



LASSEN UNION HIGH SCHOOL DISTRICT

1000 Main Street • Susanville, California 96130-4498 • (530) 257-5134 • Fax (530) 251-0473

Bill McCabe
Superintendent
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To: Those interested in reserving any facility/equipment of the Lassen Union High School District (LUHSD) school.

An application is required 10 business days prior to the day of the event. In addition, a **\$200 refundable deposit is required** and is due 5 calendar days prior to the day of the event. The deposit check will be returned to you after the event, provided the used facility is returned clean and undamaged.

Certificate of Insurance is **required** to use our facilities. In the Certificate of Insurance it must state: **“Additional insured: Lassen Union High School District.”**

\$1,000,000 Each Occurrence / \$2,000,000 general aggregate

- Meetings
- Boy/Girl Scouts, 4H, Camp Fire
- Health & Immunization Clinics
- Polling / Voting Site
- Emergencies: Red Cross, Fire Department
- Churches
- Leased/Rented Sites used for offices or low exposure business ventures

\$2,000,000 Each Occurrence / \$2,000,000 general aggregate

- Seasonal Sports/Recreation Leagues (Little League, Pop Warner, AAU, Soccer, etc)
- Sober Grad (sponsored by user)
- Private events attracting large crowds (500+ persons)

\$5,000,000 Each Occurrence / \$5,000,000 general aggregate

- Year round Sports/Recreation Leagues (Public or Private Recreation Programs using indoor and/or outdoor facilities)

All documents, including Certificate of Insurance, facility use fees, and deposit must be in the district office (address below) 5 calendar days BEFORE the day of the event. Please indicate a contact name and phone number on the *Application and Agreement for Use of District Facilities* form, so we can contact the appropriate person about whether the date you need is available or not.

If there is any other information you need, please feel free to contact our office at (530) 257-5134. It is important to read all the enclosed documents including “Facility Use Fee Schedule” and “Board Policy.”

Lassen Union High School District
1000 Main Street, Susanville, CA 96130
530-257-5134

Renter Classifications

The priorities and fee structure for renting 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.

A. No Cost

School activities generated by School District personnel or volunteers for purposes directly related to the education and enrichment of School District students, as directed or approved by District administration, and/or for the purpose of employee gatherings related to the operation of the District. Users in this classification include:

- School employees in the performance of their duties
- PTA or other school-associated parent/teacher/student associations
- Student Body clubs

B. Direct Cost

Direct cost rent is defined as an estimate of those costs of supplies, utilities, custodial services, building maintenance, services of any other District employees, and salaries paid to District employees as a result of the organization's use of the school facilities and grounds of the District. Users in this classification include:

- Civic and service groups (e.g., Rotary, Chamber of Commerce, League of Women Voters) whose purpose, through the use of school facilities, is to improve the general welfare of the community, and whose net receipts are expended for welfare of the youth or other charitable purposes (e.g., foundations, scout troops, booster clubs which are not for the direct benefit of LUHSD students, supervised recreational activities, religious organizations or churches, local governmental agencies, city and/or county services).
- Conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization which has no suitable meeting place for the conduct of services while meeting.

C. Fair Market Rent

Fair market rent represents a rate for commercial activity, regardless of where profit is generated within the organization.

- Rentals where admission or participation fees are charged, or contributions are solicited and the net receipts are not expended for the welfare of the pupils of the District or for charitable purposes.
- Rentals which are not directly beneficial to youth, public school activities of the District, or general welfare of the community.
- 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.

Renter and Site Procedures

- A. Application. The user shall obtain an *Application for Use of School Facilities* from the District Office. The completed application shall be submitted to the District Office at least ten business days prior to desired date.
- B. Site Request. The District Office staff shall coordinate desired dates with individual sites/administrators. Long term usage (more than one month or one sports season if a youth recreational league) requests will require special approval as well as a long term use contract. This long term use contract will be revised or terminated at the district's discretion if the facilities are needed or requested by a district group.
- C. Site Approval. The site administrator's approval is required for the rental of the facility. The District Office staff will verify availability, obtain approval, assign rooms, and process applications and payments.
- D. Confirmation. The District Office will send the user a confirmation of use of facility as well as the estimated costs and a contact information to coordinate access to the facility or issuance of keys if necessary. 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.
- E. Certificate of Insurance. User shall provide a certificate of insurance naming LUHSD an additional insured at least seven (5) calendar days prior to the requested use; if not received, the event will be cancelled.
- F. Advance Payment. **Advance payment in full is required at least five (5) calendar days prior to the event; if not received, the event will be cancelled.**
- G. Refunds. Refunds will be provided up to forty-eight (48) hours prior to the event; cancellations after the forty-eight hour period may not be refunded.

Schedule of Fees

If custodial services are required by the using organization or required because of organization's failure to leave the facility in "good condition" as determined by the site principal, a fee will be charged or assessed at the rate of \$20.00 per hour, with a two (2) hour minimum charge in addition to the per day or event fee.

