



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

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 the 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 district's 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 are 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.

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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.

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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 from 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,

Carolina Rodriguez, SBA
Board Secretary

Attachments

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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 organizations 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,

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 organizations 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: _____