

# Soledad Unified School District

## Schedule of Fees Use of School Property (Revised November 5, 2014)

	<b>GROUP I</b>	<b>GROUP II</b>	<b>GROUP III</b>	<b>GROUP IV</b>	<b>Deposit</b>
	Soledad Unified School District Activities (i.e. clubs, athletic events, etc.) Organizations and Non Profit/ No Admittance Fee	Non-Profit and School-Oriented Activities/ Admittance Fee	Use by other Nonprofit Organizations and Governmental Agencies not sponsoring youth centered events	Commercial, Entertainment, Political Fundraising, Religious and other uses	Applied to Groups II,III, IV *** ( Non-refundable)
Classrooms	No Charge	\$25/hour	\$45/hour	\$65/hour	\$50
Multi-Purpose	No Charge	\$55/hour	\$75/hour	\$90/hour	\$100
Multi-Purpose w Kitchen	No Charge	\$65/hour	\$85/hour	\$105/hour	\$100
Gymnasium	No Charge	\$75/hour	\$85/hour	\$95/hour	\$100
Football Stadium	No Charge	\$175/hour	\$325/hour	\$475/hour	\$300
Athletic Field	No Charge	\$45/hour	\$65/hour	\$85/hour	\$100

<b>PERSONNEL RATES</b>					
<b>Type</b>		<b>Regular Time</b>	<b>Regular Time</b>	<b>Regular Time</b>	
Custodial/Security Services Personnel	Actual time charge @	\$30.00/hour	\$30.00/hour	\$30.00/hour	
Kitchen Services Personnel	Actual time charge @	\$30.00/hour	\$30.00/hour	\$30.00/hour	

1. Gymnasiums may not be used by any group that may harm the finish on floors.
2. No food or drinks are allowed in the gymnasiums, libraries, or classrooms.
3. Charges for unusual requests will be made on an individual basis based on fair market value.
4. When facilities are used, the permit holder is responsible for cleaning and restoring the facility to its original condition immediately after use. A fee will be charged if cleaning or repair becomes a district responsibility.
5. Security personnel are required for activities involving more than 100 people and/or activities that are determined to be high risk.

10. No smoking including the use of electronic nicotine delivery systems (ENDS), with or without nicotine, alcoholic beverages, drugs, or firearms are allowed on school property. Profane language, gambling or fighting will not be permitted on any district property. No food or drinks are allowed in any facility except for cafeterias, Multi-Purpose Rooms, and the Mission Room. Food and drinks may be set up outside gymnasiums, libraries, or classrooms. An adult must be stationed at each door to these facilities to ensure that no food or drinks are taken in.
11. Groups using the gym for athletic events must provide at least two adults in addition to coaches in order to provide adequate supervision.
12. Cancellation or denial of facility use may be made at the school's discretion. Any organization causing damage or vandalism of school facilities will not be allowed to use the facilities again. Organizations that do not pay for facility use will be denied future use of facilities.

\*\*\* Deposit may be applied towards group's charge and for any additional fees that may have been incurred due to damages of the District's Facilities. Each site will be charge of evaluating the conditions of the facility after each event and report to the Director of MOT.

# Soledad USD

## Administrative Regulation

### Use Of School Facilities

AR 1330  
Community Relations

#### General Procedures and Requirements

Any persons applying for the use of any school facility or ground on behalf of any society, group or organization shall present written authorization from the group or organization to make the application. Nonprofit organizations will be required to provide proof of their 501(c)(3) status to qualify for Type II or Type III fees.

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.

All forms in the Facilities Use packet are required to be completed prior to approval and scheduling of facilities. Applicants submitting incomplete forms will be contacted to address the matter. In the event that all requested material is not submitted in a timely manner, the application for use may be denied.

The Superintendent or designee has the authority to schedule and/or cancel events according to Board policy and administrative procedures, to determine appropriate facility use types according to the definitions in BP 1330, to assess appropriate fee schedules, to set standard and additional insurance coverage required, and to establish other regulatory mechanisms to facilitate the application process.

Any cancellation on the part of the school district requires approval of the Superintendent or designee before the applicant is informed of the need to cancel their reservation. The district shall give as much advance notice as is reasonably possible of pending or actual cancellations.

#### 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, on a one-time or renewable

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

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 5131.6 - Alcohol and Other Drugs)

The district may exclude certain school facilities from non-school use for safety or security reasons. This may include any computer lab setting.

#### 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. (Education Code 38134)

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 used.

Regulation SOLEDAD UNIFIED SCHOOL DISTRICT  
approved: February 13, 2013 Soledad, California

# Soledad USD

## Board Policy

### Use Of School Facilities

BP 1330

#### Community Relations

The Governing Board recognizes that district facilities and grounds are a community resource and authorizes their use by community groups for purposes provided for in the Civic Center Act when such use does not interfere with school activities and is not detrimental to school property.

