

NEWCASTLE ELEMENTARY SCHOOL DISTRICT FACILITY USE AGREEMENT

E 1330

A \$1 MILLION LIABILITY INSURANCE CERTIFICATE NAMING NEWCASTLE ELEMENTARY SCHOOL DISTRICT AS ADDITIONAL INSURED IS REQUIRED PRIOR TO ANY SITE USAGE

RATES: See Schedule of Facilities Fees (and utility fees if used during non-school operating hours)

CLASSIFICATION: I II III IV (____ Confirmed by Bus. Office)

NOTE: See Schedule of Facilities Fees with descriptions (Circle One Above):

NOTE: No field use available on Fridays (field maintenance day).

Requested Dates (attach sheet with additional dates if needed)		Times (include set up/take down time)	
		From: _____ am/pm	
		To: _____ am/pm	
		From: _____ am/pm	
		To: _____ am/pm	
AREA REQUESTED:	Check All That Apply	AREA REQUESTED:	Check All That Apply
Field (upper campus)		Restrooms (upper campus)	
Gym (upper campus)		Restrooms (lower campus)	
Gym (lower campus-600 Bldg)		Stage/Amphitheater (exterior)	
Hard Courts (upper campus)		DISTRICT OFFICE ROOMS:	
Hard Courts (lower campus)		Board Room	
Kitchen (requires FS worker)		Conference Room	
Library		Professional Dev. Room #1	
		Professional Dev. Room #2	
EQUIPMENT:			
Chairs (# needed) NTE _____		Tables (# needed)	
Risers (# needed) NTE _____		OTHER:	

ADDITIONAL DETAILS OF THE EVENT (Please circle yes or no for each detail)			
Is this a non-profit organization? (If yes, give ID #)	Yes	No	
Fee charged for participation or donation accepted? (If yes, list amount of fee or donation)	Yes	No	Fee: \$ _____ or Donation suggested: \$ _____
Estimated attendance:			Number: _____
Open to the Public?	Yes	No	
Will food or drink be served?	Yes	No	
If yes to food/drink, list items to be served (requires prior approval of site administrator)			

PLEASE NOTE THE FOLLOWING:

- 1) All fees are due at time of reservation prior to use. CHECKS should be made payable to: Newcastle Elementary School District.
- 2) NESD reserves the right to alter, revoke, or otherwise reschedule events at its sole and absolute discretion. See complete terms of Facilities Use Agreement attached.
- 3) Should a group/organization choose to cancel their facility reservation date(s), a cancellation notice of at least three (3) business days is required in order to receive a full or partial refund.
- 4) In the event pre-paid facility use dates are not used, a refund check, less a processing fee of \$20.00 per unused date, will be mailed to the group/organization.
- 5) APPROVAL REQUIRED at least ten (10) working days prior to the date(s) of use requested.
- 6) APPROVAL PENDING availability of facilities and district support staff.
- 7) MUST provide Certificate of Insurance naming the Newcastle Elementary School District as "additional insured."
- 8) Attached a set-up diagram with this application if applicable.

Requesting Organization/Group: _____ Contact Name: _____

Organization/Group/Contact Name: _____ Phone: _____

Contact Email: _____ Type of Event: _____

STATEMENT OF APPLICANT: This undersigned applicant is an authorized official of the group submitting this application. The applicant has read the District's rules and regulations, and properly executed a copy of the "Statement of Information" and "Hold Harmless Agreement."

It shall be distinctly understood, and agreed, that subject applicant and related organization making this application assume ALL RISK FOR LOSS, DAMAGE, LIABILITY, INJURY, COST, OR EXPENSE that may arise during or be caused in any way by such use of occupant of the facility.

The applicant further agrees that, in consideration of being permitted to use said facilities, the applicant and/or organization will save and hold the Newcastle Elementary School District and their agents and employees free and harmless from any loss, claim, and liabilities or damages and/or injuries to persons and property that in any way may be caused by the applicant's use of occupancy of said facilities.

