

# Piedmont Unified School District

## Facilities Terms of Use

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### Terms and Conditions

#### Section 1: Overview

Piedmont Unified School District (the District) welcomes your interest in use of the District facilities. The District strives to serve the Piedmont community not only through its educational programs for students, but also by making its facilities available for public use in a manner that does not conflict with school activities. Piedmont has a shortage of public facilities, particularly fields and gyms, and there is often far more demand than the District is able to accommodate.

All use of District facilities for non-school activities is at the District's sole and unfettered discretion and users must comply with the rules set forth in these Terms of Use. These Terms of Use and the accompanying Fee Schedule follow the Civic Center Act (Education Code 38130-38139).

**The following is an overview of the District rules for use of its facilities**, with details in later sections. **Terms of Use for the Alan Harvey Theater are separate, and found [here](#).**

1. The District has first priority for use of District facilities. The school day, including school athletic and enrichment programs, runs from 7:30 a.m. through 3:30 p.m., Monday through Friday, during the school year. The school year typically runs mid August through mid June; calendar dates for each year can be found on the District website. School events, including athletic events, may occur on weekends. **Public use of the District's facilities is not permitted during the school day or during weekend school events.**
2. Groups and organizations may seek to reserve time to use specific District facilities identified herein *by submitting an online request for a use permit*. The District must approve the reservation before the request is granted. Without District approval, there is no permit. This approval process typically takes up to 2 weeks. Request -> approval process -> use permit issued.
3. The District's intent is to provide an opportunity for Piedmont residents to exercise and play.

Witter Field track and synthetic turf field are available for public use when not in use by the District (either during the school day or for events) and not reserved pursuant to another permit.

There is no public use time for PUSD facilities that are locked even if they are not in use; for example, the grass baseball fields, PMS Sports Courts, Bern Court.

**During times when PUSD fields/track are open to the public, "for profit/commercial use" is strictly prohibited. This includes personal trainers and any "for pay" organization.**

**Any organized group is prohibited from using the Witter turf and/or track without a permit.**

4. All individuals using District facilities must be respectful and courteous of other users, audience, and District representatives. All non-District activities at District facilities are permitted only at the District's discretion. Any District representative may revoke the District's permission for an individual or group to be present at a District facility. If asked to leave by a District representative, the person requested should do so. Any complaint, questions or feedback regarding such a request should be made to the District's Facilities Manager, 510-594-2622.

### **Section 2: Access**

Students are the primary users of the Piedmont Unified School District facilities during the school day and school events. During the school day, public use of the District's facilities is prohibited. During school events on weekends, public use of the event venue is prohibited. During the school year, the school day at Piedmont schools, with regard to facilities use, is as follows:

- Beach, Havens and Wildwood elementary schools run from 7:30 a.m. to 3:30 p.m.
- Piedmont High School, Millennium High School, and Piedmont Middle School run from 7:30 a.m. to 3:30 p.m.

The school year typically runs from mid-August through mid-June; calendar dates for each year can be found on the District website. During these times, public use of these sites is not permitted.

**Visitors to these sites during the school day must check in at the site office and obtain a pass to be present on campus.**

In addition to its other school facilities, the Piedmont Unified School District manages, maintains, and operates the District's **Witter Complex** (football field, baseball field, softball field, track, and restrooms). Public use of the Witter Field Complex is prohibited during the school day, from 7:30 a.m. to 3:30 p.m., during the school year. Use will also be prohibited after or before school hours, as needed, in support of District athletic programs including practices, scrimmages, games, and postseason use. Public use of the event venue is prohibited during school events.

### **Section 3: Acceptable Behavior**

All individuals using District facilities must be respectful and courteous of other users, audience, and District representatives at all times. As noted above, public use is prohibited during the school day and during school events. Individuals attempting to use District facilities during such times will be asked to leave. (Individuals that are unauthorized to use PUSD facilities are subject to citation, arrest and prosecution per PPD trespassing Code Sec (603PC))

Permit holders have priority during the reserved time; individuals seeking to use the same facility during the reserved time will be asked to leave. More specific information is provided in Section 8, Facility Use Guidelines.

