Community Relations

USE OF SCHOOL FACILITIES

The management, direction and control of school facilities is vested in the Board which may grant the use of school facilities and grounds as a civic center upon the terms and conditions set forth in this policy and any accompanying administrative regulations. The Board believes that school facilities and grounds are a vital community resource which should be used to foster community involvement and development. Therefore, the Board authorizes the use of school facilities by the community for purposes specified in the Civic Center Act, to the extent that such use does not interfere with school activities or other school-related uses. The District may allow the use of its facilities in accordance with other provisions of law as well. The Board may delegate to the Superintendent, or his or her designee, responsibilities relating to the management, direction and control of the District’s facilities. The District retains sole discretion to determine which of its facilities shall be made available for use.

Priority of Use

Applications for use of school facilities and grounds shall be given preference in the following order:

1. School-related activities (e.g. educational programs or activities related to the instructional and educational programs of the District, in-school or school related uses such as clubs, class events, etc.)

2. Contracted uses (e.g. license agreements and leases pursuant to the Education Code).

3. School and District support groups (e.g. PTA, PTO, foundations or booster clubs, etc.).

4. Community organizations whose primary purpose is to serve youth or to improve the general welfare of the community and when no admission is charged (e.g. Boy Scouts, Girl Scouts, YMCA, YWCA, etc.).

5. Public agencies and public affairs groups; use by civic, nonprofit organizations and service groups.

6. Community recreational and cultural groups (nonprofit).

7. Private, nonschool-connected classes and educational events.

8. Profit-making or commercial events.

As necessary to ensure efficient use of school facilities and grounds, the Superintendent or designee may, with the Board’s approval, enter into an agreement for the joint use of any school facilities or grounds. The Board shall approve any such agreement only if it determines that it is in the best interest of the district and the community.
For the effective management and control of school facilities and grounds, the Superintendent or designee shall maintain procedures and regulations that: (Education Code section 38133)

1. Aid, encourage, and assist groups desiring to use school facilities for approved activities

2. Preserve order in school buildings and on school grounds and protect school facilities, designating a person to supervise this task, if necessary

3. Ensure that the use of school facilities or grounds is not inconsistent with their use for school purposes and does not interfere with the regular conduct of school work

**Fees**

Fees shall be set forth in a Schedule of Use Charges established by the Board. Direct costs collected pursuant to Education Code section 381344(g) shall be deposited into a special fund that shall only be used for direct cost purposes.

**Free Use**

The Board shall grant the use of school facilities or grounds without charge to school-related organizations whose activities are directly related to or for the benefit of district schools. The District retains all rights to designate or specify free-use groups in its sole discretion, consistent with the Civic Center Act, California Education Code section 38130 et seq., and any other applicable law. Should any of the above free-use groups prefer to use school facilities at a time when custodial services are not normally available, (for example, on a Saturday, Sunday, or holiday or if special facilities or services are required), the District will charge a fee equal to the direct cost of those services.

**Direct Costs**

Pursuant to Education Code section 38134, uses other than those specified for free use or fair rental value shall be charged a fee equal to the direct costs to the District.

In determining direct costs to be charged for community use of school facilities or grounds, shall include a proportionate share of the costs of the following: (Education Code section 38134(g))

1. Supplies, utilities, janitorial services, services of district employees, and salaries paid to school district employees directly associated with the administration of the Civic Center Act to operate and maintain the school facilities or grounds.

2. Maintenance, repair, restoration, and refurbishment of the school facilities or grounds

However, for classroom-based programs that operate after school hours, including, but not limited to, after-school programs, tutoring programs, or child care programs, or organizations retained by the District to provide instruction or instructional activities to pupils during school
hours, direct costs to be charged shall not include the cost of maintenance, repair, restoration, or refurbishment of the school facilities or grounds. (Education Code section 38134(g))

*Fair Rental Value*

Groups shall be charged fair rental value when using school facilities or grounds for entertainment or meetings where admission is charged or contributions solicited and net receipts are not to be expended for charitable purposes or for the welfare of the district's students. (Education Code section 38134)

Fair rental value means the direct costs to the District plus the amortized costs of the school facilities or grounds used for the duration of the activity authorized.

*Legal Reference: Education Code, 38130-38139 “Civic Center Act”*

This Policy supersedes any prior policies adopted or approved by the District pursuant to the Civic Center Act.

