

**Lagunitas School District
San Geronimo, California**

7000 Facilities

Use of School Facilities

BP 7001
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Lagunitas School District

San Geronimo, California

BOARD POLICY 7001

USE OF SCHOOL FACILITIES

The Board of Trustees of the Lagunitas School District acknowledges the desirability of making District facilities available for community use when such use does not conflict with District programs and operations.

District buildings, grounds and equipment shall be made available to public agencies and organizations, including the Red Cross, for mass care and welfare shelters in the event of disaster or other emergency.

Priority for use of district facilities shall be as follows:

Priority 1: Lagunitas School District, its educational programs, and district sponsored groups, clubs, and student body organizations.

Priority 2: District-related groups such as parent organizations and employee organizations.

Priority 3: District-based community non-profit organizations formed for educational, political, economic, recreational, artistic and other interests of the community.

Priority 4: Departments and agencies of local governmental entities.

Priority 5: Other approved groups, including for profit groups.

Organizations using District facilities shall be assessed fees/cost according to the following classifications and definitions.

Group 1 - Free Use

Lagunitas School District use of facilities shall be granted without charge to officially recognized Lagunitas School District students and staff groups, parent organizations and District community advisory groups.

Free use may also be granted for fund-raising activities or meetings where charges or contributions solicited are expended for the welfare of the school programs.

When an alternative location is not available, the Board shall not charge any fees for the use of school facilities or grounds by nonprofit organizations, and clubs/associations which promote youth and school activities.

The Superintendent/Principal or designee may require free-use groups to certify to the District that an alternative location as identified by the District is unavailable for their activity. If an alternative location is available, the District may grant the use of school facilities and charge direct costs for such use.

Should any free-use group prefer to use school facilities at a time when custodial services are not normally available, the District may charge a fee equal to the cost of those services. The Superintendent/principal/principal or designee shall first ensure the availability of other times when the facility could be provided, without charge, and this availability shall be pointed out to the free-use group. The District may deny use if a custodian is required but none is available.

Group 2 - Direct Cost Fee

Activities other than those specified for free use or fair rental value shall be charged a fee not to exceed direct costs to the District.

The following activities shall be charge direct costs:

1. Services conducted by religious groups.
2. Charitable fund-raising activities which are not beneficial to youth or public school activities of the District, as determined by the Board.
3. Events sponsored by religious or community groups, except those which qualify for free use.
4. Public agencies. In lieu of direct costs, the District may enter into a written joint-powers agreement with local public agencies.
5. Activities not previously identified which do not fall within the free-use or fair-rental value classifications and which are included here through subsequent Board action.

Group 3 - Fair-Rental-Value Fee

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 expected for charitable purposes or for the welfare of the District's students. Fair rental value includes direct costs plus the amortized costs of the facilities or grounds used for the duration of the activity. (Education Code 40043)

Those users who operate an ongoing program in District facilities may have partial fee credits waived to the extent that they provide services which offset a defined District expense contained in the fee. In those cases where use of the facility does not entail

increased cost to the District, the fee may be adjusted by the Superintendent/Principal/principal or designee.

Procedures for use of school facilities

Regulations

It is the intention of the Board that the District shall comply with the intent, requirement, limitation and restriction of the Civic Center Act, which states that every public school facility in this District is a civic center, and the governing board has the duty to make each such facility available to qualifying organizations, subject to such regulations as the Board may determine.

The Lagunitas School District shall distinguish between users of school facilities as follows:

1. Leases: Exclusive, comprehensive or extended use of school facilities by organizations which qualify in conformance with Board Policy. Leases shall enumerate costs and conditions.
2. Use Permits: Limited or short-term usage of school facilities by organizations in conformance with Board Policy. Use permits shall enumerate costs, where applicable, and conditions pursuant to administrative regulations.

The types of activities permitted may include:

1. Public, literary, scientific, recreational, educational or public agency meetings.
2. Discussion of matters of general or public interest.
3. The conduct of religious services for temporary periods by any church or religious organization which has no suitable meeting place for the conduct of services. The governing Board will charge the church or religious organization a fee at least equal to the District's direct cost.
4. Child care or day care programs which provide supervision and activities for children of pre-school or elementary school age.
5. Supervised recreational activities.
6. Mass Care and Welfare Shelters during disasters or other emergencies affecting the public health and welfare by public agencies, including but not limited to the American Red Cross, and the provision of any services deemed necessary by the Governing Board to meet the needs of the community.