Permit holders shall be responsible for the conduct and control of both patrons and participants, and must comply with all applicable state and federal laws, city ordinances, School District regulations, by-laws, and policies and permit conditions. The Board of Education and/or its agents reserve the right to suspend or prohibit any use of facilities regardless of prior approval.

#### **Section 4: Priorities in Allocating Reserved Use & Fee Groups**

Subject to the exercise of its unfettered discretion in individual circumstances, the District allocates reserved use of District facilities in the following order:

1. Piedmont Unified School District, including Athletics and Piedmont Adult School.
2. Groups and organizations serving Piedmont students and youth.
3. Groups and organizations serving Piedmont residents (non youth).
4. Other groups and organizations

#### **Facility Use Fee Groups**

**The following user groups descriptions are used to determine fees. Fees for use of the Alan Harvey Theater are separate, and found [here](#).**

***District Users:*** Piedmont Unified School District (PUSD) activities and events, including co-curricular, extracurricular, adult education, and PUSD-based athletics are **exempt from fees**.

***District-Affiliated Users:*** District recognized parent support groups that conduct approved extracurricular and enrichment activities for students. District-affiliated users must obtain a facilities use permit and may have certain uses **exempt from fees**.

***Civic Users:*** Organizations or individuals from the local community who use the school facilities for civic purposes, such as voting, meetings, or shelter in an emergency. Civic users must obtain a facilities use permit and are **exempt from fees**.

***Community Users:*** Non-profit organizations or other public agencies that use the school facilities and whose primary purpose is to provide programs and/or services that serve students, the neighborhood, or the local community. Community users must obtain a permit and are **subject to facilities use fees at “direct cost.”**

***Private Users:*** Private organizations, for profit or non-profit, using the facility for private use or to raise revenue. Private users must obtain a facilities use permit and are **subject to facilities use fees at “fair rental value.”**

***Note:*** Facility Use Permits are revocable and shall not be considered as a lease; the Board of Education or its authorized agent may reject any application or cancel any permit. A permit is not transferable. The District’s need to schedule maintenance or repair shall supersede the priority order for use of each facility.

For some users who may have a longer term commitment or require extended use of facilities, the District may enter into a Memorandum of Understanding (MOU) that goes beyond the on-line fee and reservation process to acknowledge the particulars of the rental arrangement.

**If a civic user or district-affiliated user, who ordinarily holds meetings and does not charge for admission, has an event where admission is charged, the reservation will be moved to the community user category and will be charged the direct cost.**

### **Section 5: Facility Locations, Use Restrictions, Parking**

#### **Facilities Available for Use**

Facilities that may be available for reserved use outside of the school day or school events are listed on the [PUSD online reservation system](#).

All district facility use requests must be made through the PUSD online reservation system. Reservation requests require district approval and must be made at least 14 days in advance. All users must provide insurance.

See PUSD Facilities web page for details on the facility use [request process](#).

All commercial users, including athletic trainers, must obtain a valid district permit prior to using the track, fields or any district property.

For assistance with the PUSD online reservation system or PUSD facility use, contact [facilities@piedmont.k12.ca.us](mailto:facilities@piedmont.k12.ca.us) or call the facility use hotline: 510-594-2622.

#### **Parking at School Sites**

- Witter Field parking instructions: [www.witterfield.com](http://www.witterfield.com)
- **Parking is limited at all school sites, only street parking is available.** All parking restrictions, noted by signs and painted curbs, are strictly enforced by the Piedmont Police Department according to California Vehicle Code #21113(a) and applicable City ordinances. Violators may be cited.

#### **Sunday Restrictions at Witter Athletic Field and Sports Complex**

The El Cerrito access gate at Witter Field (at the bottom of El Cerrito Ave) will be locked from Saturday at 4:00 p.m. until Monday at 6:00 a.m and over Federal Holidays. Users are encouraged to enter the field via 740-760 Magnolia Ave and walk down PE Hill to the field or use the Wildwood stairs. If the facility is reserved for use during these times, accommodations can be made on request. Call 510-594-2622.

