

COMMUNITY RELATIONS

CIVIC CENTER ACT POLICY: USE OF FACILITIES

The Education Code, together with Board Policy 1330, establishes a civic center at each public school facility. Please refer to Policy 1330 regarding who may, or may not, use District facilities and grounds. It is the intent of these regulations to establish the guidelines necessary to preserve order in and to provide protection for, such school facilities and grounds. These regulations are also intended to ensure that the use of school facilities and grounds is neither inconsistent with school purposes nor interferes with the regular conduct of schoolwork.

I. Application to Use School Facilities

The District requires all individuals, groups, organizations, clubs or associations (collectively referred to in this Regulation and Board Policy as “organizations”) applying for the use of school facilities or grounds to submit the following documents to the appropriate school site or Business Office at least three (3) weeks prior to the scheduled event:

A. Application for Use of School 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 the school premises to commit unlawful acts.

B. Hold Harmless Agreement with authorized signatures, as required

C. Certificate of Insurance

The District requires facility users 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, except as provided in Board Policy 1330. The policy must provide that in event of cancellation of coverage, a minimum of ten (10) 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.

D. Use Agreement

Applications for the use of school facilities and grounds shall be obtained at and returned to the Business Office or at the school sites. While no school site administrator has the authority to make the final decision approving or denying use of District facilities, for the convenience of applicants, school site administrators can accept completed applications and forward them to the Chief Financial Officer for authorization to use facilities.

II. 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:

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
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 recognized organization of honorably discharged soldiers, sailors, or marines of the United States, or any other of their territories.

10. Other purposes deemed appropriate by the Governing Board

The district may grant the use of school facilities on those days on which the public school is closed.

III. 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 act prohibited by law
2. Any use which is inconsistent with the use of 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

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

IV. 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.

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 use.

V. Fees for Use of School Facilities

Fees for the use of school facilities and grounds shall be charged in accordance with the following classifications.

- A. **Free Use:** When an alternative location is not available, the Board shall not charge any fees for the use of school facilities or grounds by organizations falling within the classification defined below.

Pursuant to Education Code Section 31834 the free use classification is defined by the Board to include non-profit organizations affiliated with the District or a particular school site and created for the purpose of benefiting or supporting the District as an entity, a specific school site, and/or the students enrolled in any of the District's schools or educational programs. This classification is further defined to include educational activities or programs created by other educational institutions or law enforcement agencies for the exclusive benefit of the District, its employees or its students. Examples of this classification include, but are not limited to: school booster clubs, Parent-Teachers' Associations, school/community advisory councils, life-saving programs and other school affiliated groups created for the exclusive benefit of the District, its students, employees, or educational programs.

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, such as personnel or equipment), the District may charge a fee equal to the direct cost of those services.

Free use of facilities shall be limited to available classrooms or other meeting places where a minimal use of equipment and personnel are involved. Charges shall be made for use of all other building facilities in accordance with the Schedule of Use Charges for use of school facilities.

- B. **Direct Cost Fees:** Activities other than those specified for free use or fair rental value shall be charged a fee not to exceed the direct costs to the District. Direct costs shall include supplies, utilities, janitorial services, services of other District employees and salaries paid to District employees necessitated by the organization's use of school facilities.

The Superintendent or designee shall be responsible for calculating direct costs for facilities use in a manner consistent with this Policy and Administrative Regulation 1330.

- C. **Fair Rental Value:** Organizations shall be charged fair rental value when using school facilities or grounds for functions, entertainments or meetings where admission fees are charged, or contributions are solicited and net receipts are not to be expended for the welfare of the students of a particular school or of the District as an entity or for charitable purposes. If any portion of the net receipts inures to the benefit of any private shareholder of the organization or to any individual, then the organization shall be charged fair rental value.

The Superintendent or designee shall be responsible for calculating fair rental value for facilities use in a manner consistent with this Policy and Administrative Regulation 1330.

VI. Scheduling Use of Facilities

Scheduling of civic center use may initially be made through the site administrator at the facility requested, but is not final until the Chief Financial Officer approves the usage. Organizations appealing the decision of the Chief Financial Officer shall adhere to the timeline and procedures set forth in Board Policy 1312.

Consistent with the District's educational programs, the District has sole discretion to determine what facilities shall be available under the Civic Center Act.