Use of the cafeteria, computer lab or library requires the utilization of an existing staff member to supervise use. A fee of \$22.50 per hour, with a two (2) hour minimum, will be assessed in addition to the per day or event fee. If requesting use of kitchen/cafeteria, users shall not be allowed to use refrigerators, freezers, or ovens.

"Day" for the purpose of this policy refers to at least six hours within a calendar day and begins at the time the facility is provided until it is cleaned to the satisfaction of the District, or when the event is concluded.

Any activity requiring preparation (tables, chairs, microphones, cameras, etc.) shall be charged \$17.50 per hour, per assigned worker and a two-hour minimum charge.

Daily rate applies at six hours within one calendar day	LUHSD 2013-2014			
	Direct Cost (hourly)	Direct Cost Daily Rate	Fair Market (hourly)	Fair Market Daily Rate
All rates to be reviewed annually and revised accordingly.				
Classroom/Conference Room - ALL	\$10.00	\$50.00	\$20.00	\$100.00
Classroom (Science/ Computer Lab/Mat Rm)*	\$15.00	\$75.00	\$30.00	\$150.00
Gymnasium	\$25.00	\$125.00	\$50.00	\$250.00
Kitchen *District employee must be present	\$25.00	\$125.00	\$50.00	\$250.00
Library*	\$10.00	\$50.00	\$20.00	\$100.00
Multipurpose Rm.,	\$25.00	\$125.00	\$50.00	\$250.00
Parking Lot (use and utilities)	\$10.00	\$50.00	\$20.00	\$100.00
Restroom Facilities Only	\$5.00	\$25.00	\$10.00	\$50.00
Performing Arts Classroom	\$20.00	\$100.00	\$40.00	\$200.00
Stadium (Field and/or Track) No Lights	\$10.00	\$50.00	\$100.00	\$500.00
Stadium (Field and/or Track) With Lights	\$20.00	\$100.00	\$200.00	\$1,000.00
Field Type A	\$10.00	\$50.00	\$20.00	\$100.00
Field Type B	\$10.00	\$50.00	\$20.00	\$100.00

***District employee must be present if using a computer lab or the kitchen. Additional fees apply for staff time.**

Description:

Field 1 (End of Pacific Street – Field Hockey use)
 Field 2 (Practice Field directly behind 300 Building)
 Field 3 (East end of Football stadium near river)
 Baseball/Softball Field
 Credence High Playing Field

Field Type:

A
 A
 A
 B
 A

USE OF SCHOOL FACILITIES

The Board of Trustees 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.

(cf. 6145.5 - Student Organizations and Equal Access)

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 Superintendent or designee shall maintain procedures and regulations for the use of school facilities and grounds that: (Education Code 38133)

1. Aid, 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

BP 1330(b)

USE OF SCHOOL FACILITIES (continued)

Fees

The Board shall grant the use of school facilities or grounds without charge to school-related organizations whose activities are directly related to or for the benefit of district schools. Other groups requesting the use of school facilities under the Civic Center Act shall be charged at least direct costs.

Groups shall be charged fair rental value when 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 students. (Education Code 38134)

Legal Reference: (see next page)

BP 1330(c)

USE OF SCHOOL FACILITIES (continued)

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
adopted: 2/19/13

LASSEN UNION HIGH SCHOOL DISTRICT
Susanville, California

USE OF SCHOOL FACILITIES

Application for Use of Facilities

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.

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.

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. 5148.3 - 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)

8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

USE OF SCHOOL FACILITIES (continued)

(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

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 Board of Trustees

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)

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 may charge the amount necessary to repair the damages and may deny the group further use of school facilities or grounds.

USE OF SCHOOL FACILITIES (continued)

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.

**LASSEN UNION HIGH SCHOOL DISTRICT
APPLICATION AND AGREEMENT FOR USE OF DISTRICT FACILITIES**

The undersigned hereby request permission to use the following district premises on date(s) and time(s) indicated below (buildings will be locked at 11:00 p.m.).

If you have filled out this information on line skip to the next section

School Site: _____ Facility: _____

Date Requested: _____ Time: _____ to _____ Expected Attendance _____

Event time: _____ to _____

All of the following questions MUST be answered:

1. What is the purpose for the use of the facility (recreational, fund-raising, etc.)? _____
2. What will be the nature of the activity (meeting, dance, etc.)? _____
3. Is the activity open to the public? Yes No
4. Will contributions be solicited or accepted? Yes (*For what purpose will the proceeds be used?* _____) No

EQUIPMENT/STAFF ASSISTANCE REQUESTED:

(When cafeteria facilities are used, a cafeteria worker must be present).