The Witter Field speaker system is not available for non-school events.

**Amplification is not allowed on Sunday, and is otherwise discouraged. If used, it must be kept to the lowest level possible.**

The District representative has the authorization to request arrest and/or citation for trespassing if so deemed.

**Section 6: Reservation/Permit Requests, Payment and Cancellation Policies,**

**Insurance Requirements**

**Reservation/Permit requests:** Anyone wishing to use District facilities for organized activities must request reservations and apply for a use permit. Requests are made through the District's [online booking system](#).

Requests must be made at least 10 working days prior to the date of event/s and can be made up to six months in advance. No request will be accepted less than 10 days in advance or beyond six months from the date of the request. All requests are pending confirmation of PUSD programming, such as School Plays/Musicals, PHS Athletics, AP Testing, etc. This includes the possibility of your approved permit being superseded by an unforeseeable event such as rain makeup or playoff schedules.

Making a reservation request online constitutes a ***request for a reservation. The District will review and approve the reservation before a permit is granted. Without District approval, there is no permit.***

- The permit approval process typically takes 10 business days.
- Payments are made via the PUSD online booking system.
- Upon receiving approval of your booking request, PUSD will immediately invoice for the event (or events). All monies will be due and payable within 5 working days of the booking. A PUSD permit will not be issued until payment has been received. NOTE: If payment for a booking has not been received within 5 days, the day and time slot will be made available to other user groups.
- Cancellations should be submitted by the requester/renter through the online booking platform and at least *10 working days in advance of the event*. No refunds will be issued if cancellation is made within 10 working days of the event.
- If your event is *cancelled due to weather* or superseded by a PUSD unforeseen event, a 100% refund will be issued no later than 30 working days after the cancelled event.
- The Piedmont Unified School District reserves the right to refer any delinquent account to a collection agency and/or report to a credit bureau. Legal proceedings may be initiated for any delinquent account. By reserving a permit, users agree to pay the District's legal costs incurred to seek payment of unpaid amounts owed by the group or organization.

**Liability Insurance Requirement:** *Permit holders must provide proof of liability insurance. This may be purchased through the online reservation platform or through a third party insurer and uploaded to the reservation request.*

Before any District facility may be used, the permit holder of the facility must procure and maintain a minimum of \$1 million in liability coverage for bodily injury and property damage per occurrence with an aggregate limit of no less than \$2 million, and the user must provide two documents which list "Piedmont Unified School District" as an "additional insured" on the liability policy: **(1) a Certificate of Liability Insurance; and, (2) an endorsement page** which modifies the insurance policy by naming "Piedmont Unified School District" as an "additional insured". Current permit holders on file with the District must update their Certificates of Insurance annually. No reservations will be accepted for any dates that fall outside the period of coverage.

By agreeing to the rental terms and conditions, all permit holders agree to defend, indemnify and hold harmless the District, its officers, employees and agents from and against any and all liability, cost, expense, claims, injuries, losses or damages, including damage to District property, which may result or arise in any way out of the permit holder's use or occupancy of the facilities, negligence of the permit holder group, its officers, employees or agents.

### **Section 7: Applicable Policies and Other Requirements**

**Alcohol Use is prohibited on district property.** The possession, consumption, sale, delivery of alcohol is prohibited on public school property. Violations will result in the immediate termination of the offender's facility use permit(s). Should this occur, all necessary costs, including custodial fees, shall be forfeited to the District.

**Smoking is prohibited on district property.** In accordance with state and federal law, smoking is prohibited on and in all district-owned facilities. *Smoking* means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates aerosol or vapor or of any oral smoking device for the purpose of circumventing the prohibition of smoking.

