

NICASIO SCHOOL DISTRICT

Administrative Regulations

Series 1000:Community Relations

AR 1330

USE OF SCHOOL FACILITIES

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, on a one-time or renewable basis, by any church or religious organization
4. Child care programs to provide supervision and activities for children of preschool and elementary school age
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 to, 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
8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

9. A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization
 - a. 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

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 any act prohibited by law
2. Any use which is inconsistent with the use of 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 drugs or any restricted substances, including tobacco
4. Any use which involves the possession, consumption, or sale of alcoholic beverages.

Categories of Use

Category 1

School-related activities and organizations, including, without limitation, school clubs, the school board, site council, and school sponsored after-school programs

Category 2

Local non-profit organizations, clubs and associations that are specifically organized to promote activities for youth and/or the Nicasio community. These include, without limitation, the Nicasio School Foundation, the Nicasio 4-H Club, the Nicasio Volunteer Fire Department (including Disaster Council and Ladies Auxiliary), the Nicasio Land Owners Association, Nicasio Land Preserve, Nicasio Historical Society, St. Mary's Church, Red Cross, and District Elections.

Category 3

Other non-profit organizations, clubs and associations contemplated by the Civic Center Act, including, but not limited to:

- a. Public, literary, scientific, recreational, education or public agency meetings.
- b. The discussion of matters of general or public interest.
- c. The conduct of religious services for temporary period, on a one-time or renewable basis, by any church or religious organization.
- d. Childcare programs to provide supervision and activities for children of preschool and elementary school age.
- e. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies.
- f. Supervised recreational activities including, but not limited to, sports league activities that are arranged for and supervised by entities, including religious organizations, etc.

Category 4

For-profit organizations and groups which use school facilities or grounds for entertainment or meetings where admission is charged or contributions are solicited and net receipts are not to be expended for charitable purposes or for the welfare of the District's students. Private individuals and groups, at the site administrator's discretion, may rent campus facilities, the fee for which will be determined by the site administrator.

Priorities

1. No use shall interfere with the regular conduct of school or school work.
2. Category 1 shall have first priority in the use of District facilities.
3. Other Categories may use district facilities in accordance with this policy if and when available.
4. As a general rule, no use of district facilities will be granted to individuals or unrecognized groups for personal or private functions.

Rental Fees and Other Charges

No rental fees will be charged to organizations that fall under Category 1 or Category 2. Category 3 users will be charged rental fees based on the direct cost of using the district facilities. Users belonging to Category 4 will be charged rental fees based on fair rental value.

Rental Fees

Rental areas and associated fees listed below may be modified at the discretion of the District to accommodate for special circumstances and use.

The rental areas and associated fees may not include the use of water and/or bathrooms due to the District's limited supply of well water. In such cases, the sponsoring organization will be responsible for arranging for and providing onsite portable toilets.

Facility	Category 3	Category 4
Classroom	\$30/hour	\$50/hour
Library	\$30/hour	\$50/hour
Library w/ Computer Lab	\$50/hour	\$95/hour
Multi-Purpose Room (MPR) Auditorium/Stage (no kitchen)	\$40/hour	\$75/hour
Multi-Purpose Room (MPR) w/ Kitchen	\$50/hour	\$95/hour
Large Field/Track/Basketball Court	\$40/hour	\$75/hour
Small Field/Playground	\$40/hour	\$75/hour
Parking Lot When not used in conjunction with another use listed above	\$75/day Daytime Use	\$100/day Daytime Use
	\$100/day Nighttime Use	\$125/day Nighttime Use
Parking Lot w/ Exterior Power When not used in conjunction with another use listed above	\$100/day Daytime Use	\$125/day Daytime Use
	\$125/day Nighttime Use	\$150/day Nighttime Use
Daytime Use:	Between 9am and 5pm	
Nighttime Use:	Between 5pm and 9am	
(Nighttime use fees includes any daytime hours used in addition to nighttime hours within a 24-hour period)		

Other Charges

Unless waived by the District, all Categories of users other than Category 1, will be required to pay for the time of the District Point Person, based on the personnel costs incurred by the district. All Categories of users will be required to pay for any damages they cause to district facilities.

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)

Groups or persons using district facilities shall be liable for any injuries and/or property damage caused by their use and shall bear the cost of insuring against such risks and defending themselves against claims arising from such risks. Unless waived by the District's Superintendent or designee, all groups or persons using district facilities are required to carry liability insurance policies with a combined single limit of at least \$1,000,000 per occurrence, to cause the District to be designated as an additional insured on such policy, and to provide the District with a certificate evidencing that such insurance is in place. The District's Superintendent or designee may require a hold harmless agreement when warranted by the type of activity or the specific facility being used.

Application Process

A group or person wishing to use district facilities ("Applicant") must complete the District's application form and submit it to the District at least thirty (30) days in advance of the first date of use being requested. The person signing the form on behalf of the Applicant must be authorized by the Applicant to act on behalf of the Applicant and to bind the Applicant to the terms contained in the Application and other agreements between the District and the Applicant relating to the proposed use.

Applicants shall be notified in writing whether the application is approved or denied. If approved, a copy of the application signed by the District's representative together with special requirements shall be provided to the applicant.

Applicable fees must be received by the District at least ten (10) days prior to the scheduled use. Checks should be made payable to "Nicasio School District." There will be no refunds for cancellations made less than two (2) days before the scheduled event.

Implementation of Policy

The Superintendent or designee shall develop and maintain application procedures and regulations (AR 1330) to implement this policy which:

1. Encourage and assist groups desiring to use school facilities for approved activities, consistent with this policy;
2. Preserve order in district buildings and on district grounds and protect district facilities; and
3. Ensure that the use of district facilities and grounds is not inconsistent with the use of the school facilities for school purposes and does not interfere with the regular conduct of schoolwork.

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.

Board Approved: May 7, 2019