Statement of Information as Required by Education Code 38135 & 38136

The undersigned states that, to the best of his or her knowledge, the school property for use of which application is hereby made will not be used for the commission of any act intended to further any program or movement the purpose of which is to accomplish the overthrow of the government of the United States by force, violence or other unlawful means;

That _____, the organization on whose behalf he or she is making application for use of school property, does not, to the best of his or her knowledge, advocate the overthrow of the government of the United States or of the State of California by force, violence, or other unlawful means, and that, to the best of his or her knowledge, it is not a Communist action organization or Communist front organization required by law to be registered with the Attorney General of the United States. This statement is made under the penalties of perjury.

Signature

The school board may require the furnishing of additional information as it deems necessary to make the determination that the use of school property for which application is made would not violate Section 38135.

Hold Harmless Agreement

The organization shall take and assume all responsibility for the use of the Newcastle Elementary School District facilities. The organization shall bear all losses and damages directly resulting to it or to others on account of the weather, unforeseen difficulties, accidents, or any other cause.

The organization shall assume the defense of an indemnify and save harmless, the Newcastle Elementary School District and its agents from all claims of every kind, nature, description, arising from this agreement and from any and all claims, loss, damage, injury and liability howsoever the same may be caused resulting directly or indirectly from the usage of Newcastle Elementary School District facilities by the organization.

Assumption of Risk

The organization is advised that risks are inherent in the use of any public facility, including but not limited to the present of transmissible infections and disease such as the novel Coronavirus/COVID-19. Organization agrees to follow all required public health directives and guidelines, as well as prudent best practices, including but not limited to use of face coverings, social distancing, and cleaning/disinfecting protocols. In light of current public health guidance and possible health risks, organization still desires to use the facilities. Organization has acknowledged that it has been advised of certain inherent risks that cannot be eliminated regardless of the care taken to avoid injuries. The specific risks vary, but include the full range of COVID-19 symptoms, including death. Organization has read the previous paragraphs and knows, understands, and appreciates these and other risks that are inherent in using the Newcastle Elementary School District facilities. The organization, on behalf of itself, its employees, agents, invitees, and guests, voluntarily chooses to use the facilities and knowingly assumes all such risks.

NOTE: APPROVAL PENDING – You will be contacted when approval is granted.

I declare, under penalty of perjury, that the foregoing statement is true and correct.

Signature of Authorized Representative

Additional Insured Policy No. (attach copy of policy)

Name (printed) of Authorized Representative

Title & Organization

Dated:

FOR DISTRICT USE ONLY

Facilities/Grounds Available on Requested Date(s) YES NO

Staff Available on Requested Date(s) YES NO

Approval Signature of Site Principal or Designee: _____ Date: _____

Approval Signature of District Secretary or Designee: _____ Date: _____

Approval Signature of Superintendent: _____ Date: _____

Conditions of Approval (if any):

User Group (circle one): I II III IV

Insurance Certificate Attached: YES NO Expiration Date of Policy: _____

NESD Shown on Certificate as Additional Insured: YES NO Expiration Date: _____

Facilities Use Agreement Signed by Applicant: YES NO

<u>COSTS</u>		<u>APPROVALS</u>	
Facility:	\$ _____	Fees Paid:	\$ _____
Equipment:	\$ _____		Check # _____
			Or Cash _____
Personnel:	Regular:		
	\$ _____	Business Services	_____
	Overtime:	Signature:	_____
	\$ _____		_____
	Other:	Superintendent Signature:	_____
	\$ _____		
Utility Fees:	\$ _____		
TOTAL CHARGES:	\$ _____	Date:	_____

Copy to: Applicant
Principal/Site Director
Maintenance Department
District Office Facilities Schedule Binder

(6/85, 9/87, 6/89, 9/13)

