

**MBUSD
COMMUNITY RELATIONS
USE OF SCHOOL FACILITIES**

AR 1330(a)

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

(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 6300 - 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 to, sports league activities that are arranged for and supervised by entities, including religious organizations or churches, and in which youths may participate regardless of religious belief or denomination

7. A community youth center

(cf. 1020 - Youth Services)

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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 (Education Code 38131)

A veterans' organization means the American Legion, Veterans of Foreign Wars, Disabled American Veterans, United Spanish War Veterans, Grand Army of the Republic, National Guard, or other duly recognized organization of honorably discharged soldiers, sailors, air force, 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 (Education Code 38131)

~~The district may grant the use of school facilities on those days on which the public school is closed. (Education Code 37220)~~

~~(cf. 6115—Ceremonies and Observances)~~

Community Use of Facilities

1. District/School Master Calendar

Assigned district and school personnel shall place all approved district/school meetings, activities and events on the district Master Calendar by submitting a facility use application to the facility coordinator/designee. The application must specify the sponsoring staff's name, whether additional supervision will be needed and provided, and the signature of the principal/district administrator who approved the meeting, event or activity. For meetings and events scheduled throughout the school year, a reservation request must only be submitted one time annually.

2. Reserved Weeks

The following weeks shall be reserved for district/school activities:

- a. The first and last weeks of school
- b. The last week prior to winter break

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- c. Public Schools Week
 - d. Weeks designated on the district's Master Calendar for individual conferences
3. Use for Civic Center

District facilities and grounds are available for Civic Center use, as follows:

Days	Hours/Buildings	Hours/Grounds
Weekdays	5:00 PM	Until sundown (lighted <i>closes at 10:30 PM</i>)

Use of district facilities and grounds on weekends and holidays will be determined on the basis of availability of district employees for supervision and/or cleanup. Should it be determined that district employees are available on the weekend and/or holiday date(s) requested, district facilities and grounds are available for Civic Center use as follows:

Days	Hours/Buildings	Hours/Grounds
Saturdays	8:00 AM to 11:00 PM	7:00 AM Until sundown (lighted close at 10:30 PM)
Sundays	8:00 AM to 11:00 PM	7:00 AM Until sundown (lighted closes at 10:30 PM)
Holidays	Closed	7:00 AM Until sundown (lighted closes at 10:30 PM)

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Any persons applying for the use of any school facility or grounds on behalf of any society, group, or organization shall present written authorization from the group or organization to make the application. (Exhibit 4-3)

~~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.~~

The Superintendent/designee shall execute the following procedures for an application for use of district/school facilities and grounds:

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1. Filing Dates

Applications for the use of facilities shall be filed at the district at least three (3) weeks in advance of the time of use of the facility. Applications are available in the main office of each school, district office, M&O facility or online at www.mbusd.org. An application fee may be charged at the time of filing to partially defray the costs of processing, except for district students and employees requesting buildings and grounds for academic, school-related co-curricular, or professional development activities, city agencies, and school-support groups. The processing fee is listed in Exhibit (1) that follows.

2. Precedence of District/School Functions

District/School functions and events shall take precedence over any previously scheduled event by an outside organization. In such cases, the district, through the facilities coordinator, will make every effort to reschedule the outside event to another facility or grounds. The facilities coordinator or principal/designee shall notify the outside group, organization, agency or individual as soon as possible when it is necessary to cancel a scheduled outside event for school/district purposes.

3. Cancellations

In the event there is a cancellation of the application by the user, a 24-hour notice of the cancellation must be given to the school involved. Failure to notify the school with a 24-hour notice could result on loss of paid fees. The principal/designee must notify the facility coordinator/designee of such cancellation as soon as possible.

The district reserves the right to deny any application or cancel any contract when such action is deemed to be in the best interests of the Manhattan Beach Unified School District and/or its schools. On any day that the district and/or schools are closed for emergency circumstances, the use of school facilities will be canceled. Users are responsible for notifying its members of such circumstances.

4. Adult Sponsorship

All youth organizations and groups seeking use of school facilities or grounds must show proof that the event will have adequate adult sponsorship and supervision for all facilities used, including the restrooms. The designated adult supervisor(s) must remain with the members of the organization or group at all times while using district facilities and/or grounds. Users may be required to present to the facilities coordinator/designee a Facility User's plan which show how school facilities and grounds will be adequately supervised for all participants' safety.

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5. User's Responsibilities

All users will accept responsibility for the care and maintenance of school facilities and grounds and agree to the conditions of use listed on the application form. (Exhibit 1) Users will obey all public laws and School Board policies and regulations when using school property. The person or organization who signs a contract for use of school facilities will be held financially liable for the contract provisions.

6. Denial of Use of District/School Facilities and Grounds

Individuals, groups, organizations or agencies that do not comply with district procedures, Board policies and regulations or state laws dealing with use of school/district facilities and grounds, shall be denied any further use of district facilities and/or grounds.

7. Employee organizations shall have the right of access to use district facilities at reasonable times.

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 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)

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 damages caused by the activity. The ~~Board~~ **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*)

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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)

As determined by the facilities coordinator, groups or organizations may be required to 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 facilities coordinator/designee may require a hold harmless agreement and indemnification when warranted by the type of activity or the specific facility being used.

Supervision of District/School Facilities

All Civic Center Act activities shall require the presence of authorized district/school personnel at all times unless exempt from the requirement by the facility coordinator/designee.

1. Civic Center Act activities held during the times that regularly assigned district personnel are working shall be supervised by the employee/employees on duty. The principal/district administrator shall make the assignment for supervision of Civic Center Act activities.
2. A Civic Center Act activity that exceeds the time authorized by the approved contract for use of school facilities or involves improper use of school facilities and grounds shall be reported by the district employee assigned to supervise that activity as soon as possible to the Superintendent/designee.