Equipment needed (# tables, # chairs, etc.): _____

Refreshments Only Coffeemaker Pot Luck Dishwasher Other _____

How many district employees are needed? _____ Hours needed? _____ to _____

1. Facility will be furnished "as is" unless request for furniture and equipment are indicated above. Only that equipment which is normally in the facility will be furnished.
2. Requests must be received a minimum of ten (10) business days in advance before approval to use facilities or equipment will be granted.
3. People or groups requesting facilities are limited to the scheduled times indicated on the request forms. Any abuse of this privilege may result in revocation of permission to use the facility.
4. Costs generated as a result of facility use, beyond normal and routine costs, are to be paid by the group requesting the use of the facility (custodial overtime-damage to school property, etc.)
5. School-related facility use will take precedent over non-school related use.
6. A responsible adult must be present during the time of use and the person assuming the responsibility must sign the facility use request form.
7. No alcoholic beverages or controlled substances are permitted.
8. No smoking on any district site.
9. To the fullest extent permitted by law, Applicant shall defend, indemnify and hold harmless Lassen Union High School District, its elected or appointed officials, employees, agents and volunteers against any and all claims, demands, losses, damages, court costs, attorney fees, expenses, or costs of any kind or character arising out of use of Lassen Union High School District, facilities by the Applicant, their employees, agents or guests, regardless of any active or passive negligence on the part of Lassen Union High School District, its elected or appointed officials, employees, agents and volunteers.
10. Attach a Certificate of Insurance with Additional Insured Endorsement as specified in the Insurance Required of Applicant Section.
11. Applicant hereby certifies that they have received and read the rules, regulations, conditions, terms and that they and the applicant which they represents, will abide by them and will conform to all applicable provisions of the Constitution and laws of California and to all other rules and regulations of the California Department of Education and its authorized agents which may be communicated to the applicant and to the best of my knowledge the school property for use of which this application is hereby made will not be used for the commission of any crime or any act which is prohibited by law.
12. The undersigned states that, to the best of their 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 by force, violence or other unlawful means.

That _____, the organization on whose behalf they are making application for use of school property, does not, to the best of their 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 their 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 and per Education Code Section 38135.

Authorized Applicant Signature

13. In executing this declaration the applicant certifies that he has been duly authorized by the herein set forth applicant to act in its behalf in making application for use of said facilities.
14. **FOR RENTAL OF ATHLETIC FACILITY – WARNING:** Use of steroid to increase strength or growth can cause serious health problems. Steroids can keep teenagers from growing to their full height; they can also cause heart disease, stroke, and damaged liver function. Men and women using steroids may develop fertility problems, personality changes and acne. Men can also experience premature balding and development of breast tissue. These health hazards are in addition to the civil and criminal penalties for unauthorized sale, use or exchange of anabolic steroids.

INSURANCE REQUIRED OF APPLICANT:

Prior to use of the facility, the Applicant is required to provide a Certificate of Liability Insurance **and** Additional Insured Endorsement to fulfill the following three requirements:

1. **Commercial General Liability or Personal Liability** on an occurrence form with a minimum limit of \$1,000,000 each occurrence / \$2,000,000 general aggregate for all groups except:
 - a. **Seasonal Sports/Recreation Leagues, Sober Grad Organizations, or Private Events with 500+ attendees:** Minimum limit of \$2,000,000 each occurrence / \$2,000,000 general aggregate.
 - b. **Year Round Sports/Recreation Leagues:** Minimum limit of \$5,000,000 each occurrence / \$5,000,000 general aggregate.

2. **Additional Insured Endorsement:** This is a separate form attached to the certificate. The endorsement must name the Lassen Union High School District, it's elected or appointed officials, employees, agents and volunteers as Additional Insured (or Additional Covered Party) under the general liability policy. Forms CG 2026 or CG 2011 or equivalent required. For purposes of the CG 2011 only, this Agreement shall be deemed to be a lease. Blanket Additional Insured forms are acceptable when accompanied with an approved Facility Use Agreement.

3. **Evidence of Primary Insurance** (*either by endorsement or the actual page(s) of the policy typically found in the "Other Insurance" section of policy*): Applicants insurance shall be **primary insurance** as respects to the Lassen Union High School District, it's elected or appointed officials, employees, agents and volunteers. Any insurance or self-insurance maintained by the Lassen Union High School District, its elected or appointed officials, employees, agents and volunteers shall be excess and shall not contribute with it.

I have read the rules and agree and hereby certify that I (we) shall be personally responsible, on behalf of our organization, for any damage sustained by the district, premises, furniture, or equipment because of the use of the facility by our organization. I (we) have read, understand, and agree to abide by and enforce the rules and regulations governing the use of school facilities. Furthermore, I understand that a situation beyond the control of the District may arise that will require the use of the requested facility by the District in which case I (we) will be notified that the facility will not be available as requested. If an acceptable alternative District site cannot be acquired, all fees and deposits will be refunded immediately.

Name of organization: _____

Name of representative(s) or agent: _____ Title: _____

Address: _____ Phone: _____

Organization representative will contact the district office at least two (2) weeks prior to the event if special arrangements are required in addition to those stated.

Date of application: _____ Signature: _____

Business Office Use Only

Amount of Fee: _____ (√ Paid) Deposit (√ Paid) Certificate of Insurance Included (√ Yes) Facility Available (√ Yes)

Approved? Yes Copy Mailed to Applicant Date: _____ Not Approved Returned to Applicant Date _____

Calendar Updated? Copy to Maintenance/Custodial Copy to Site Supervisor

Signature of Authorized Representative of Board of Trustees: _____

Lassen Union High School District Office 1000 Main Street, Susanville, CA 96130; 530-257-5134; FAX: 530-251-0473
www.lassenhigh.org