Board Approved: 6/23/21

Board Approved: 3/9/2022

Revised & Approved: 4/6/2022

NEWCASTLE ELEMENTARY SCHOOL DISTRICT SCHEDULE OF FACILITIES FEES

Effective 3/9/2022

USER CLASSIFICATIONS				
Class I (Free)	Civic users, District Parent Teacher Clubs & Organizations (Non-profit clubs, such as Scouts, fall into Class I.)	District programs, Individuals or entities from the local community who use the school facilities for civic purposes, such as voting, community meetings and emergency shelters.		
Class II	Program Partners (Non-profit sports programs, such as ARD, with 50% or more NESD students on the team fall into Class II.)	Non-profit entities, public agencies and youth sports programs, with 50% or more NESD students, with the primary purpose of providing programs and/or services that are designed and operated to benefit the students of the Newcastle Elementary School District.		
Class III	Community Users	Non-profit entities, public agencies, and youth sports programs with a primary purpose of providing programs or services that benefit the local neighborhood or community but are <i>not</i> specifically designed and operated to benefit the students (serve less than 50% NESD students).		
Class IV	Profit or Non-Profit	Profit or non-profit entities that raise revenue.		

FACILITY/ITEM REQUESTED	CLASS I	CLASS II	CLASS III	CLASS IV
Chairs (per 50)	\$0	\$0	\$20/day	\$25/day
Risers	\$0	\$0	Not Available	Not Available
Tables (per 5)	\$0	\$0	\$20/day	\$25/day
Field (upper campus) <i>No Friday Use</i>	\$0	\$25/hr.	\$30/hr.	\$35/hr.
Gym (upper campus)	\$0	*\$15/\$25/hr.	\$50/hr.**	\$100/hr.**
Gym (lower campus-600 Bldg)	\$0	*\$15/\$25/hr.	\$50/hr.**	\$100/hr.**
Hard Courts (upper campus)	\$0	\$0	\$10/hr.	\$15/hr.
Hard Courts (lower campus)	\$0	\$0	\$10/hr.	\$15/hr.
Kitchen (requires FS worker)	***\$100/day	***\$100/day	***\$100/day	***\$100/day
Library	\$0	\$25/hr.	\$50/hr.	\$100/hr.
Restrooms (2 @ upper campus)	\$0	\$15/hr.	\$20/hr.	\$25/hr.
Restrooms (2 @ lower campus)	\$0	\$15/hr.	\$20/hr.	\$25/hr.
Stage/Amphitheater (exterior)	\$0	\$0	\$25/hr.	\$50/hr.
DISTRICT OFFICE ROOMS:				
Board Room	\$0	\$15/hr.	\$20/hr.	\$25/hr.
Conference Room	\$0	\$10/hr.	\$15/hr.	\$20/hr.
Professional Dev. Room #1	\$0	\$10/hr.	\$15/hr.	\$20/hr.
Professional Dev. Room #2	\$0	\$10/hr.	\$15/hr.	\$20/hr.
PERSONNEL			Regular Rate	Overtime Rate
Head Custodian/Manager			\$36/hr.	\$53/hr.
Custodial/Maintenance			\$25/hr.	\$37/hr.
Food Services Manager			\$33/hr.	\$50/hr.
UTILITY FEES (If facility used during non-school operating hours)				
Gym (upper or lower)	\$0	\$0	\$12/hr.	\$12/hr.
Boardroom/Office Space (per space)	\$0	\$0	\$6/day	\$6/day
All other interior spaces (per space)	\$0	\$0	\$6/day	\$6/day

* Lower fee may be applied if set up, take down and clean-up is not required. In addition, facility usage must be during regularly scheduled custodial hours.

** Usage must occur during regularly scheduled custodial hours.

*** For use of kitchen facilities, user must show proof of non-profit status. An additional \$200/day cleaning deposit is required. Use of kitchen or equipment for food preparation requires NESD Food Service employee or designee be present during usage.