(cf. 6145.5 - Student Organizations and Equal Access)

District facilities include specific district buildings and rooms; athletic fields; equipment; and other property of the district. Facilities available for use are listed in the Facilities Use packet. Any facilities not listed in the packet may be requested through the site principal and decided on a case-by-case basis.

All school-related activities shall be given priority in the use of facilities and grounds under the Civic Center Act. Thereafter, the use shall be on a first-come, first-served basis.

The Board delegates the Superintendent or designee the authority to determine appropriate use categories, develop a fee schedule, determine the amount and type of liability insurance required, and to establish procedures to facilitate the application process. Fee schedules will be reviewed annually and brought to the Board for approval if adjustments are needed.

The Superintendent or designee shall maintain procedures and regulations for the use of school facilities and grounds that: (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, 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

#### Classification of Use

Type I: School District Activities

All district activities (i.e. clubs, athletic events, etc.) will be given priority in the use of facilities under the Civic Center Act. There will be no fees charged for these activities and the district will strive to minimize any costs associated with these activities. The district regards most activities and uses of parent teacher association's and other activities that provide direct financial benefits exclusively to schools of the district as Type I uses.

Type I uses shall only be those uses that are primarily organized, sponsored, conducted and supervised by district schools or its affiliated groups.

The public use of school facilities will be on a first-come, first-served basis after district school-related activities are served, provided that these other uses do not interfere with school activities.

Official school activities may displace applications from other categories if the facilities department approves the cancellation of a non-district previously scheduled activity in accordance with AR 1330.

#### Type II: Nonprofit Youth and School-Oriented Activities

The Board emphasizes the importance of nonprofit youth and school-oriented organizations in the community and believes that without incurring financial costs, the district should assist the work of such organizations through the use of school facilities. As delineated under the Civic Center Act, groups that usually have events or uses that meet eligibility requirements for this category include, but are not limited to, Scouts, Camp Fire Inc. It is recognized that many of these groups depend on the support of a significant volunteer base and thus merit the special consideration provided here.

The Board authorizes the district to forego, when applicable, facility rental charges for nonprofit organizations, clubs or associations organized to promote youth and school activities and qualify their use of school facilities as a Type II use. Nonprofit organizations which qualify for this use fee category are still required to reimburse the district for any and all direct costs associated with reserving facilities beyond normal hours of operation, including, but not limited to, personnel costs to set up, provide security for and clean up facilities; administrative processing fee(s); and energy surcharges when appropriate.

Applicants will be required to provide proof of their nonprofit 501(c)(3) status to be eligible for Type II use fees.

#### Type III: Use by other Nonprofit Organizations and Governmental Agencies

Agencies or nonprofit groups that are not sponsoring youth-centered events will be charged at least direct costs, including, but not limited to, a room charge; custodial and/or other district personnel costs; administrative processing fee; and, when appropriate, an energy surcharge. Nonprofit organizations that have events that do not qualify for Type II use fees will be charged Type III use fees for their event(s).

Nonprofit applicants will be required to provide proof of their nonprofit 501(c)(3) status to be eligible for Type III use fees.

**Type IV: Commercial, Entertainment, Political Fundraising, Religious and Other Uses**

The district will charge fair market or rental value for events or uses intended for commercial, entertainment, political, and religious purposes. Such uses also include 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 pupils. (Education Code 38134)

**Legal Reference:**

**EDUCATION CODE**

10900-10914.5 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

**MILITARY AND VETERANS CODE**

1800 Definitions

**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:**

**CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES**

1101.89 School District Liability and "Hold Harmless" Agreements, LO: 4-89

**WEB SITES**

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

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

**Policy SOLEDAD UNIFIED SCHOOL DISTRICT**

**Soledad Unified School District  
Application for Use of Facilities and Grounds**

SITE REQUESTING:	ROOM REQUESTED:	FACILITY <input type="checkbox"/> GROUNDS <input type="checkbox"/>
INTENDED USE OF FACILITY:		
SEATING FOR HOW MANY PERSONS:		TIME: _____ to _____
DATE(S):		
MONTHS NEEDED:	FROM:	TO:
1. Will admission fees be charges or contributions solicited?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
2. If answer to (1) is yes, will net receipts be expended for welfare of pupils of the district or for charitable purposes?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
3. Is meeting open to general public?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
4. Will the activity serve beverages and food?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
5. Will you need Custodial assistance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
6. Will you need someone to open and close?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
6a. Areas to be unlocked/locked? Please list areas: _____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
7. Will the activity require tables and chairs? If yes, how many?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
8. Will the activity require rearranging of furniture? If yes, fill out additional form	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<p>The applicant group agrees to comply with the school district's rules and regulations regarding civic center use of school facilities. (A COPY OF THE RULES IS ATTACHED AND IS MADE A PART OF THIS APPLICATION)</p> <p>The applicant states that he/she is a member of the applicant group, and unless he/she is an officer of the group, has obtained written authorization (copy provided) from the group to apply for the use of the school facility.</p> <p>Should any facilities or equipment be damaged or destroyed as a result of such group, it is agreed that the group shall be responsible for the cost of repairing or replacing same. The undersigned states that, to the best of his/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 or the State of California by force, violence, or other unlawful means. The _____, 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.</p> <p><b>THIS IS AN APPLICATION ONLY AND DOES NOT BECOME A PERMIT UNTIL APPROVED BY A SCHOOL OFFICIAL AND THE DISTRICT OFFICE.</b></p>		
Applicant Group:		Group Contact:
Mailing Address:		Phone:
Applicant Signature:		Date:

