



Administrative Regulation

FACILITY USE RULES, REGULATIONS AND FEE SCHEDULE

AR 1330

Community Relations

USE OF SCHOOL FACILITIES

The Board of Trustees of the Twin Rivers Unified School District supports the use of school buildings and grounds for literary, artistic, scientific recreational, educational or public interest upon such terms and conditions as set forth by board policy and administrative regulation in accordance with limitations, requirements, and restrictions contained in the Education Code. The Superintendent has delegated authority to the Assistant Superintendent of Facilities, or designee, to approve applications for the use of facilities.

~~Application must be made at the school site and approved through the District's Facilities Office.~~ Applications must be submitted through the online SchoolDude system. It is important to understand that the school site's tentative approval of any Application only evidences the fact that the facilities appear to be available during the time period requested, but does not constitute approval of such Application for actual use of said facilities. Only the District's Facilities Office can give final approval of any Application for use of school facilities and absent District Facilities Office approval, the Applicant does not have any right or entitlement to use the facilities requested.

If any group activity results in the destruction of school property or is found to be in violation of the rules governing facility use, the group may be charged for an amount necessary to repay the damages, and further use of facilities may be denied.

Eligibility and Priority for Use

The Board may grant use of facilities or grounds upon terms and conditions the Board deems proper. **Use of school facilities shall only be allowed on a permit basis.** The priorities and fee structure for renting available facilities will be determined by the District for any *Use of Facilities* requests other than school district instructional and related activities based on the following classifications. Additional fees beyond rental fees may be required for all users. (See "Schedule of Fees" – Appendix B).

A. CLASSIFICATION I

The Board shall charge direct costs for the use of school facilities or grounds under its control for activities of nonprofit organizations and clubs or associations, which promote youth, and school activities. All nonprofit groups must provide a copy of IRS Form 501c (Certificate of Exempt Status or other acceptable documentation as determined by the

District) and copies of the group's constitution and by-laws. These groups include, but are not limited to:

1. Community advisory councils.
2. Youth sports groups such as Little League, Youth Soccer, Youth Football.
3. Boy Scouts, Girl Scouts and affiliated organizations.
4. Senior citizen organizations and affiliations.
5. Other similar groups at the discretion of district administration.

B. CLASSIFICATION II

Activities other than those specified under Classification I or Classification III shall be charged a fee at least equal to direct costs to the District. The following are examples of users that fall into the Classification II fee category (but not limited to):

1. Charitable fund-raising activities which are beneficial to youth or public school activities of the District, as determined by the Superintendent or his/her designee.
2. Activities not previously identified which do not fall within the free use or fair rental value classifications and which are included herein through subsequent Board action.
3. Churches and religious organizations which do not have a suitable meeting place may use school facilities for the conducting of religious services.

C. CLASSIFICATION III

Commercial and for-profit activities shall be charged fair rental value. The following are examples of users that fall into the Classification III fee category (but not limited to):

1. Organizations/groups where participation/admission fees are charged or contributions are solicited and the net receipts are not expended directly for the welfare of the pupils of the District.
2. Commercial use shall apply to those organizations or individuals requesting to use school facilities for advertising, selling any product of service, or conducting any other type of commercial business or function. It shall be considered commercial if the publicity and/or advertising would benefit a particular person or concern in a commercial way.
3. This fee structure may apply even to "nonprofit" organizations where organizers, activity supervisors, coaches, etc., draw salary from the activity or organization, and participation fees are received from students or adults.
4. Organizations, clubs or associations whose majority membership is comprised of current students and/or current student immediate family members, and which are organized for the purpose of supporting the students of the Twin Rivers Unified School District requesting use for events, entertainment or meetings where

participation and/or admission fees are charged or contributions are solicited and the net receipts are not expended directly for District programs, may be eligible for a finding of a direct cost user. The Assistant Superintendent of Facilities or his/her designee shall determine the appropriate classification.

D. EXEMPTIONS

School-related activities, including District associated student body organization (“ASB”) activities and meetings, District parent/teachers’ associations, District parent booster clubs, District school employee organizations, District school advisory councils and other similar groups at the discretion of District administration may use District facilities at no charge except for applicable custodial time or other services of any other district employee that is actually necessitated by the organization’s use of the school facilities and grounds.

Associated Student Body organizations are defined to include organizations that are organized at the school site level, have a certificated or classified advisor and are composed completely of current student body members and are approved by the Superintendent/designee in accordance with Governing Board policy.