DENNY RUSH
SUPERINTENDENT
RAENEL TOSTE
CHIEF BUSINESS OFFICIAL



NEWCASTLE ELEMENTARY SCHOOL DISTRICT
645 KENTUCKY GREENS WAY, NEWCASTLE, CA 95658
(916) 259-2832 FAX: (916) 259-2835
<http://www.newcastle.k12.ca.us>

BOARD OF TRUSTEES
SARAH GILLMORE
WENDY SOKALSKIY
SAM MOORE
LAURA NEWBY
DR. ALEX RENSING

E 1330

FACILITIES USE STATEMENT

The undersigned, _____, is duly authorized by

(name of organization) _____, to act on its behalf in requesting the use of school facilities, including, but not limited to, executing any agreement or undertaking required by law and district policy and regulations governing the use of the facilities.

The organization shall comply with all restrictions placed on the use of the school facilities by law or district policy or regulations.

The organization recognizes that, in accordance with Education Code 38134, it is liable for any damage to the school facilities or for any injury to any person due to the organization's negligence in using the school facilities.

(Signed)

(Date)

(Organization)

NEWCASTLE ELEMENTARY/CHARTER SCHOOL * HARVEST RIDGE COOPERATIVE CHARTER *
CREEKSIDE CHARTER SCHOOL * ROCKLIN ACADEMY GATEWAY

The Newcastle Elementary School District, an equal opportunity workplace, Celebrates Successes while Teaching to the Future.

DENNY RUSH
SUPERINTENDENT
RAENEL TOSTE
CHIEF BUSINESS OFFICIAL



NEWCASTLE ELEMENTARY SCHOOL DISTRICT
645 KENTUCKY GREENS WAY, NEWCASTLE, CA 95658
(916) 259-2832 FAX: (916) 259-2835
<http://www.newcastle.k12.ca.us>

BOARD OF TRUSTEES
SARAH GILLMORE
WENDY SOKALSKIY
SAM MOORE
LAURA NEWBY
DR. ALEX RENSING

Memorandum

TO: Requesting Organization

FROM: Denny Rush, Superintendent

SUBJECT: Use of Facility Liability Insurance

The District was informed by its insurance carrier that, in addition to the requesting organization's "Certificate of Liability Insurance in the amount of \$1 million", we must also require an **"Additional Insured Endorsement"** naming Newcastle Elementary School District.

If you have any questions, please do not hesitate to contact me at (916) 259-2832.

Newcastle Elementary School District
Board Policy
Use of School Facilities

BP 1330

Community Relations

The Governing Board believes that school facilities and grounds are a vital community resource which should be used to foster community involvement and development. Therefore, the Board authorizes the use of school facilities by district residents and community groups for purposes specified in the Civic Center Act, to the extent that such use does not interfere with school activities or other school-related uses.

(cf. 6145.5 – Student Organizations and Equal Access)

The Superintendent or designee shall give priority to school-related activities in the use of school facilities and grounds. Other uses authorized under the Civic Center Act shall be on a first-come, first-served basis.

For the effective management and control of school facilities and grounds, the Superintendent or designee shall maintain procedures and regulations that:

(Education Code 38133)

1. Aid, encourage, and assist groups desiring to use school facilities for approved activities
2. Preserve order in school facilities and on school grounds and protect school facilities, designating a person to supervise this task, if necessary

(cf. 0450 – Comprehensive School Safety Plan)

(cf. 3516 – Emergencies and Disaster Preparedness Plan)

- 3) Ensure that the use of school facilities or grounds is not inconsistent with their use for school purposes and does not interfere with the regular conduct of school work

(cf. 6115 – Ceremonies and Observances)

There shall be no advertising on school facilities and grounds except as allowed by district policy specified in BP 1325 – Advertising and Promotion.

(cf. 1325 – Advertising and Promotion)

As necessary to ensure efficient use of school facilities, the Superintendent or designee may, with the Board's approval, enter into an agreement for the joint use of any school facilities or grounds. The Board shall approve any such agreement only if it determines that it is in the best interest of the district and the community.

