

CAMBRIAN SCHOOL DISTRICT
Board Policy

Procedure 1330
Adopted: December 15, 2022
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SCHOOL, COMMUNITY, AND AGENCY RELATIONS

Community Use of School Facilities

RULES AND REGULATIONS GOVERNING THE USE OF THE SCHOOL PROPERTY

- A. The Superintendent or designee maintains application procedures and regulations for the use of school facilities.
- B. 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.
- C. 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. (Ed. Code 32282, 38131)

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, elementary, and middle school age.
- 5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies.
- 6. A community youth center.
- 7. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare.

8. 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)
9. Supervised recreational activities, including, but not limited to, sports league activities that are arranged for and supervised by entities.
10. Other purposes deemed appropriate by the Governing Board.

D. Priority Systems

In any case the needs of the school and district shall take precedence over usage, whether previously scheduled or not, by any other group or organization. If a group has used a school facility during one year and would like to schedule usage in the following school year, it should submit its request (with all appropriate documentation) by September 1 of the year in question. Such requests will be considered (at the same level of usage) before any other conflicting requests.

After September 1, school facility usage shall be granted on a first come, first served basis.

In the event of a "tie" between/among groups requesting use of the same school facility at the same time, the following priority system applies. The Superintendent or designee shall make the final determination according to this system of Priorities:

- Priority 1: Events and activities designed to serve district students or staff and planned/directed by school-associated groups such as Home and School clubs.
- Priority 2: Use by community-based organizations whose primary purpose is to serve district youth or the general community who qualify under the Civic Center Act. Priority is given to the group that serves the highest number of district youth.
- Priority 3: Use by groups who do not qualify under the provisions of the Civic Center Act but to whom the district may make facilities available. In the event of a tie between/among groups in the same priority hierarchy, the tie shall be broken by highest number of Cambrian School District Residents/Students who are served by the group.

E. Facility Use fees and Cost Recovery

1. Group: District and School-Sponsored Activities

District and school-sponsored activities are granted free use of facilities if no admission is charged or when such monies are used for the benefit of the district students.

Included in this category are district/school-related meetings or function, school-sponsored groups or clubs, in-service programs, Home and School Club activities, school sports programs

and school day care programs. The activity sponsor will assume any costs incurred. This may include custodial costs, set-up, take-down and supervision.

2. Group: District Youth Non-Profit Organizations

Non-profit youth organizations that directly benefit district students which may require a participation fee and meet regularly during the year may be charged a direct cost and processing fees. This allows small group meetings. Large special events and fund-raising activities are not included in this category. Groups must not require set-up or clean-up or result in any direct and/or indirect costs to the district. If set-up or clean-up is required, the cost of such will be paid by the group.

Included in this category are meetings for Girl Scouts, Boy Scouts, and Campfire.

3. Group: Community Youth Non-Profit Organizations

Non-profit organizations that provide direct service to community youth and are not commercial in nature may use facilities for a fee based on direct and/ or indirect costs and processing fees.

Included in this category are organizations that may charge fees such as Parks and Recreation youth activities, YMCA, YWCA, Little League and other youth sports programs. Special and Fundraising events for youth non-profit are also included in this category.

4. Group: Adult, Religious and Private Groups

This category includes organizations that do not qualify under the provisions of the Civic Center Act but are local in nature and engage in recreation, educational, political or artistic activities and usually charge for services. Fees charged will represent a fair market value.

Included in this category are private groups, private educational agencies or institutions, adult sports and recreation groups, local business organizations, adult service clubs and religious organizations.

F. Restrictions

School facilities or grounds *are not to 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

G. Restricted Sites from Public Use

1. Elementary classrooms
2. Science classrooms (except for official use by California public colleges or universities)
3. Shop classroom areas
4. All District and school site offices, except for conference and meeting rooms that can be secured and separated apart from offices.
5. All computer labs (except for official use by California public colleges or universities)
6. Other pre-designated areas undergoing construction, maintenance, repairs and other such purposes (as determined by the Superintendent or designee)

H. Use of Schools After Normal Custodial Hours

Use of Schools after normal custodial hours are over, can be accommodated through the following procedures. In some cases, a deposit may be required, as determined by the District staff and procedures.

1. The group pays the extra costs for the organization, in order for the school to provide appropriate security and maintenance (e.g., cleaning of bathrooms, sweeping, opening and locking up the building). Through this method, the District staff uses the District facility reservation form to coordinate with the principal to determine if the facility is available for use, identifies the costs, and determines if appropriate paid staff are available to provide the needed services. If so, the reservation can occur upon payment of the extra costs the District would incur to make the facility available for use.
2. If no normally assigned person to that site is available, and IF a substitute custodian who is familiar with the site is available, the site can be reserved and used. The principal shall be the authority regarding the acceptability of a substitute custodian.
3. If after those two steps are taken, and no District employed person is available to provide the requisite services, then the school reservation request shall have to be denied, with the reason given on the form.
4. Under special circumstances, the principal may designate a member of the community to handle the opening up and relocking of the facility requested, but only if such a person fulfills *each of these conditions*:

The person is employed at the site and normally would have the keys to this school facility, without any pressure whatsoever from the requesting group.

- a. The person can certify to the principal that s/he has freely volunteered to secure the facility without any pressure whatsoever from the requesting group

- b. The person shall remain on site in the area (e.g., room) being used at all times to monitor the activities and report any damages.
- c. The person must acknowledge on a form provided by the District that she/he ensures compliance with District policy and procedures, state law, and full financial and legal liability and responsibility for the safety and security for the facility itself (for example: accidental or deliberate damage, problems caused by failure to re-secure the facility upon leaving, etc.).
- d. The person shall at all times keep any keys on his/her physical possession. Such keys may not at any time be loaned at any other person. Nor may any copies of any such keys be made.
- e. The designated person shall certify that s/he will have immediate access to (for example, a personal cell phone, school phone, etc.) in case of an emergency requiring emergency services (e.g., 911).

In such cases, and if there is no other expense involved which would be incurred by the District, then fees to secure the facility would not need to be charged.

However, the principal's exercise of this option shall be done only with such site staff persons who have a history of demonstrated high reliability and dependability to supervise a school site, to supervise adults and other persons, and to diligently follow through on all logistics and other technical requirements ancillary to their normal site job. The exercise of the judgment in this matter is exclusively that of the principal, and any judgment made is final.

I. Damage and Liability

1. Groups, organization, 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. (Ed Code 38134)
2. 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 the risk and defending itself against claims arising from this risk. (Ed Code 38134)
3. 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 groups. (Ed Code 38134)

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.