**Steroid/Tobacco/Drug Use Policy and Use of District's Sport/Athletic Facilities:** The governing board of the Piedmont Unified School District has adopted Board Policy 5131.3 prohibiting students from possessing, using or selling alcohol or other drugs and related paraphernalia on school grounds, Board Policy 5131.63 prohibiting the use and abuse of androgenic/anabolic steroids, and Board Policy 3513.3 which prohibits the use of tobacco products at all times on District grounds, including the use of nicotine delivery devices such as electronic cigarettes. These prohibitions apply to all employees, students and visitors at any activity or athletic event on property owned, leased or rented by or from the district.

All organizations and/or individuals renting District facilities must abide by these policies. Violations will result in the termination of the offender's facility use permit(s). Should this occur, all necessary costs, including custodial fees, shall be forfeited to the District. **The District has security cameras and highly sensitive smoke and vape detectors throughout its facilities.**

**Damage Responsibilities of Permit Holders:** Permit holders agree to the following: To abide by and to enforce the rules, regulations, and policies of the Piedmont Unified School District governing the use of the school premises or equipment. To defend, indemnify and hold harmless the District, its officers, employees and agents from and against any and all liability, cost, expense, claims, losses, damages demands, suits, actions, payments and judgments, including legal and attorneys' fees, arising from personal or bodily injuries, including death, or property damage or otherwise, however caused, sustained by any persons(s), firm(s), corporation(s), including the District, brought or recovered against any of the above that may arise for any reason from or during or be alleged to be caused by the undersigned's use/occupancy of District's facilities, including school or District parking lots and walkways, furniture or equipment or other use as requested by the permit holder, or from any occurrence in or on the facilities, and will further indemnify and hold the District harmless against and from any and all claims arising from any breach or default on the part of the permit holder in the performance of any covenant or agreement on the part of the permit holder to be performed pursuant to the terms of this use, or arising from any act or negligence of the permit holder, or any of its agents, contractors, servants, employees, licensees, customers, or invitees. In the case any action or proceeding is brought against the District by reason of any such claim, the permit holder, upon notice from the District, covenants to resist or defend at permit holder's expense such action or proceeding by counsel reasonably satisfactory to the District. The term "facilities" as used in this agreement shall include any adjacent school or District parking lots, walkways or thoroughfares used by guests, patrons, invitees, employees, or agents of the permit holder. The permit holder further agrees to retain responsibility for any loss, theft or damage to permit holder's equipment, supplies or materials or equipment, supplies or materials of others brought onto or stored on District's premises in connection with permit holder's use of District's facilities and premises. The permit holder further agrees to surrender the premises and facilities to the District at termination of the use period hereinbefore specified in the same condition as at the commencement of the period. All equipment, supplies and materials of any kind, used by the permit holder, shall be removed from the premises at termination of the use period.

Permit holders shall be liable for any damages to school property caused by the activity pursuant to the provisions of PUSD Administrative Regulation 1330. The Board shall charge the amount necessary to repair any damages or provide replacement of school property. Further use of school facilities may be denied by the responsible party.

**Furniture and Equipment:** The applicant is required to specify furniture and equipment needs on the Facility Use Application at the time the application is submitted. The following furniture and equipment may be available to permit holders depending on the facility requested: chairs, tables,

speaker podium, projection screen.

**Custodial Service:** Custodial service is provided only for access, chair/table set-up, heating, lighting, ventilation, and clean-up of a building. This service does not include erecting or dismantling scenery, equipment, or other apparatus. If the set-up and clean-up extend beyond 30 minutes, as determined by the Facilities Use Manager, PUSD may charge an additional fee for custodial services. Custodians open restrooms only during regularly scheduled hours of operation.

**Emergency Protocol:** User groups should be familiar with the PUSD Emergency Response Plan for the site.

All user groups should be familiar with the following core emergency protocols:

1. Fire Drills, evacuation of the building
2. Earthquake Drills, Drop, Cover and Hold On
3. Lockdown and Reverse Lockdown Drills
4. Shelter in place Drills

### **Section 8: Facility Use Guidelines**

Piedmont Unified School District asks user groups to help maintain the useful life of District facilities by observing the checklists on the following pages.

Users must have a copy of the permit at the facility throughout the event, which will serve as confirmation of permit in the unlikely event of a scheduling dispute.