(cf. 1330-1 – Joint Use Agreements)

Fees

(No charge to nonprofit youth and school-oriented organizations)

The Board authorizes the use of school facilities or grounds without charge by nonprofit organizations, clubs, or associations if organized to promote youth and school activities. As specified in Education Code 38134(a), these groups include, but are not limited to, Girl Scouts, Boy Scouts, Camp Fire USA, YMCA, parent-teacher associations/organizations, and school-community advisory councils. Other groups that request the use of school facilities under the Civic Center Act, including nonprofit groups not organized to promote youth and school activities and for-profit groups, shall be charged an amount not exceeding direct costs determined in accordance with 5 CCD 14037-14041. (Education Code 38134)

Additionally, when any use of school facilities or grounds is for religious services, the district shall charge an amount at least equal to the district's direct costs. (Education Code 38134)

In determining direct costs to be charged for community use of each, or each type of, school facility or grounds, the Superintendent or designee shall calculate, in accordance with 5 CCR 14038, the community's proportionate share of the following costs: (Education Code 38134; 5 CCR 14038-14041)

1. Capital direct costs calculated in accordance with 5 CCR 14039, including the estimated costs of maintenance, repair, restoration, and refurbishment of non-classroom space school facilities or grounds.

However, capital direct costs shall not be charged to organizations retained by the district or school to provide instruction or instructional activities to students during school hours or for classroom-based programs that operate after school hours, including, but not limited to, after-school, tutoring, and childcare programs. (5 CCR 14037)

(cf. 5148 – Child Care and Development)

(cf. 5148.2 – Before/After School Programs)

2. Operational direct costs calculated in accordance with 5 CCR 14040, including estimated costs or supplies, utilities, janitorial services, other services of district employees and/or contracted workers, and salaries and benefits paid to district employees directly associated with the administration of the Civic Center Act to operate and maintain school facilities and grounds

Direct costs fees shall not be discounted to any group or organization except when the discount is specifically authorized in the adopted fee schedule. (5 CCR 14041)

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 district's students. (Education Code 38134)

Expending Funds Collected as Capital Direct Costs

Any funds collected as capital direct costs shall be deposited into a special fund to be used only for capital maintenance, repair, restoration, and refurbishment of school facilities and grounds. (5 CCR 14042)

Legal Reference:

EDUCATION CODE

10900-10914.6 Community recreation programs

32282 School safety plan

37220 School holidays

38130-38138 Civic Center Act, use of school property for public purposes

BUSINESS AND PROFESSIONS CODE

25608 Alcoholic beverage on school premises

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act

MILITARY AND VETERANS CODE

1800 Definitions

CODE OF REGULATIONS, TITLE 5

14037-14042 Proportionate direct costs for use of school facilities and grounds

UNITED STATES CODE, TITLE 20

7905 Equal access to public school facilities

COURT DECISIONS

Good News Club v. Milford Central School, (2001) 533 U.S. 98

Lamb's Chapel v. Center Moriches Union Free School District, (1993) 508 U.S. 384

Cole v. Richardson, (1972) 405 U.S. 676

Connell v. Higgenbotham, (1971) 403 U.S. 207

ACLU v. Board of Education of Los Angeles, (1961) 55 Cal .2d 167

Ellis v. Board of Education, (1945) 27 Cal.2d 322

ATTORNEY GENERAL OPINIONS

82 Ops.Cal.Atty.Gen 90 (1999)

79 Ops.Cal.Atty.Gen 248 (1996)

Management Resources:

CSBA PUBLICATIONS

Maximizing Opportunities for Physical Activity Through Joint Use of Facilities,
Policy Brief, February 2010

Building Healthy Communities: A School Leader's Guide to Collaboration and
Community Engagement, 2009

WEB SITES

CSA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

(11/06 4/13 8/14 3/22)

Adopted 10/8/14

Adopted 3/9/22

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.

(3/04 11/06) 4/13

Adopted 6/19/13

Adopted 3/9/22

Revised & Adopted 4/6/22