7. Other purposes deemed appropriate by the Administration and/or Governing Board.

Prohibited Uses

The Board shall not grant the use of school facilities for any of the following services:

1. Any use by an individual or group for the commission of any act intended to further any program or movement dedicated to overthrowing the United States or State of California governments by force, violence or other unlawful means.
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 school work.
3. Any use which is discriminatory in the legal sense.
4. Any use which involves the possession, consumption, or sale of alcoholic beverages or any restricted substances, including tobacco products, on school property.
5. Any use that includes fighting, quarreling, abusive language or noise which may be offensive to other activities or the neighborhood.
6. Violations of any of the conditions noted above shall be grounds for immediate revocation of the permit for use of such facilities. In the event of such revocation, all persons so affected shall immediately vacate the school facility.
7. The Board shall not grant use, by non-school personnel, of school or district offices which may contain confidential records or information.
8. The Board shall not grant use of classrooms or other rooms which may contain hazardous chemicals or equipment that cannot be used safely without special knowledge or skills.

Damage to School Property

1. The Superintendent/Principal or designee will require a hold harmless agreement to be signed as part of the Application and Permit for Use of School Facilities form.
2. Groups or persons using school facilities under the provisions of this policy shall be liable for any damage to property caused by the activity. The Board of Trustees shall charge the amount necessary to repair any damages. Further use of school facilities may be denied the responsible party.

3. Any group using school facilities shall be liable for any injuries resulting from its negligence during such use. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk. Groups other than those that promote youth and school activities shall be required to include the District as additional insured on their liability policies.

Certificate of Insurance

Certificates of Insurance are required by the District for "non Civic Center Act" individuals or organizations using or renting District facilities or equipment.

A Certificate of Insurance and an indemnification agreement may be required as a minimum requirement for any use of the facilities. Individuals and entities should have sufficient insurance or assets to enable an injured person to be compensated for his/her injuries. The District expects the user group to provide liability insurance to respond for damages caused by its negligence. The District does not provide liability insurance to the user groups or any individual members.

BOARD ADOPTION/REVISION: September 23, 2003
October 18, 2011

Lagunitas School District

San Geronimo, California

ADMINISTRATION REGULATION 7001

USE OF SCHOOL FACILITIES

1. The Superintendent/Principal shall be responsible for the coordination and interpretation of Governing Board policy regarding the use of District facilities. In addition, the Superintendent/Principal, or his/her designee shall determine fees to be charged, where applicable.
2. Requests for use of district facilities shall be made no less than five (5) days in advance and in writing on forms provided by the District. Permission to use facilities shall be granted by the Site Administrator or designate, subject to approval by the Superintendent/Principal.
3. All user groups shall provide a certificate of insurance showing that they are properly insured and agree to hold the Lagunitas School District, its Governing Board of Trustees, the individual members thereof, and all District officers, agents, and employees free and harmless for any loss, damage, liability, cost or expense that may arise out of or caused in any way by such use or occupancy of school property.
4. The individual signing the Application for Use of District Facilities shall, as a condition of use, agree to be held financially responsible in the cause of loss or damage to District property.
5. An approved application may be revoked with reasonable notice when district facilities are needed for school purposes.
6. All charges for the use of district facilities are payable forty-eight (48) hours in advance.
7. Uses of district facilities approved under the Civic Center Act at no cost shall be nonexclusive and open to the public.
8. Any person applying for the use of district property on behalf of any group shall be a member of such applicant group and, unless he/she is an officer of such group, must present written authorization to represent the group.
9. Using organizations shall be responsible for the control and supervision of all persons in attendance during the use of district facilities. The district shall require security as condition of use whenever it is deemed to be in the District's best interests.

10. Keys required to carry out any and all activities shall remain in the possession of authorized Lagunitas School District employees. Keys shall not be turned over to individuals, organizations, club, associations, etc. Buildings shall be opened, attended, and closed by an authorized employee of the district. This requirement may be suspended by the Superintendent/Principal and/or designee when such suspension would serve the best interest of the district.
11. Groups using district facilities shall be responsible for the condition in which they leave the facilities. Where appropriate, a charge for damage or loss of district property will be made. Failure to pay immediately for damage shall be grounds for denial of future facility requests. Any abuse or misuse of district facilities may be grounds for refusal of future facility requests.
12. No alcoholic beverages, intoxicant or controlled substances in any form shall be brought onto the property of the District. Any person under the influence of intoxicating liquors or substances shall be denied participation in any activity. Violation of this regulation shall be justification for immediate termination of the event, closing of the facility and denial of future use requests.
13. Smoking is prohibited anywhere on the District property at all times.
14. District food service employees shall be present to supervise any use of District kitchen facilities if appropriate. A charge shall be made, in addition to all other charges.
15. No structure, electrical modifications or mechanical apparatus may be erected or installed on District property without specific written approval by the District representative approving the Application for Use of District Facilities. Person and organizations granted the use of District facilities shall assume full responsibility for compliance with all applicable State and local fire, health and safety laws and regulations.
16. All draperies, hangings, curtains, drops, and all decorative materials used with or upon the District's buildings and grounds, shall be made or treated with flame-retardant process approved by the State Fire Marshall.
17. The Superintendent/Principal and/or Governing Board shall have the right to revoke permission for use of a district facility at any time when it is deemed in the best interest of the Lagunitas School District.

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