IV. Terms and Conditions for Use of School Facilities

A. General

1. No activity which may interfere with the educational program of a school or the District will be approved or permitted. Any violation of these Administrative Regulations, Board Policies, or other State law by any organization during use shall be sufficient cause for denying further or continued use of school or District facilities or grounds by the organization. No organization may obtain a Use Agreement of more than one year in duration.
2. Intoxicants, narcotics or tobacco products shall not be permitted in any school facility or on any school premises.
3. Juvenile organizations must have adequate adult sponsorship and supervision. Adequate supervision shall not be less than one adult per 20 children at the elementary level (K-5) and one adult per 25 children at the secondary level (6-12).
4. All functions shall close by 11:00 p.m. unless special permission is secured in advance. All premises shall be vacated at the time shown on the application. Deviations or departures from this rule shall be cause for cancellation of all future meetings or functions.
5. School facilities and grounds shall not be available at any time which might interfere with regular functions of the school, and said time will be determined by the Superintendent or person designated by him/her. Use shall be limited to the specific hours and rooms listed on the approved application. User groups shall not enter unauthorized rooms, facilities or grounds.

6. Charges for on-going monthly civic center use of facilities shall be assessed and paid in full 5 days prior to each month of scheduled use. For one-time civic center users, payment shall be made at least five (5) days prior to the scheduled event. Failure to pay for use in accordance with this provision shall result in cancellation of the scheduled use and potential denial of future use.
7. When an application is filed and approved, it is considered to be in effect for the period stated on the Use Agreement. No Use Agreement may be for a period of more than one year.
8. School property must be protected from damage and mistreatment, and ordinary precautions must be maintained. Organizations shall be responsible for the condition in which school facilities and grounds are left. Should school property be damaged or abused beyond normal wear, such damage will be paid for by the group involved and shall be sufficient cause for cancellation of future meetings or functions.
9. In addition to pursuing any other legal remedies, non-payment of any fees, charges, or costs incurred due to destruction nor damage of school property, will result in cancellation of future meetings or functions of the organization.
10. Only furniture already present in the facility requested shall be available for use.
11. No alterations shall be made to any school building, nor shall furniture, pianos or District equipment be moved except by the assigned custodian.
12. No alterations or additions shall be made to any District facility or grounds without first submitting a written request describing in detail the proposed change and receiving written approval from the District to proceed. If approval is given, it is the responsibility of the organization to return the facility or grounds to its original condition. Failure to do so will result in the District billing the organization for the costs incurred by the District in restoring the facility to its original condition and is cause to cancel future meetings or functions of the organization.
13. All draperies, hangings, curtains, drops and all decorative materials used within or upon the school buildings or grounds shall be made from a nonflammable material or shall be treated and maintained in a flame-retardant condition by means of a flame-retardant solution or process approved the by State Fire Marshall.

14. Any facility approved for use shall only be held for one-half hour after the time designated on the approval application for that meeting or activity to begin. Failure to give the Facilities Office notice of the intent not to use approved facilities within 24 hours of the scheduled event shall result in the approved applicant being charged all costs necessitated by the anticipated use and incurred by the District.
15. The District reserves the right to deny use or revoke the approval of use to any applicant the District has determined to have misrepresented its purposes, identify or any other information the District deems to have an impact upon the approval of use.

B. Buildings

1. No preparation of any kind shall be used on school floors by groups using the buildings for dancing or any other purposes.
2. Shoes with cleats or plates, or rubber soles or heels which mar or mark the floors are not permitted in school buildings.

C. Grounds

1. No object described in Penal Code Sections 626.9, 626.10, 653, 12001, 12020(a), 12276, 12401, 12402 or 12580 whether concealed or in plain view shall be carried on school grounds or within 1000 feet of any school grounds.
2. Activities that involve constant physical contact (tackle football, karate, boxing, etc.) shall not be engaged in on school property without specific authorization from District administration.
3. Hardball playing shall not be permitted unless direct supervision of an organized youth baseball team is provided.
4. Horseback riding shall not be permitted.
5. Skating and skate boards on school premises are prohibited.
6. Climbing on buildings, fences or other facilities not intended for climbing is prohibited.
7. Archery shall not be permitted on school premises.