## Facility Use DOs and DONTs

### Classrooms, Auditoriums, Multipurpose Rooms, and Gymnasiums

DO	
<b><i>Abide by all fire regulations</i></b>	<ul style="list-style-type: none"><li>● Keep exit doors, exit lights, fire alarm stations, wet standpipe hose cabinets, and fire extinguisher locations visible and unobstructed by decorative material or any other item. (C.A.C. Title 19, Sections 7.20).</li><li>● Each of the three gyms are equipped with a lighting control system and are programmed to turn on the gym lights automatically according to the approved permit/reservation that has been made in our system.</li><li>● Per state law, refrain from smoking on school property.</li><li>● PUSD Board Policy prohibits use of tobacco products at all PUSD facilities.</li><li>● Keep exit ways and required means of egress unobstructed so they may be used as an exit. (P.F.C. Section 26.107 and C.A.C. Title 19, Section 65.03).</li></ul>
<b><i>Observe all parking signs and posted restrictions</i></b>	<ul style="list-style-type: none"><li>● Parking is very limited at all of the school sites, as only street parking is available. All parking restrictions (noted by signs and painted curbs) are strictly enforced by the Piedmont Police Department according to California Vehicle Code 21113(a) and applicable city ordinances. Violators may be cited.</li></ul>
<b><i>Clean-up</i></b>	<ul style="list-style-type: none"><li>● Clear the entire facility of debris and thoroughly clean all areas.</li><li>● Clean the kitchen and leave everything in working order. Place garbage and debris in cans provided or in additional plastic bags supplied by the custodian.</li></ul>

## DO NOT

### ***Do not deface facility walls and surfaces by...***

- DON'T use scotch tape, masking tape, or adhesives on any surface, including gym floors.
- DON'T drive nails, hooks, or tacks into any surface.
- DON'T affix anything to walls, windows, doors, woodwork, curtains, beams, ceilings, chandeliers, or pieces of furniture.
- DON'T use acids, dyes, solvents, paint pigments, rubber-backed mats, or rubber casters.
- DON'T consume food in auditoriums, gyms, or theaters.
- DON'T SMOKE, VAPE OR CONSUME ALCOHOLIC BEVERAGES ON SCHOOL PROPERTY (**STRICTLY PROHIBITED**).

### **Witter Field Sports Facility**

## DO

### ***Respect the neighbors when using our facilities***

- Lights must be turned off not later than 10:00 p.m..
- The Witter Field Complex is CLOSED for use by the public during school hours.
- When Witter is open to the public (no permit holders are using the Facility) commercial use is prohibited. No for-pay trainers are allowed.
- Organized and/or commercial use may include but is not limited to activities with identified teams, or individuals, groups with uniforms, coaches, trainers, referees, presence of spectators, and equipment (such as goal posts, any kind of amplification system/equipment).