*Adoption/Approval*

PALOS VERDES PENINSULA UNIFIED SCHOOL DISTRICT

Date: __________, 2014
Community Relations

USE OF SCHOOL FACILITIES

The District requires the following be obtained from individuals, groups, organizations, clubs, or associations (collectively referred to as "organizations" in this Administrative Regulation) who apply for use of school facilities or grounds:

A. Completed Application and Agreement for Use of School Facilities (Use Agreement)
B. Hold Harmless Agreement
C. Certificate of Insurance
D. Terms and Conditions of Use

The District requires organizations to provide proof of Bodily Injury and Property Damage Liability Coverage or financial responsibility in the amount of $1 million combined single limit with the District as additional named insured. Organization must provide endorsement showing District as additional named insured. The policy must provide that in event of cancellation of coverage, a minimum of thirty (30) days written notification will be provided to the District by mail with no restrictions. The standard cancellation clause which states that "failure to mail such notice shall impose no obligation or liability" is not acceptable.

Fees

Any fees shall be charged in accordance with Board Policy. The actual amount charged will be pursuant to the District's Schedule of Use Charges.

Application for Use and Scheduling

Application forms for use of school facilities and grounds shall be obtained through the Community Services office and shall be completed in accordance with District Board Policy No. 1330 and this Regulation. Organizations must submit a separate application for each District facility the organization is requesting to use. Five (5) copies of the signed and fully completed application must be submitted to the Community Services office. Applications must be filed at least three (3) weeks in advance of the requested time of use. All scheduling of civic center use shall be made through the Community Services office, with the consultation and approval of the site administrator. The Community Services office will assign charges and staff as appropriate and notify the school site administrator in writing.

Final approval of facilities usage shall be made by the Deputy Superintendent- Business Services, or other designee.

While the District encourages widespread use of all District facilities by the community, it desires to limit usage during those periods when the facilities are not used for school purposes in
order to realize energy cost savings and facilitate cleaning programs. School facility use may be limited during summer, spring, and winter vacation periods.

Any person applying for the use of any school facilities or grounds on behalf of any society, group, or organization shall present written authorization from the group or organization to make the application.

Persons or organizations applying for the use of school facilities or grounds shall submit a facilities use statement indicating that they uphold the state and federal constitutions and do not intend to use school premises or facilities to commit unlawful acts.

**Types of Use**

Subject to District policies and regulations, school facilities and grounds shall be available as a civic center for the following purposes: (Education Code section 38131)

1. Public, literary, scientific, recreational, educational, or public agency meetings.

2. The discussion of matters of general or public interest.

3. The conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization.

4. Child care or day care programs to provide supervision and activities for children of preschool and elementary school age.

5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies.

6. Supervised recreational activities, including, but not limited to, sports league activities that are arranged for and supervised by entities, including religious organizations or churches, and in which youth may participate regardless of religious belief or denomination.

7. A community youth center.

8. A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization.

9. Other purposes deemed appropriate by the Board.

**Restrictions**

The District shall not grant the use of school facilities for any of the following activities.

1. Any use by an individual or group for the commission of any crime or any act prohibited by law. Any violation of Board Policy, Administrative Regulation, or other applicable law, by
any organization, or member of the organization, during use shall be sufficient cause for denying further and/or continued use of school facilities or grounds by the organization, or member of the organization.

2. Any use of school facilities or grounds which is inconsistent with their use for school purposes or which interferes with the regular conduct of school or schoolwork. No activity which may interfere with the educational program of a school or the District will be approved or permitted.

3. Any use which involves the possession, consumption, or sale of alcoholic beverages, tobacco, or any other restricted substances on District property.

4. Any unauthorized use of school facilities by an organization, or member of the organization, outside of the scheduled time and/or location set forth in the Use Agreement shall be sufficient cause for denying further and/or continued use of school facilities or grounds by the organization, or member of the organization.

5. Any advertising on school facilities and grounds except as allowed by district policy specified in BP 1325 - Advertising and Promotion.

**Damage and Liability**

Groups, organizations, or persons using school facilities or grounds shall be liable for any property damage caused by the activity. The District may charge the amount necessary to repair the damages and may deny the group further use of school facilities or grounds. (Education Code section 38134(f))

Any group or organization using school facilities or grounds shall be liable for any injuries resulting from its negligence during the use of district facilities or grounds. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk. (Education Code section 38134(i))

**Legal Reference:** Education Code, 38130-38139 “Civic Center Act”

This Regulation supersedes any prior regulations adopted or approved by the District pursuant to the Civic Center Act.

**Adoption/Approval**

PALOS VERDES PENINSULA UNIFIED SCHOOL DISTRICT

Date: __________, 2014