon as he/she is aware of the cancellation. An organization's failure to inform the business office of a canceled use at least 2 (two) 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 in the amount of
  - a. \$100,000 and \$300,000 per person,
  - b. \$1,000,000 per accident or event, and
  - c. \$2,000,000 property damage.





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 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.
  - a. The user will not damage, destroy, or deface school property. The facility shall be used with care and left in an orderly and neat condition.
  - b. The user must request in the application and receive 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 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 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.
  - h. The user must request in the application and receive 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 approval.
  - j. No school keys shall be issued to a user.
  - k. No animal shall be allowed on school premises without prior approval.
  - l. An authorized school district staff member shall examine the school facilities and/or grounds after the use and will inform 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.
  - n. No vehicles of any type shall be operated in any area that is not designed for such vehicles without prior permission.
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 needed to perform extra services as an accommodation to the user, the user may 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.
- 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. 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:



# REGULATION

## MINE HILL BOARD OF EDUCATION

PROPERTY  
R 7510/Page 9 of 10  
USE OF SCHOOL FACILITIES (M)

Custodial costs: to be determined  
Fuel costs: to be determined  
Lighting costs: to be determined

3. Class III users will be charged the costs charged Class II users (paragraph F2a and paragraph F2b) and the following facility fee for each four hours' use.

| <u>Facility</u>              | <u>Fee</u>    |
|------------------------------|---------------|
| High school auditorium       | \$ <u>N/A</u> |
| High school gymnasium        | \$ <u>N/A</u> |
| High school cafeteria        | \$ <u>N/A</u> |
| High school athletic field   | \$ <u>N/A</u> |
| High school classroom        | \$ <u>N/A</u> |
| Elementary school auditorium | \$ <u>TBD</u> |
| Elementary school gymnasium  | \$ <u>TBD</u> |
| Elementary school cafeteria  | \$ <u>TBD</u> |
| Elementary school classroom  | \$ <u>TBD</u> |
| Fields/Outdoor Grounds       | \$ <u>TBD</u> |

4. 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 in advance of the use and payment may be requested in advance of the use.

### G. Provision of Training on School Safety and Security

1. In accordance with the provisions of N.J.S.A. 18A:41-7.c., the Board of Education shall provide to all persons who supervise youth programs that are not sponsored by the school district, but operate a program in a district building before or after school hours, on the weekend, or during a period when school is not in session, information on the district's school practices and procedures in the event of a school safety or security incident at a school including non-confidential information on evacuation procedures, emergency response protocols, and emergency contact information.
2. It shall be the responsibility of the organization that sponsors the youth program to train the program's employees and volunteers on the school security and emergency procedures in effect in the school building in which the youth program is located.



# REGULATION

MINE HILL  
BOARD OF EDUCATION

PROPERTY  
R 7510/Page 10 of 10  
USE OF SCHOOL FACILITIES (M)

3. The organization that sponsors the youth program shall file a statement of assurance with the Superintendent or designee that it has complied with the training requirements prior to the district authorizing the use of the school building.
  - a. The statement of assurance shall be developed by the Commissioner of Education and shall be filed with the school district on an annual basis.

Issued: 27 May 2008  
Revised: December 21, 2020