Duties of Assigned Personnel for Civic Center Activities

Parent and teacher organizations (PTA), School Site Councils, employee groups, Manhattan Beach Education Foundation, Manhattan Beach Athletic Foundation and other school committees may use school/district facilities when a custodian is not on duty provided the principal or other responsible staff opens and secures the site.

A food service employee shall be assigned the responsibilities of supervising the use and care of cafeteria equipment when cafeteria facilities are used. The number of adults in the cafeteria kitchen shall be determined by the food service employee in charge.

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Arrangements to use the cafeteria facilities shall be made with the Food Service Director/designee.

Civic Center activities held at times other than hours covered by regular employee assignments shall be conducted in the presence of an employee assigned for that purpose. The employee so assigned shall arrange to conduct other school work in proximity of the civic center activities so as to assist with the activity when needed and to protect school property.

As part of the civic center assignment, employees assigned to the activity are to clean and set up facilities for regular school use before the next school day.

Fees and Charges

Exhibit 1330 (4 I) shows the fees and charges for direct costs and fair rental value of district/school facilities and grounds. All fees will be assessed in hourly increments. The calculation of rental, personnel and special fees will be based on the category into which a user is placed as well as the personnel or special needs required to accommodate the event. (~~Exhibit (3)~~)

Fees cover the use of basic equipment located in the rented area (e.g., chairs, desks, tables, etc.) Storage space is not available at any facility. Use of Facilities fees are based on:

1. Type of facility requested
2. Type of room or space requested
3. Length of time the facility is needed

Only minimal support services such as unlocking and locking doors and turning on and off lights are included in the fees.

Special fees will be assessed for:

1. Use of stadium lights, stage lights or spotlights
2. Use of kitchen utilities
3. Use of school equipment, if permitted
4. Special trash pick-up, as needed, after an event

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If a district employee is required for preparation before and/or after a user's activity, the cost of the employee time and materials will be charged. The district reserves the right to charge for additional personnel if the proposed activity warrants additional supervision and/or protection of school/district facilities and/or grounds.

The school facility coordinator/designee will decide when additional personnel are needed to support a reservation for use of facilities and grounds. Users will pay for personnel services required to:

1. Attend to the building and/or grounds during hours when the building/grounds are not in normal use (overtime)
2. Set up of an area is required prior to use and clean up after use (The facility coordinator/designee may approve a user's request to provide its own set-up and clean up.)
3. Assistance in a school kitchen facility (Paid food service personnel must be present if kitchen facilities are used.)
4. Assistance with lighting and sound equipment
5. Supervise large groups (A staff supervisor may be assigned at the discretion of the principal/designee.)
6. Provide other appropriate services, as needed

Non-profit community youth groups and organizations exempt from use of facility fees for grounds and buildings will be charged fees for lighting.

Should any group or organization exempt from fees or charges under this policy use school facilities or grounds at times when there is no district service available, and it is determined that such district service is required to supervise and/or clean the facility/grounds, the district may charge a fee equal to the cost of those services.

All requests for use of facilities involving third-party contracts or private use shall be referred to the ~~Assistant Superintendent, Administrative Services~~ **Deputy Superintendent** for approval of applications and assignment of fees.

Payment of Fees

Payment of facility use fees shall be made by check payable to the Manhattan Beach

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Unified School District at least ten working days prior to the scheduled event except when facilities or grounds are contracted for a series of events scheduled over several months. Events scheduled over several months may be paid monthly. Users paying monthly fees must pay on or before the first working day of each month. When fees are not paid prior to the use date, the user will not have access to the facility.

Upon signing the facilities use application form, the user acknowledges and agrees to a five percent penalty fee for late payment. In the event collection must be referred to an attorney, the user agrees to pay for all attorney fees associated with the collection. Situations involving the collection of penalties for late payment of fees and/or fees referred for collection to an attorney shall be determined by the Assistant Superintendent, Administrative Services.

District/School Facilities Used as Polling Places.

The Board authorizes the use of district/school facilities for polling places several times each year. Schools shall be notified of the polling dates and locations.

Summer Use of District Facilities and Grounds

School related clubs and organizations, PTA's, Manhattan Beach Education Foundation, Manhattan Beach Athletic Foundation, and school booster clubs are permitted to conduct summer activities for educational purposes, enrichment and fund-raising. Contracts for summer use of district facilities and/or grounds will be executed by the Assistant Superintendent, Administrative Services.

Nonprofit organizations granted use of district facilities and grounds will be charged fees based on non-commercial rates as well as any necessary personnel or other costs associated with the use.

Colleges and Universities

Courses of instruction offered by accredited colleges and universities may be conducted in school facilities upon approval by the ~~Assistant Superintendent, Administrative Services~~ **Deputy Superintendent**. Approved colleges and universities granted use of district facilities and/or grounds will be charged fees based on non-commercial rates as well as any necessary personnel or other costs associated with the use.

Commercial Prohibition

Unless school district property has been declared surplus, the renting of district facilities/grounds by a for-profit individual or organization for the purpose of promoting or conducting a business or selling merchandise is not allowed.

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Interpretation of Policies and Regulations related to Use of School Facilities

Disputes in the interpretation of Use of School Facilities policies and regulations are to be referred to the Assistant Superintendent, Administrative Services. If the user does not concur with the decision(s) of the Assistant Superintendent, Administrative Services, the user may appeal to the Superintendent. If the user does not concur with the decision(s) of the Superintendent, the user may appeal to the Board. The decision(s) of the Board shall be final.

Regulation
approved: September 3, 2008
reviewed:

MANHATTAN BEACH
UNIFIED SCHOOL DISTRICT
Manhattan Beach, California