

## **USE OF SCHOOL FACILITIES**

### **I. Use of School Facilities**

- A. The Monrovia Unified School District (“District”) recognizes that there exists a civic center at each of its school facilities and grounds, pursuant to Education Code section 38131. The Board of Education (“Board”) may grant the use of its school facilities or grounds to the citizens, parent-teachers’ associations, Camp Fire girls, Boy Scout troops, veterans’ organizations, farmers’ organizations, school-community advisory councils, senior citizens’ organizations, clubs, and associations formed for recreational, educational, political, economic, artistic, or moral activities of the public school districts in order that they may, from time to time, engage in supervised recreational activities, and/or meet and discuss any subjects or questions pertaining to the educational, political, economic, artistic, and moral interests of the citizens of the communities in which they reside.
- B. The District, at its sole discretion, shall determine which facilities will be available for civic center use and for which facilities civic center use may be discontinued for necessary rest and/or rejuvenation.
- C. The Superintendent, or his/her designee, shall establish and maintain administrative procedures for the use of school property that are consistent with appropriate state and federal laws and regulations.
- D. The Superintendent, or his/her designee, shall make available upon request, a copy of this Board Policy and Administrative Regulation to all persons or groups requesting use of District facilities or grounds.

### **II. Permissible Purposes**

Subject to the limitations, requirements, and restrictions set forth herein, the Board may grant the use of school facilities and grounds as a civic center upon the terms and conditions the Board deems proper and in accordance with Education Code section 38131 et seq.

### **III. Fees for Use of School Facilities**

- A. Fees for the use of school facilities and grounds shall be as follows:
  1. **Free Use**  
Whenever the term “free use” is used, it shall mean that the use shall be without charge of any kind.

The District's facilities may be used for or by:

- a. Activities and programs of the School/District directly related to the instructional and educational programs of the School/District.
- b. Activities of organizations sponsored by the District, including student body organizations.
- c. District in-service programs
- d. Parent-Teacher and Parent-Teacher-Student Associations and other parent organizations such as Booster Groups
- e. School-Community Advisory Groups
- f. Fundraising events or meetings where admission fees charged or donations solicited are expended **solely** for the benefit of public school activities of the District and/or District's students (excluding costs the organization must pay for required insurance policies and organization membership fee).

This group category does not apply to activities for which a participation fee is charged, including, but not limited to, sports clinics, unless such participation fee is expended **solely** for the benefit of public school activities of the District and/or District's students, exclusive of the activity itself (i.e., sports clinic) and exclusive of costs the organization must pay for required insurance policies and organization membership fee.

- g. The City of Monrovia, as part of an overall reciprocity understanding, is exempted from most facility use charges.
- h. Agencies, such as the American Red Cross, to use for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare.

2. **Direct Cost Fee**

Direct costs include the costs of supplies, and utilities only. Custodial services, services of other District employees and salaries paid to District employees necessitated by the organization's use of the school facilities and grounds are an additional cost to the Direct Cost fee.

The District's facilities may be used for or by:

- a. Periodic meetings of local community associations organized to promote school and youth activities, such as Boy Scouts, Girl Scouts, and Camp Fire, Inc.
- b. Tax exempt organizations serving youth (priority given to those groups serving Monrovia youth.)

**3. Reduced Rate**

- a. The reduced rate applies to any IRS recognized tax exempt entity that does not have as its main mission service to youth, and specifically to Monrovia's youth. This includes:
  1. Adult-serving tax exempt organizations.
  2. Tax exempt organizations serving broader sections of the community such as churches.
  3. Community-based service clubs and other community-based tax exempt organizations.

**4. Fair Rental Value Fee**

The fair rental value fee includes the direct costs to the District, plus the amortized costs of the school facilities or grounds used for the duration of the activity authorized. Custodial services, services of other District employees and salaries paid to District employees necessitated by the organization's use of the school facilities and grounds are an additional cost to the Fair Rental Value fee.

- a. A fair rental value fee shall be charged for the use of school facilities or grounds to organizations that engage in recreational, educational, political, economic, artistic, civic or moral activities and that:
  - i. Do not qualify under the Free Use or Direct Cost Fee categories above.
  - ii. Conduct their meetings for their own membership only,
  - iii. Conduct after school programs.
  - iv. Charge membership fees, admission fees, or participation fees or that solicits contributions and the net receipts are not expended **exclusively** for the welfare of the pupils of the District or for charitable purposes.

