

Newcastle Elementary School District
Administrative Regulation
Use of School Facilities

AR 1330

Community Relations

Application for Use of Facilities

Any person applying for the use of any school facilities 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 facilities use statement indicating that they uphold the state and federal constitutions and do not intend to use school premises or facilities 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 (not to exceed one year), on a one-time or renewable basis, by any church or religious organization. No on-site storage permitted.
4. Child care programs to provide supervision and activities for children of preschool and elementary school age.

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

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, sports league activities that are arranged for and supervised by entities, including religious organizations or churches, and in which youth may participate regardless of religious belief or denomination.
7. A community youth center

(cf. 1020 - Youth Services)
8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516 - Emergencies and Disaster Preparedness 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 Governing Board
11. Precinct use for elections

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 an act prohibited by law.

2. Any use which is inconsistent with the use of the school facilities 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 and tobacco substances.

(cf. 3513.3 - Tobacco-Free Schools)

4. The district may exclude any activity which is discriminatory in the legal sense.
5. 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 damage caused by the activity. The district may charge the amount necessary to repair the damages and may deny the group further use of school facilities or grounds. (Education Code 38134)

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 when using school facilities. (Education 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 facilities being used.

The Superintendent or authorized designee shall maintain application procedures and regulations for the use of school facilities which: (Education Code 38133)

- 1) 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. If necessary, a person may be designated to supervise this task.
- 3) Ensure that the use of facilities or grounds is consistent with the use of the school's facilities or grounds for school purposes and does not interfere with the regular conduct of school work.
- 4) Application must be made on the district form at the school site and submitted to the site Principal at least ten (10) days prior to the date of use but no more than six (6) months prior to the date of use.
- 5) Any group or organization shall be required to include the district as additional insured on their liability policies. Said additional insured policy must be provided to the district prior to any intended usage of district facilities.

Priority of use of facilities is established as follows:

- 1) Use by the district to conduct educational programs and/or activities of the student body.
- 2) Organized community groups for conducting youth activities (Little League, soccer clubs, etc.) with higher priority given to groups serving local youth (Newcastle, Ophir, Penryn, Loomis, and Auburn).
- 3) Organized community groups for conducting youth activities from outside the areas mentioned above.
- 4) For profit groups.

Joint Use

The board may grant joint use of specific buildings or play fields to Placer County departments or organized community groups. Such use shall be based on the fact that all education programs and/or activities of the district have first priority on the facilities or fields.

Construction of new facilities such as baseball fields (including backstops), snack bars, restrooms, storage buildings, scoreboards, paved walkways, goal posts, etc. by Placer County departments or youth groups on school property may be permitted subject to specific approval by the board.

Detailed plans for any proposed construction on school grounds must be submitted to the Newcastle Elementary School District and comply with all local and state building codes and safety regulations.

Definitions and Fees

Fees for Use of School Facilities: Fees for the use of school facilities and fields shall be charged in accordance with the following classifications:

- 1) **Free Use:** Newcastle Elementary School District programs, Girl and Boy Scouts, etc.
- 2) By decision of the board or authorized designee, waivers of fees or determination of placement on a fee schedule may be determined for activities not specifically identified and which do not fall within one of the fee classifications.
- 3) **Direct Costs:** Those costs incurred for supplies, utilities, custodial services, services of any other district employees and any salaries paid to school district employees necessitated by the organization's use of the school's facilities and grounds of the district. (Education Code 40043)

The following activities shall be charged direct costs:

- a) When use falls outside of regular custodial hours, direct-cost fee schedule will apply.
 - b) Activities not previously identified which do not fall within the free-use or fair rental value classifications.
- 4) **Fair-Rental-Value Fees:** 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 facilities or grounds used for the duration of the activity. (Education Code 38134).

Utility Fees

Utility fees will be assessed to groups that use school district facilities during non-school operating hours.

Small gym or multi (upper or lower campus)	\$12.00 per hour
Boardroom/Office space	\$6.00 per day
All other interior spaces	\$6.00 per day/per space

Notice of Cancellation: The Newcastle Elementary School District office shall be given a minimum of three (3) business days advance notice of a cancellation by an applicant.

Presence of District Personnel: All inside activities shall require the presence of authorized district personnel at all times.

Supervision: All youth organizations and groups seeking use of school premises must have adequate adult sponsorship and supervision of all facilities used, including restrooms.

Summer Use: Summer use permits will be canceled as of one week prior to the opening day of school in the fall.

Revocations: The district may revoke Use of Facilities permits without previous notice when conflicting dates result or when the need of the property for public school purposes has subsequently developed. If this is necessary, a minimum of 24 hours advance notice shall be given whenever possible.

Denial: Applications will be denied if past history of use by an organization for similar use has resulted in violation of board policy, inconvenience for school use, unpaid costs for damages, consistent lack of supervision, or non-payment of fees.

Keys to School Facilities: Keys to school facilities shall not be issued to anyone other than full-time school employees or others at the Superintendent's or designee's discretion.

Equipment: The only equipment available for rental from the school district shall be folding chairs, tables, and risers. Other equipment such as computers, VCR's,

projectors, tools, etc. owned by the district may not be rented or taken from the school buildings at any time. Any exception to this policy must meet the approval of the site administrator or the Superintendent.

Kitchen Facilities: Any use of a kitchen or food service facility must be stated on the Facility Use Permit Application.

All requests for kitchen use shall be coordinated with the Chief Business Officer of the District.

Kitchen facilities and any kitchen equipment shall not be used unless supervised by food service personnel.

Field Use: Applicants requesting the use of a field for a period in excess of four hours shall be required to pay for the use of restroom facilities unless other provisions for restroom facilities have been arranged. During athletic seasons, the groups using the fields or outside areas must furnish portable restrooms. Placement locations are to be coordinated with each site.

Classroom Use: Use of elementary classrooms will not normally be allowed, however, usage may be permitted under special circumstances.

Duties of Assigned Personnel: Activities held at times other than hours covered by regular employee assignments shall be conducted in the presence of an employee assigned for this purpose. The employee so assigned shall arrange to conduct other school work (cleaning, etc.) in proximity of activities so as to be able to assist when needed and to protect school property. In the event the activity requires additional personnel for the specific program, only district-approved employees shall be utilized.

Activities held during regular working hours shall be billed an opening and closing fee equal to two (2) hours. The district's site employee shall unlock and check-in the user at the beginning of the event, check-out the user and lock the facility at the end of the event, and clean the area used at the end of the event.

Setting Up Facilities: Employees assigned to civic activities that require additional time in excess of that authorized or those showing improper use of school facilities should be brought promptly to the attention of the site administrator.

Prohibition of Animals on School Grounds: Animals of all types and kinds, whether or not people are controlling them or have custody of them, are prohibited on all district facilities except as provided below:

- 1) The administrator of each site may grant permission to an applicant who wishes to bring an animal on campus for the purpose of furthering an instructional program of the district.
- 2) Properly licensed seeing-eye or hearing-ear dogs accompanying a disabled participant in an instructional program are uniformly and automatically exempted from this policy.

It is the express intention of the school district that this policy meets requirements of the California Penal Code 374.4, and the California Vehicle Code 2113.

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