8. Riding of bicycles (other than supervised bicycle activities), tricycles, scooters, motor scooters, go-carts and automobiles (except where specifically authorized (is not permitted on school premises.
9. School playgrounds shall not be available at anytime for any activity which might interfere with the regular functions of the school.
10. Running of model cars or flying of model planes is not permitted.
11. Grounds shall be left in good order at the conclusion of any activity and property shall not be misused or destroyed.

D. Furniture and Equipment

No electrical, mechanical, or other equipment may be brought on to a school site without the prior approval of the Chief Financial Officer. In the event equipment is allowed to be brought onto District facilities, the District shall not be liable for any damage to the equipment or to the facilities by use of such equipment.

District-owned equipment and furniture maybe used by organizations on the following conditions:

1. Requests for use of furniture and equipment shall be included on the facilities use application form.
2. The person who has jurisdiction over the equipment shall review all applications requesting use and shall recommend approval or denial of the requested use.
3. Use of equipment and furniture constitutes a direct cost to the District. Users shall pay for personnel needed to set up furniture and equipment.
4. The organization assumes the responsibility for such equipment supplied and agrees to repair or replace any equipment which might be damaged, lost or stolen while under the control of the organization.
5. The group or organization requesting the use of equipment certifies that a qualified person will operate it. Operation of projectors must be by a qualified person, subject to approval of the District or District designee. The District may require the user to pay for personnel needed to operate certain specialized equipment.
6. Groups using facilities which include a stage shall not remove or displace any furniture, pianos, or other stage equipment or make changes in curtains, lights, ceiling pieces, backdrops or other props without prior approval, and then, only under the direct supervision of the school employee in charge.

7. Furniture and equipment available for use will be only that which is already available at the site requested. School furniture and/or equipment is not available for use off District sites except by approval of site administrator.

E. Special Equipment

Special equipment owned by the District may be used by organizations on the following conditions:

1. Permission is secured from the person who has jurisdiction over the equipment. Use of such equipment constitutes a direct cost to the District.
2. The organization assumes the responsibility for such equipment supplied and agrees to repair or replace any equipment which might be damaged, lost or stolen while under its jurisdiction.
3. The group or organization requesting the use of equipment certifies that a qualified person will operate it. Operation of projectors must be by a qualified person, subject to approval of the site administrator.
4. Computer laboratories shall not be available for use under the Civic Center Act.

E. Custodial Services

The assigned custodian, at the discretion of the site administrator shall be responsible for making the necessary arrangements to accommodate the facility use, cleaning and returning the facility to proper condition for school use, reporting any deviations or departures from the established rules, regulations and policies, and performing all services necessary for the intended use.

G. Cafeteria Services and Use of Kitchen Facilities

A supplemental application for cafeteria services, kitchen, or the Rancho Cotate High School Concession Building use must be submitted with the Use of Facilities Application. All such requests are subject to the review and approval of the Director of Food Services, however, the Chief Financial Officer shall make the final determination approving or denying the requested use. Kitchen use applications shall be available in both the Food Services Office and the Business Services Office.

Kitchen facilities are available under limited circumstances by organized groups subject to the following conditions:

1. Applications shall be processed through the Chief Financial Officer not less than three (3) weeks prior to the date of need.
2. The use shall cause no interference with the school food services program.
3. All food and supplies shall be furnished by said group. No food or supplies may be purchased from cafeteria stock. Unless permission is granted by the Director of Food Services, organization using kitchen facilities may not use dishes, cooking and eating utensils, dish towels and cloths or any other supplies owned by the District.
4. A cafeteria employee, assigned by the Director of Food Services, shall be on duty at all times. The chargeable personnel costs associated with this personnel assignment shall be based on current daily/hourly rates, including fringe benefit costs and overtime rates may apply.
5. The cafeteria employee assigned to the kitchen, shall be responsible for advising the group of the proper use of cafeteria equipment, and shall see that district property is protected and that District supplies are not used.
6. Cafeteria personnel shall not assume responsibility for the preparation or serving of food or any of the cleaning duties.
7. Regulations set by the Sonoma County Health Department and the California Health and Safety Code and the Restaurant Act of California shall governing food handlers when using school facilities.
8. Use of kitchen facilities shall be confined to adults.
9. Kitchen facilities shall be left in a clean and orderly condition. Failure to do so is sufficient cause for denying future use to that organization and the organization shall be charged for the labor involved in returning the kitchen to District standards.