School-related clubs are defined to include clubs that are school-sponsored, organized at the school site level, sponsored by appropriate school personnel and are composed completely of current student body members who hold a majority of their meetings at the school site.

School-related activities are defined to include school sponsored and curriculum related activities that are engaged in by an exempt organization that are designed to:

1. Extend or reinforce the instructional program;
2. Provide appropriate social and recreational opportunities;
3. Build student moral and positive support for the school; and
4. Other similar purposes at the discretion of the district administration.

Renter and Site Procedures

Applications. ~~The user shall obtain an *Application for Use of School Facilities* from the desired school site. The completed Application shall be submitted to the school site. (See Appendix A.)~~ The user shall go online to <http://www.communityuse.com/default.asp?acctnum=31623319> to submit facility use requests. If the user does not have a log-in, user shall request a log-in and sign and submit a Facility Use Agreement (Appendix D, E, F).

- A. Site Review. Desired date(s) shown on the application will be reviewed and a calendar check for availability will be made at the school site. The site acknowledged application will be ~~submitted~~ routed to the Facilities Office for review and final approval or denial.
- B. Non-Refundable Processing Fee. The appropriate processing fee shall be paid upon billing by ~~at the time the application is submitted to the Facilities Office.~~ This fee is non-refundable.

1. Classification I and II (Direct Cost users) - \$15.00
 2. Classification III (Fair Market users) - \$15.00
- C. Priority of Use. Applications for use of District facilities will be handled in the order of date received at the Facilities Office. Should several applications reach the Facilities Office at the same time, priority will be given to those in Classification I first, followed by Classifications II and III.
- D. Use Approval. The Facilities Office approval is required for the rental of the facility. The Facilities Office will, in conjunction with the site administrator, verify availability, assign rooms and arrange for support staff (e.g., custodian, kitchen staff), as required. User Groups must ensure that they carry an approved copy of the Permit to use the school facilities on their person at all times during the scheduled activities. If a User group cannot produce an approved Permit for use of the facilities upon demand, the User group will be required to vacate the District facilities and will not be entitled to any refund.
- E. Certificate of Insurance. User shall provide a certificate of insurance naming Twin Rivers Unified School District, its officers, agents and employees as an additional insured **at least fourteen (14) calendar days prior to the requested use; if not received, the event will be cancelled.** **The Certificate of Insurance must be accompanied by a lawfully issued additional insured endorsement; a primary-non-contributing endorsement; and a waiver of subrogation endorsement.**
- F. Confirmation. The Facilities Office will send the user a confirmation of use of facility as well as the estimated costs at least ten (10) calendar days prior to the date of requested use. The confirmation will include a telephone number to call should the facility not be opened at the time of scheduled use or if other problems arise that require immediate attention.
- G. Advance Payment. **Advance payment in full is required at least seven (7) calendar days prior to the event; if not received, the event will be cancelled.**
- H. Refunds. Refunds will be provided up to seven (7) calendar days prior to the event; cancellations after the seven-day period will NOT be refunded.

School facility usage shall NOT be granted 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 of school facilities or grounds which is inconsistent with their use for school purposes or which interferes with the regular conduct of school or school related work.
3. Any use which is discriminatory in the legal sense.

Application Procedure for All Groups

Requests for use of district facilities shall be made online through SchoolDude at <http://www.communityuse.com/default.asp?acctnum=31623319> ~~in writing on forms provided by the~~

~~district. Forms may be obtained from the local school sites and/or Facility Office.~~ Applications on file in the Facility Office will expire at the end of each applicable use period of each school year. If the continued use of a school site is desired, a new Application must be submitted based on the quarterly schedule as follows:

1. **For June 1st thru August 15th use, Applications cannot be submitted any earlier than March 15th and must be received by April 1st;**
2. **For August 15th thru December 1st use, Applications cannot be submitted any earlier than June 1st, and must be received by June 15th;**
3. **For November 1st thru March 15th use, Applications cannot be submitted any earlier than August 15th and must be received by August 30th; and**
4. **For February 21st thru May 30th use, Applications cannot be submitted any earlier than the Monday following Thanksgiving weekend and must be received by December 10th.**

All applications shall be made within the above identified window periods. Late applications will be accepted but may be denied.