	<ul style="list-style-type: none"> <li>• All users are expected to be respectful of each other, the facility and the neighbors.</li> <li>• If more than one group wants to use the field, it is expected that groups will share.</li> <li>• The track area is reserved for individual casual joggers only.</li> <li>• <u>No organized use is allowed unless a permit is issued, including on Sundays.</u></li> <li>• The El Cerrito access gate will be locked on Saturdays at 4:00 p.m. and remain locked until Mondays at 6:00 a.m.</li> </ul>
<b>DO NOT</b>	
<b>Do not allow any of the following to occur:</b>	<ul style="list-style-type: none"> <li>• DON'T damage the track surface by allowing dogs, bicycles, skateboards, and vehicles on the fields or track.</li> <li>• All groups using the Witter Field Facility should make every effort to park in front of the Piedmont Middle and High Schools (740 through 800 Magnolia) and walk down to the Witter Field complex using the pathways to Havens Playfield. Dogs accessing Piedmont Park must be on a leash at all times.</li> <li>• Have stringent, resident only parking restrictions that carry a large fine. PUSD strongly recommends not parking in residential neighborhoods.</li> <li>• DON'T use any kind of portable public address system equipment</li> <li>• In accordance with Section 21113(a) of the California Vehicle Code, DON'T use or access the baseball or softball fields when closed to allow for seasonal field rest and regrowth of grass.</li> <li>• Observe all parking signs and posted restrictions. Place garbage and debris in cans provided or in additional plastic bags supplied by the school.</li> <li>• DON'T SMOKE, VAPOR OR CONSUME ALCOHOLIC BEVERAGES ON SCHOOL PROPERTY (<b>STRICTLY PROHIBITED</b>)</li> </ul>
<b>Park in designated parking areas and drive carefully</b>	<ul style="list-style-type: none"> <li>• DON'T allow food, beverages, or pets on the track or main football/soccer field.</li> <li>• <a href="https://www.witterfield.com">https://www.witterfield.com</a></li> </ul>
<b>Follow the guidelines set forth in the permit</b>	<ul style="list-style-type: none"> <li>• Visit PUSD's online reservation system to submit a reservation/permit request.</li> </ul>
	<ul style="list-style-type: none"> <li>• Abide by the hours posted and approved for the group's facility use permit.</li> <li>• Keep a copy of the facility use permit on hand in the event a conflict in scheduling or use is questioned.</li> <li>• Stay in the stands if you are a spectator.</li> </ul>

### Section 9: Facility Rental Fee Schedule

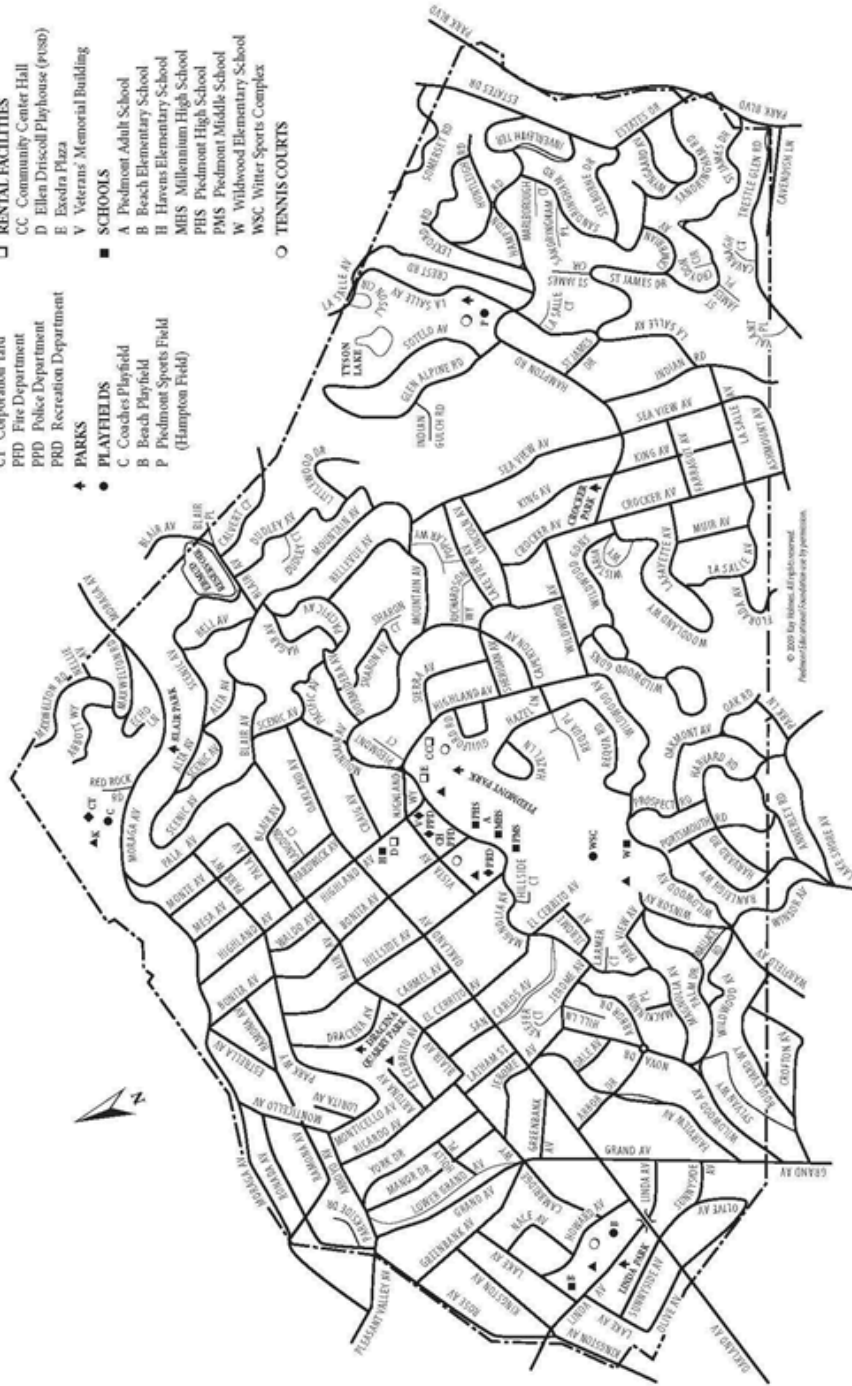
The table below lists the hourly rates for use of the District's facilities, based on the user type. **Terms of Use for the Alan Harvey Theater are separate, and found [here](#).**

