

Pleasant Ridge Union School District

Community Relations USE OF SCHOOL FACILITIES

BP 1330

Community Relations

The superintendent and staff are encouraged to work closely with representatives of the community in business, industry, private and public agencies, and other individuals to foster greater coordination between community resources and public education.

Use of Facilities

The Governing Board recognizes that district facilities and grounds are a community resource and authorizes their use by community groups for purposes provided for in the Civic Center Act when such use does not interfere with school activities.

All school-related activities shall be given priority in the use of facilities and grounds under the Civic Center Act. Thereafter, the use shall be on a first-come, first-served basis.

The Superintendent or designee shall maintain procedures and regulations for the use of school facilities and grounds that: (Education Code 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

(cf. 0450 - Comprehensive School Safety Plan)

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

Tobacco

Pleasant Ridge Union School District prohibits the use of products containing tobacco and/or nicotine, including but not limited to, smokeless tobacco, snuff, chew, clove cigarettes, cigars, betel, and nicotine delivery devices, such as electronic cigarettes, and any other vapor emitting devices, such as electronic hookah, with or without nicotine content, that mimic the use of tobacco products any time, on any Pleasant Ridge Union School District property, in charter school or school district owned or leased buildings, on school or district property, and in school or district vehicles. Failure to observe this tobacco policy is sufficient cause to revoke facility use.

Fees

The Board believes that the use of school facilities or grounds should not result in costs to the district. The Board shall charge at least direct costs to all groups granted facility use under the Civic Center Act.

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 38134)

Legal Reference:

EDUCATION CODE

10900-10914.5 Community recreation programs

32282 School safety plan

37220 School holidays

38130-38138 Civic Center Act, use of school property for public purposes

BUSINESS AND PROFESSIONS CODE

25608 Alcoholic beverage on school premises

MILITARY AND VETERANS CODE

1800 Definitions

UNITED STATES CODE, TITLE 20

7905 Equal access to public school facilities

COURT DECISIONS

Good News Club v. Milford Central School, (2001) 533 U.S. 98

Lamb's Chapel v. Center Moriches Union Free School District, (1993) 508 U.S. 384

Cole v. Richardson, (1972) 405 U.S. 676

Connell v. Higgenbotham, (1971) 403 U.S. 207

ACLU v. Board of Education of Los Angeles, (1961) 55 Cal .2d 167

Ellis v. Board of Education, (1945) 27 Cal.2d 322

ATTORNEY GENERAL OPINIONS

82 Ops.Cal.Atty.Gen. 90 (1999)

79 Ops.Cal.Atty.Gen. 248 (1996)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

1101.89 School District Liability and "Hold Harmless" Agreements, LO: 4-89

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

Adopted: February 7, 1984 Pleasant Ridge Union School District

Revised: December 14, 2010

Revised:

Amended and Adopted by the Board: April 8, 2014

Pleasant Ridge Union School District

**Community Relations
USE OF SCHOOL FACILITIES**

AR 1330

Procedures for using school facilities are as follows:

1. A completed Application for Use of School Facilities will be submitted by the person/organization interested in using a school facility.
2. The application will be reviewed by the principal of that site at which facilities are requested. He/she will determine whether or not the date(s) requested conflict in any way with the school program or other intended and previously arranged-for use.
3. The principal will sign the appropriate space if he/she approves the use.
4. All applications are sent to the district office for final approval.
5. All final approvals are contingent upon renewing a certificate of insurance by the insurance company of the person/organization wishing to use the school facilities. **NO FACILITIES USE WILL BE APPROVED WITHOUT A CERTIFICATE OF INSURANCE ON FILE IN THE DISTRICT OFFICE PRIOR TO USE OF THE FACILITY.**
6. The district office will disseminate all approvals to appropriate staff members.

Application for Use of Facilities

Any persons applying for the use of any school facility 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 statement of information indicating that the organization upholds the state and federal constitutions and does not intend to use school premises to commit unlawful acts.