Any person applying for the use of District property on behalf of any group shall be a member of such applicant group, and, unless he/she is an officer of such group, may be required to present written authorization to represent the group. The person ~~signing~~ submitting the Application for Use of School District Facilities shall be personally liable for all charges assessed pursuant to their use if the organization or group fails to pay in full the charges billed by the District within 30 days of each use.

The Application must be completely filled in. Incomplete forms will be rejected and returned to the applicant for completion.

The District shall designate a regular District employee to be in charge while the activity is in progress. The designated employee shall be responsible for the security of buildings and grounds being used. The District employee placed in charge is empowered under Education Code 40042 to enforce all rules. The employee, unless a volunteer, will be paid at the rate of time and one-half for each hour of duty and in any case will not be paid less than a minimum of two hours.

The Custodian will be available and on campus during facility use. The custodial fees will include ~~a 2 hour minimum; 1 hour before and 1 hour after the scheduled event for set up and clean up~~ a 1 hour minimum prior to the event and additional 1 hour minimum after the event. Any events with a duration less than 2 hours shall be assessed a minimum of 2 hours custodial time. Additional custodial fees may be charged for use of a stadium and gymnasium based on number in attendance (Appendix G). If appropriate, security personnel will be available and on campus during facility use. The security fees will also include a 2 hour minimum of 1 hour before and 1 hour after the scheduled event for set up and demobilization.

District staff, restroom facilities, or other buildings will not be furnished by the District to organizations primarily using the school playgrounds and athletic fields, unless the school site and/or District Facilities Office determines that such services are necessary for the orderly operations of the school site, the event or to otherwise protect the interests of the District in the use

of its facilities. Therefore, all groups using the district playing fields **MUST** supply their own portable restroom facility (i.e. Port-a-potty).

Use of District playing fields shall not be permitted when use would be harmful to the playing surface, such as during periods of rain or when fields remain wet following a heavy rain or irrigation.

All organizations or groups seeking use of school, premises must have adult sponsorship and adequate adult supervision, which at a minimum will include 1 adult for each 20 minors. It is the responsibility of the adult supervisor to maintain a high standard of conduct and exercise control over the members of the group at all times.

Any approved application form for use of school facilities may be revoked without notice where conflicting dates have resulted or where need of the property for school purposes has subsequently developed. For other cause, the Assistant Superintendent of Facilities may revoke permits at any time upon advance notice.

School employees are not obligated to have the building open at any time other than the time on the approved application. **All functions must conclude at 10:00 pm during the weekdays. Extended times available upon special request and calculated at overtime rate.**

General Rules and Conditions

1. **Hold Harmless:** In making an application for use of facilities, all users agree to defend, indemnify and hold harmless the District, its officers, employees and agents from any and all injuries, losses or damages, including damage to District property, which may result or arise in any way out of their use of the facilities, negligence of the user group, its officers, employees or agents.
2. **Cleanliness:** Groups must observe the ordinary rules of cleanliness and shall not leave the requested facility littered. If facilities are left littered and unsanitary, District employees will invoice the using organization for the cost of necessary clean up activities.
3. **Smoking:** The District is a "No Smoking, No Tobacco Product" District and smoking is not allowed in buildings or on school grounds at any time.
4. **Alcohol/Drugs:** No alcoholic beverages, intoxicants or controlled substance in any form shall be brought on to the property of the District. Any person under the influence of intoxicating liquors or substances shall be denied participation in all activities. Violation of this regulation shall be justification for immediate termination of the event, closing of the facility and denial of future use requests.
5. **Improper Conduct:** There shall be no improper conduct such as use of profane language, or fighting. Violations of this rule shall be sufficient cause for denying future use of school premises to the organization.