School Site	Facility	Direct Costs	Full Rental Value
PHS	STEAM Bldg Classrooms	\$41	\$48
PHS	Engineering Lab	\$102	\$112
PHS	Alan Harvey Theater (SEE SEPARATE USE AGMT)	\$154	\$356
PHS	Binks Gym	\$147	\$212
PHS	PHS Student Center	\$87	\$112
PHS	PHS Classroom	\$41	\$48
PMS	Morrison Gym	\$102	\$159
PMS	Buzz Redford Gym	\$92	\$127
PMS	PMS Classroom	\$41	\$48
PMS	PMS MPR	\$89	\$124
PMS	Bern Court	\$40	\$42
PMS	PMS Sport Courts (per court)	\$40	\$42
Beach	Beach Classroom	\$41	\$48
Beach	Beach Auditorium	\$73	\$93
Havens	Havens Classroom	\$41	\$48
Havens	Ellen Driscoll Theater	\$73	\$95
Havens	Havens MPR	\$72	\$88
Havens	Becker Field, synthetic	\$70	\$78
Wildwood	Wildwood Classroom	\$41	\$48
Wildwood	Wildwood MPR	\$72	\$93
Wildwood	Wildwood Auditorium	\$73	\$93
Witter Complex	Witter Field, synthetic	\$87	\$148
Witter Complex	Witter Track	\$87	\$148
Witter Complex	Softball Field, grass	\$74	\$77
Witter Complex	Hardball Field, grass	\$95	\$99

# City of Piedmont

## LEGEND

- ◆ CITY DEPARTMENTS
  - CH City Hall
  - CY Corporation Yard
  - FFD Fire Department
  - PPD Police Department
  - PRD Recreation Department
- ▲ PLAYGROUNDS
  - K Kennelly Slate Park
  - CC Community Center Hall
  - D Ellen Driscoll Playhouse (russ)
  - E Exetra Plaza
  - V Veterans' Memorial Building
- RENTAL FACILITIES
  - A Piedmont Adult School
  - B Beach Elementary School
  - H Havens Elementary School
  - MBS Millennium High School
  - PBS Piedmont High School
  - PMS Piedmont Middle School
  - W Wildwood Elementary School
  - WSC Writer Sports Complex
- ◆ PARKS
  - C Coaches Playfield
  - B Beach Playfield
  - P Piedmont Sports Field (Hampton Field)
- ◆ SCHOOLS
  - A Piedmont Adult School
  - B Beach Elementary School
  - H Havens Elementary School
  - MBS Millennium High School
  - PBS Piedmont High School
  - PMS Piedmont Middle School
  - W Wildwood Elementary School
  - WSC Writer Sports Complex
- TENNIS COURTS



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