Civic Center Use

Subject to district policies and regulations, school facilities and grounds shall be available to citizens and community groups as a civic center for the following purposes: (Education Code 32282, 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 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 youths may participate regardless of religious belief or denomination
7. A community youth center
8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

(cf. 0450 - Comprehensive Safety Plan)

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

A veterans' organization means the American Legion, Veterans of Foreign Wars, Disabled American Veterans, United Spanish War Veterans, Grand Army of the Republic, or other duly recognized organization of honorably discharged soldiers, sailors, or marines of the United States, or any of their territories. (Military and Veterans Code 1800)

10. Other purposes deemed appropriate by the Board of Education

The district may grant the use of school facilities on those days on which the public school is closed. (Education Code 37220)

Restrictions

School facilities or grounds shall not be used 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
2. Any use which is inconsistent with the use of the school facility for school purposes or which interferes with the regular conduct of school or school work
3. Any use which involves the possession, consumption, or sale of alcoholic beverages or any restricted substances, including tobacco use

(cf. 3513.3 - Tobacco-Free Schools)

Tobacco

Pleasant Ridge Union School District prohibits the use of products containing tobacco and/or nicotine, including but not limited to, smokeless tobacco, snuff, chew, clove

cigarettes, cigars, betel, and nicotine delivery devices, such as electronic cigarettes, and any other vapor emitting electronic devices, such as electronic hookah, with or without nicotine content, that mimic the use of tobacco products any time, on any Pleasant Ridge Union School District property, in charter school or school district owned or leased buildings, on school or district property, and in school or district vehicles. Failure to observe this tobacco policy is sufficient cause to revoke facility use.

The district may exclude certain school facilities from non-school use for safety or security reasons.

Damage and Liability

Groups, organizations, or persons using school facilities or grounds shall be liable for any property damages caused by the activity. The Board may charge the amount necessary to repair the damages and may deny the group further use of school facilities or grounds.

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 38134)

Groups or organizations shall provide the district with evidence of insurance against claims arising out of the group's own negligence. Groups or organizations shall also be required to include the district as an additional insured on their liability policies for claims arising out of the negligence of the group.

As permitted, the Superintendent or designee may require a hold harmless agreement and indemnification when warranted by the type of activity or the specific facility being used.

Fees

Group A- No fee will be charged to those groups as defined by the civic center act and are local non-profit organizations and do not charge admission. Use of facilities must be during normal operation hours of the district/school site and with no additional expense incurred by the district.

Group B- Fees will be charged at a fair rental price plus direct costs to those groups defined by the civic center act and are local non-profit groups and charge admission or sell products.

Group C- Fees will be charged to groups that fall under the civic center act who will charge for admission and or product and do not provide for the direct welfare of the student of the district.

Fees may be increased on a yearly basis by a percentage equal to the State COLA granted to the district.

Adopted: February 7, 1984 Pleasant Ridge Union School District

Revised: April 8, 2014

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USE OF SCHOOL FACILITIES

E 1330

Schedule of Fees for Use of Facilities

Facility	Group A	Group B	Group C
Classrooms Alta Sierra, Cottage Hill, Magnolia Pleasant Ridge	0 Direct Cost	\$10/hr./classroom Direct Cost	\$30/hr./classroom Direct Cost
Multipurpose Room Alta Sierra/Cottage Hill Pleasant Ridge	0	\$25/hr \$25 (2 hr. min)	\$50/hr. \$50/hr. (2 hr. min.)
Gymnasiums – Magnolia Large Small Playing Fields	0 0 0	\$25 \$25 \$25	\$50 \$50 \$50
Restrooms (per set)	0	\$15	\$30
Conference Room – District Office	0	\$25/hr	\$50/hr
Staff Costs Custodial/Maintenance/Kitchen/Tech *If premises are not left in a neat condition, there will be a nominal charge or actual direct cost cleanup, if greater than listed fee.	* \$45 hr (regular time) \$68/hr (overtime) \$90/hr (Holidays) Min. of 2 hrs	\$45 hr (regular time) \$68/hr (overtime) \$90/hr (Holidays) Min. of 2 hrs	\$45 hr (regular time) \$68/hr (overtime) \$90/hr (Holidays) Min. of 2 hrs
Application Processing Fee:	0	0	0
Group withdraws or fails to appear for scheduled use	\$90 (overtime/ holidays)	\$90 (overtime/ holidays)	\$90 (overtime/ holidays)

* Group A is not subject to any fee unless the proposed use of time for any event is outside the normal operating hours for the particular site. "Normal operating hours" are herein defined to mean the time when district supervision is present and/or district staff are present in an official capacity and performing normally scheduled duties. Under these circumstances direct costs will be negotiated as agreed upon.