6. **Maximum Attendance:** The number of people present shall not exceed the posted seating capacity for the rooms(s) used per Sacramento City and County Fire Code Regulations.
7. **School Equipment:** School furniture or apparatus may not be removed nor displaced by any group without permission from and under the supervision of the school district employee in charge. A *Use of Facilities* permit does not authorize the use of certain District, school, or student body equipment. Arrangements for supervision and operation of any equipment shall be made by the applicant with the District's Facilities Office. Applicant will be liable for any damage or loss of equipment during facilities usage.
8. **Available Hours for Use:** All schools are available for facility use after 6:00 pm during regular school days and during times when school is not in session, such as winter break, etc. All school fields are available for use after 6:00 pm during regular school days. Weekend facility use will begin upon requested hours specified on the approved application.
9. **Structures:** No structures (including tents), whether permanent or temporary, may be erected or assembled on school premises, nor may any extraordinary electrical, mechanical, or other equipment be brought thereon unless special approval has been obtained from the District Facilities Office.
10. **Fireproofing:** Any group using an auditorium or stage shall not disturb, move or change any existing equipment except with the permission of the site administrator and under the supervision of the site employee who is in charge of the facility. Any stage props used must be completely fireproofed. The District may request the fire department to verify certification of fireproofing at the renter's expense.
11. **Vehicles/Parking:** No modifications to site parking provisions will be allowed, except District-approved signage. **All vehicles will be operated on paved driveways and parking lots only; parking on paved play areas or in marked fire lanes is prohibited.**
12. **Indoor Facilities:** For all facilities that are lockable and connected to an alarm system (e.g., library, gymnasium, secured outdoor athletic facilities), there must be a custodian or District representative on site for all events. 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. In the event the activity requires additional personnel for event support, only District employees shall be utilized. The rate of pay will follow the fee schedule. Payment directly to District employees is prohibited.
13. **Field Facilities:** Unless otherwise provided, generally there is no field supervision by a District employee; therefore, the User is responsible for monitoring the behavior of participants and spectators, and must mediate any issues that may arise, or in the alternative, call the Twin Rivers Police Department at 916-286-4875. **All field use will be charged on an hourly basis.** Refunds will not be given for days (*or Hours*) the fields were not used because of rain; however, consideration will be given for make-up days.
14. **Kitchens:** Use of school kitchens may be granted to eligible groups when such use will not interfere with the regular school food services program. Such use must have the approval of the Facilities Office. When the kitchen area is used, a food services employee must be

assigned to ensure sanitation, safety, and proper operation of equipment. This employee will act in a supervisory capacity only. The organization using the facility is responsible for preparation and cleanup. The rate of pay will follow the fee schedule. Payment directly to the District employee is prohibited. There shall be permitted use of Snack Bars. Users desiring to use a snack bar for their activity must obtain approval as part of their Application and provide proof that said organization has an individual that will be on-site during the activity that is Serve Safe certified, or will be assigned an employee who is properly certified to ensure sanitation, safety and property operation of equipment. This employee will act in a supervisory capacity only and will open and close the facility. The rate of pay will follow the fee schedule.

15. **Revocation of Permit:** Any violations of law, District policy and/or procedure will result in the immediate revocation of the *Use of Facilities* permit and removal of the group from District property.
16. **Violations:** Applications will be denied if past use by an organization has resulted in violation of Board Policy, inconvenience for school use, damages to property, consistent lack of supervision, adverse behavior or non-payment of fees.
17. **Changes or Cancellations:** The renter may make changes to or cancel a request up to seven (7) calendar days prior to the event. All changes or cancellations must be submitted in writing (hard copy, email, or fax) to the site administrator and the District Facilities Office.
18. **Security:** Key control and security code control are mandatory. Under no circumstances is a non-District individual or student authorized to be in possession of keys to District facilities or have knowledge of security codes unless authorized in writing by the Assistant Superintendent. All key requests must be in writing and submitted with the application including the name(s), address and phone of individuals in the group approved by the groups governing body to which responsibility has been assigned. Each request for a key requires a \$50 refundable deposit. Lost or stolen keys requiring the district to engage in re-keying activities shall constitute a cost to the organization and revocation of future key use. The Assistant Superintendent or designee reserves the right to provide police and/or fire protection services at users' cost for any activity held in a District facility when such protection is deemed desirable or necessary by the Assistant Superintendent.
19. **Portable Toilets:** Users of outdoor facilities must make arrangements for renting portable toilets from an outside vendor. If the renter chooses to rent portable toilets, the renter assumes full responsibility. The renter must provide a copy of the rental agreement to the site administrator and District Facilities Office at least seven (7) working days prior to the event. The rental agreement must specify the cleaning schedule and date of removal of the portable toilets. The renter must secure the portable toilets to the greatest extent possible.
20. **Candles/Open Flames:** No candles, incense, open flames, or weapons are allowed on Twin Rivers Unified School District properties. Barbecues are not allowed, except with the permission of the District Facilities Office.