Site Administrator Approval: _____	Date: _____
MOT Administrator Approval: _____	Date: _____
Labor: _____ Utilities: _____ Facility Rate: _____	
CHARGE FOR USE: YES <input type="checkbox"/> NO <input type="checkbox"/>	
District Office Approval: _____	Date: _____





**SOLEDAD UNIFIED SCHOOL DISTRICT**

**Facilities Fee Waiver Request Form**

**Instructions:** After completing all facilities request documents, this form may be used to request a waiver. Please also note that only programs that directly benefit the students of the Soledad Unified School District will be considered for a waiver. Only the District Superintendent or designee is authorized to approve the reduction or elimination of our standard fees.

Organization requesting use of facilities: \_\_\_\_\_

Address of organization: \_\_\_\_\_

Person completing this form: \_\_\_\_\_

Telephone number: \_\_\_\_\_

Facilities requested: \_\_\_\_\_

Name of the Event(s): \_\_\_\_\_

Date(s) requested: \_\_\_\_\_

Below please describe how your program will benefit the students of Soledad Unified School District:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DISTRICT OFFICE USE ONLY;**

Waiver for all fees and cost is hereby approved :	<input type="checkbox"/>	check appropriate box:
Waiver for only the facilities fees is approved:	<input type="checkbox"/>	(district personnel cost is still being charged)
Waiver is NOT approved:	<input type="checkbox"/>	
Signed, District Superintendent or Designee: _____		Date: _____

**SOLEDAD UNIFIED SCHOOL DISTRICT**

**STATEMENT OF INFORMATION**

The undersigned states that, to the best of his/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 purposes 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/she is making application for use of school property, does not, to the best of his/her knowledge, advocate the overthrow of the government of the United States or the State of California by force, violence, or other unlawful means, and that, to the best of his/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

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Organization, if Applicable)

SOLEDAD UNIFIED SCHOOL DISTRICT  
Soledad, California

**SOLEDAD UNIFIED SCHOOL DISTRICT**

Rupi Boyd, District Superintendent

E (2) 1330

**HOLD HARMLESS AGREEMENT**

I, \_\_\_\_\_, agree to and hereby indemnify and hold harmless the Soledad Unified School District, its officers, agents and every claim or demand made, from every liability, loss, damage, or expense, of any nature whatsoever, which may be incurred by reason of:

- (a) Death or bodily injury to persons, loss of or injury to property, or any loss, damage or expense which may have been sustained by the District or any person, firm or corporation employed by the District upon or in connection with the activity called for in this agreement.
- (b) Any injury to or death of persons or damage to property, any loss or theft sustained by person, firms or corporation arising from any act of neglect, default, omission, negligence or willful misconduct of \_\_\_\_\_, or any person firm or corporation employed by \_\_\_\_\_, either directly or by independent contract and attributable in connection with the activity covered by this agreement, on or off District property.

\_\_\_\_\_, at the expense, cost and risk, shall defend any and all action suits, or other proceedings that may be brought or instituted against the District, its officers, agents or employees and shall pay or satisfy any such claim, demand, liability, or judgment rendered against the District, its officers, agents, or employees in any action, suit or other proceedings as a result of the activity called for in this agreement.

**ACTIVITY:** \_\_\_\_\_

Legal Name: \_\_\_\_\_

Authorized Agent: \_\_\_\_\_

District Agent: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

1261 Metz Road • P.O. Box 186 • Soledad, CA 93960 • (831) 678-3987 • Fax (831) 678-2866

Form S-68 R (10-11)

- Distribution: White - District Office  
Canary - Vendor  
Pink - Director of Facilities



*Soledad Unified School District  
Use of Facilities*

<b>Date of Event:</b>	<b>Nature of Event:</b>
<b>Organization:</b>	<b>School Requested:</b>
<b>Requested By:</b>	<b>Room Requested:</b>
<b>Date Requested:</b>	
<p>In the space below, please indicate the number of tables, chairs, AV equipment, etc., you will need. Please draw a sketch of how you want it set up.</p>	
<b>For District Use Only</b>	
<b>Scheduled By:</b>	
<b>Date:</b>	
<b>CC: District Office</b> <b>Requesting Party</b> <b>MOT</b>	