Adopted: February 7, 1984 Pleasant Ridge Union School District
 Revised: December 14, 2010
 Revised: July 28, 2015

PLEASANT RIDGE UNION SCHOOL DISTRICT
REQUEST FOR USE OF SCHOOL FACILITIES

Organization Making Request _____ Date of Use _____ Time of Use _____

FACILITIES REQUESTED: _____

Ball Field/Playground [] Library [] (School Site) Gymnasium [] Kitchen/Serving Room []
 Multipurpose Room [] Other []

Use to be made of facilities: _____

Is attendance restricted? _____ If yes, explain _____
 Admission charge? _____ If so how much? _____
 Attendance Number: _____ Rental/Deposit: _____ (must be paid in advance)
 Special Arrangements: _____

STATEMENT OF APPLICANT: The undersigned applicant is an authorized official of the group submitting this application. It shall be distinctly understood, and agreed, that subject applicant and related organization making this application assumes all risk for loss, damage, liability, injury, cost, or expense that may arise during or be caused in any way by such use of occupancy the facility.
 The applicant further agrees that in consideration of being permitted to use said facilities, the applicant and/or organization will save and hold said Pleasant Ridge Union School District and their agents and employees, free and harmless from any loss, claim and liabilities or damages and/or injuries to persons and property that in any way may be caused by the applicant's use or occupancy of said facilities.

Tobacco Policy

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Smoking Cessation Information: www.prsd.k12.ca.us/districtoffice/familyresources/index.html

Signed: _____ Title: _____
 Address: _____
 Phone: _____ Date: _____

Additional Insured Policy#
Usage approved subject to the following conditions:

<i>District Office Use Only:</i> Category: []A []B []C
Estimated Cost: \$ _____

Actual Cost: \$ _____

Approved: _____ Date: _____
 Principal

Approved: _____ Date: _____
 Superintendent

Copies: School Principal, Requestor and District Office

USE OF FACILITIES

INSURANCE REQUIREMENTS

1. During the entire term of use of school facilities, Permittee is required to maintain in effect at its own cost and expense, a policy or policies of comprehensive general liability insurance, including coverage of owned, non-owned and hired automobiles, providing a minimum combined single limit coverage of \$500,000 for the defense of lawsuits and the payment of damages arising from bodily injury, sickness or disease, and death to any person; and property loss, damage and destruction, for each accident or occurrence. The insurance coverage shall provide that the insurance carrier or its representative shall process and respond to all claims from acts of Permittee's employees and agents, and shall provide legal counsel for the defense of lawsuits.
2. Permittee shall cause Pleasant Ridge Union School District, its officers, employees, agents and governing board to be named as additional insured in the above insurance policies, and provide a certificate of insurance as evidence of the above insurance coverage. The certificate of insurance shall be delivered to Pleasant Ridge Union School District prior to the actual commencement of facility use. The certificate shall contain a provision that the District shall be given written notice 30 calendar days in advance of cancellation or any material change in the insurance policies of the Permittee.
3. Permittee shall, at its own cost and expense, maintain Workers Compensation insurance coverage for its employees including volunteer employees under the State Workers' Compensation Insurance laws.

STATEMENT OF INFORMATION

The undersigned states that, to the best of his/her knowledge, the school property for use of which application is hereby made will not be used for the commission of any act intended to further any program or movement for the purpose of which is to accomplish the overthrow of the government of the United States by force, violence or other unlawful means:

That _____, the organization on whose behalf he/she is making application for school property does not, to the best of his/her knowledge, advocate the overthrow of the government of the United States or of the State of California by force, violence, or other unlawful means, and that, to the best of his/her knowledge, it is not a Communist action organization or Communist front organization required by law to be registered with the Attorney General of the United States. This statement is made this _____ day of _____, 20_____ under penalty of perjury.

Signed: _____