- b. For activities of exceptional nature when large numbers of people will attend or a substantial profit is anticipated to accrue, additional fees may be established by the Board for such use. The fee amount shall be established prior to the granting of approval and shall be communicated to the applicant in writing.
  - c. Location shoots are charged the Filming Rate. Use of school facilities for such purposes may be granted at the discretion of the District, with uses subject to additional rental charges and/or fees established by the District at its discretion.
- B. The Board shall establish a schedule of fees for the use of school facilities, which schedule is subject to change at the discretion of the Board.

#### **IV. Precedence**

School functions take precedence over all activities, including previously-scheduled meetings or activities of outside organizations. If a previously-scheduled meeting or activity will need to be cancelled or rescheduled due to the need of the school facilities or grounds for school functions, the District's appointed representative shall provide the organization as much advance notice as is reasonably possible.

#### **V. Priority**

In the event of simultaneous application to use the District's facilities by two or more qualifying groups, priority for use of the facilities will be determined as specified below.

- A. Priority will be given first to the applicant with the greater number of participants who are District students and second to the applicant with participants from a greater number of District's attendance zones. Applicant groups shall provide a list of District's students and their corresponding attendance zones and schools.
- B. Subject to the priorities listed in Paragraph A above, for athletic fields, the sport in season will have priority, primarily: baseball/softball in the spring and summer and soccer and football in the fall and winter.

#### **VI. Supervision During Use of Facilities**

The District reserves the right to require the presence of a District employee during the use of any facility, to ensure the facility is used in an appropriate manner. The facilities include but are not limited to:

**A. Cafeteria Facilities****B. Facilities with Artificial Turf****C. Auditoriums**

The District employee, however, will not be responsible for the supervision of the group's activity itself and the presence of such employee shall not relieve the applicant group from its responsibility to ensure that the District's facilities are used appropriately, the District's rules are not violated, and the facilities are not damaged.

**VII. Terms and Conditions**

- A. Any individual or group desiring to use the District's facilities or grounds as a civic center must first agree to and comply with all of the following terms and conditions:
1. Apply for the use of school property. Any person applying on behalf of any group shall be a member of the applicant group and, unless he or she provides proof that he or she is an officer of the group, must present written authorization from the applicant group to make the application.
  2. Agree to comply with the Administrative Regulation 1330
  3. Enter into a written agreement with the District for the proposed use.
  4. Maintain in effect during the term of the agreement, full comprehensive general liability insurance, insuring against all claims for injuries to person or property occurring in, on, or about the school property arising out of or related to the group's use of the school property. Said policy shall have limits for injuries to person or persons and for property damage in amounts which shall be specified by the Board, in its sole discretion, based upon the nature of the proposed use of the District's school facilities or grounds.
  5. Indemnify and hold harmless the District, its officers, agents and employees from and against any and all claims, demands, losses or liabilities of any kind or nature which the District, its officers, agents and employees may sustain or incur or which may be imposed upon any of them for property damage, injury or death sustained as a result of, arising out of, or in any manner associated with the group's use of the school property, except for liability resulting from the negligence or willful misconduct of the District, its officers, agents, or employees.

6. Assume the financial liability for any damage to the facilities or grounds as a result of or in any manner related to the activity. In cases where school property has been damaged or abused beyond normal wear, the cost of repair or replacement shall be paid for by the organization authorized to use the facility, and further use of school facilities and grounds may be denied.

School property must be protected from damage and mistreatment and ordinary precautions for cleanliness must be maintained. If the authorized use of facilities includes use of recreational facilities where a synthetic track or a synthetic field is present, the authorized group shall specifically instruct all group users of the proper use of the facilities and of the prohibited activities and items as specified in the Administrative Regulation.

7. Warrant and represent that group's use of said school property will neither be inconsistent nor interfere with the District's operation of school classes and programs.
  8. Certify or declare in writing under penalty of perjury that to the best of his or her knowledge, the school property of which application is made will not be used for the commission of any act which is prohibited by law or for the commission of any crime.
  9. Furnish to the Board any information which the Board deems necessary to make the determination that the use of school property for which application is made is consistent with the objectives and purposes enumerated herein.
- B. Any violation of the above terms and conditions shall constitute just cause for the cancelation of the applicant group's activity and for the denial of applicant group's request for future use of school property.

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