21. **Signs:** No signs are to be posted except on the day of the event, except as approved by the District Facilities Office. All signs and decorations must be removed at the end of the event.
22. **Trash Removal:** All field user groups are responsible for picking up any litter left on the fields and removing the trash bags from the site.
23. **Gambling:** Facilities may not be used for any gaming or gambling purposes (e.g., raffles, bingo).
24. **Pets/Animals:** As posted on all school grounds, pets are not allowed on school property. School facilities will not be available for any entertainment involving the use of animals of any type, kind, or size, nor is straw or hay to be used in any activity unless approved by the Superintendent or designee in advance. This is due to sanitation and fire conditions.
25. **Compliance with State/Federal/Local Statutes and Regulations:** Any use of school facilities for non-school purposes shall comply with all Federal, State, local, and district laws, codes, ordinances, rules, regulations, policies and requirements, including but not limited to fire, health, and safety requirements. Organizations or groups using a district facility shall assume the responsibility to ensure that all such activities carried on, all equipment used or placed upon school premises, or distributed shall comply with applicable Federal, State, local, and district laws, codes, ordinances, rules, regulations, policies and requirements.
26. **Post-Event Adjustments:** Adjustments will be made for additional costs incurred not contemplated or charged at the time of approval or of the Facilities Use Application. In addition, applicant will be billed for any damage or vandalism caused by their use of the school facilities.

Damage and Liability

Groups or persons using school facilities shall be liable for any property damages caused by the activity. The Board may impose a deposit, payable in advance of facility use, in an amount necessary to repair any damages and may deny the group further use of school facilities. The Business Office shall establish cost and an invoice submitted to the responsible organization. The Business Office shall apply any deposit toward the payment of such costs. It is expected that all invoices will be cleared within 30 working days from date of receipt. Failure to promptly pay for such damage shall be grounds for refusal of future applications, revocation of remaining application agreement and grounds for civil action in the courts of California.

Any group using school facilities shall be liable for any injuries resulting from its negligence during such use. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk. All organizations shall provide evidence of bodily injury insurance with limits of not less than \$1,000,000, combined single limit per occurrence. **User shall provide a certificate of insurance naming Twin Rivers Unified School District, its officers, agents and employees as an additional insured at least fourteen (14) calendar days prior to the requested use; if not received, the event will be cancelled. The Certificate of Insurance must be accompanied by a lawfully issued additional insured endorsement; a primary-non-contributing endorsement; and a waiver of subrogation endorsement.**

All users also agree that in making an application for use of facilities, all users agree to defend, indemnify and hold harmless the District, its officers, employees and agents from any and all injuries, losses or damages, including damage to District property, which may result or arise in any way out of their use of the facilities, negligence of the user group, its officers, employees, invitees or agents.

Payment for Use of District Facilities

Charges shall be determined from the Schedule of Fees at the time the application is approved. A copy of the Schedule of Fees for 2011-2012 School Year is attached hereto as Appendix B. **Advance payment in full is required at least seven (7) calendar days prior to the event; if not received, the event will be cancelled.**

The Schedule of Fees is subject to change at the discretion of the Board of Trustees.

District employees will be scheduled to work only the number of hours indicated on the approved application. The applicant will be invoiced for any additional hours, including overtime, if required.

All required fees should be paid to the Twin Rivers Unified School District. The Facilities Office will accept checks and money orders only made payable to Twin Rivers Unified School District.

The person ~~signing~~ submitting the Application for Use of School District Facilities shall be personally liable for all charges assessed pursuant to their use if the organization or group fails to pay in full the charges billed by the district within 30 days of each use. Failure to make timely payments shall be grounds for denying future applications.

Use of Fees

~~The first use of rental fees is to provide for the direct costs associated with making facilities available to community users.~~ Facility rental fees are used to supplement associated student body programs.

Long Term Relationships

A number of community groups have used District facilities for many years. In addition to applying for facility use through the regular request process, these users have often enjoyed a long-term, informal relationship that has enabled them to make additional investments at District schools. Some investments have been durable (e.g., snack bars), while others have been periodic (e.g., additional fields maintenance). In order to better define the relationship between the District and long-term community user groups, the District will be documenting the relationship between these groups and the District through a series of Memoranda of Understanding (MOU) or licensing agreements.

APPENDICES

Appendix A: Application for Use of School Facilities/School Approval

- Appendix B: Fee Structure for 2011/2012
- Appendix C: List of Current Classification I Users
- Appendix D: SchoolDude Registration Process
- Appendix E: SchoolDude Application Submittal Process
- Appendix F: Facility Use Agreement
- Appendix G: Facility Use Custodial Services Cleaning Time Frames

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