

SCHOOL-CONNECTED ORGANIZATIONS

The Board of Education recognizes that school-connected organizations may be established for the purpose of supporting district and extracurricular programs such as athletic teams, debate teams or ~~and~~ performing arts groups. By definition, a school-connected organization is a group (parent/guardian organizations or booster clubs), which has been approved upon petition to the Board of Education. The Board appreciates the contributions made by such organizations and encourages their interest and participation in supporting district activities and helping to achieve the district’s vision for student learning.

(cf. 0200 – Goals for the School District)
(cf. 6020 – Parent Involvement)

Generally, school-connected organizations are separate legal entities from the district and thus are not under the control or the responsibility of district personnel. However, Education Code 51521 requires that any fund-raising activity by a school-connected organization designed to raise money to benefit a school or its students, receive approval from the Board of Education.

The Board recognizes that these school-connected organizations are separate legal entities, independent of the ~~school or~~ district. In order to help the Board fulfill its legal and fiduciary responsibility to manage district operations, any school-connected organization that desires to raise money to benefit any district student shall submit a request for authorization to the Board, in accordance with Board policy and administrative regulation. In addition, the Superintendent or designee shall establish appropriate internal controls for the relationship between school-connected organizations and the district.

(cf. 1321 – Solicitation of Funds from and by Students)
(cf. 1330 – Use of School Facilities)
(cf. 3452 – Student Activity Funds)

The Board encourages school-connected organizations to consider the impact of fund-raising activities on the overall school and district program. School-connected organizations shall consult with the principal to determine school needs and priorities. Activities by school-connected organizations shall not conflict with law, Board policies, administrative regulations, or any rules of the sponsoring school.

(cf. 3290 – Gifts, Grants and Bequests)
(cf. 3554 – Other Food Sales)
(cf. 5030 – Student Wellness)

(cf. 6145 – Extracurricular and Cocurricular Activities)
(cf. 6145.2 – Athletic Competition)

The Board will ensure that school-connected organizations extend membership to any individual without regard to race, ethnicity, disability, religious belief, national origin, gender, or sexual preference.

Groups desiring to be recognized as school-connected organizations shall request authorization from the Board in accordance with conditions established in the administrative regulation that accompanies this policy.

This policy does not apply to Associated Student Body (ASB) or Parent Teacher Association (PTA) organizations and accounts.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex
35160 Authority of governing boards
38130-38138 Civic Center Act, use of school property for public purposes
48931 Authorization for sale of food by student organization
48932 Authorization for fund-raising activities by student organization
49431 Sale of food to elementary students during the school day
49431.2 Sale of food to middle, junior, or high school students
49431.5 Sale of beverages at elementary, middle, or junior high schools
51520 Prohibited solicitation on school premises
51521 Fund-raising project

BUSINESS AND PROFESSIONS CODE

17510-17510.95 Solicitations for charitable purposes
25608 Alcohol on school property; use in connection with instruction

GOVERNMENT CODE

12580-12599.7 Fundraisers for Charitable Purposes Act

PENAL CODE

319-329 Lottery, raffle

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs
15500 Food sales in elementary schools

15501 Food sales in high schools and junior high schools

CODE OF REGULATIONS, TITLE 11

300-312.1 Fundraising for charitable purposes

UNITED STATES CODE, TITLE 20

168-1688 Discrimination based on sex or blindness, Title IX

COURT DECISIONS

Serrano v. Priest, (1976) 18 Cal. 3d 728

Management Resources:

CDE LEGAL ADVISORIES

1101.89 School District Liability and "Hold Harmless" Agreements, LO: 4-89

WEBSITES:

CSBA: <http://www.csba.org>

California Office of the Attorney General, charitable trust registry:

<http://caag.state.ca.us/charities>

California State PTA: <http://www.capta.org>

Policy
adopted: September 12, 1995
Revised: February 23, 2010

PASADENA UNIFIED SCHOOL DISTRICT
Pasadena, California

SCHOOL-CONNECTED ORGANIZATIONS

To be recognized as a school-connected organization, parent/guardian/booster groups must petition and be approved by action of the Board of Education to become a school-connected organization in accordance with Board Policy 1230. Petitioners must submit a written request on the form provided for approval, to the responsible site administrator for annual review, including the information stipulated in numbers 1 through 12. After verifying receipt of all required information and approval of the application, the administrator will forward a list of approved parent booster groups wishing to petition the Board of Education for authorization. The responsible administrator or designee may attend any meeting of the organization.

Information to be included in written request shall include:

1. Name of the organization
2. Date of the application
3. Names, addresses and phone numbers of all officers
4. Description of the organization's purpose and a copy of its constitution/articles of incorporation, and/or bylaws
5. Specific annual objectives that are updated and submitted to the site administrator annually
6. Name of the bank(s) or accredited financial institution(s) where the organization's account will be located and the names of those authorized to withdraw funds. Information shall be updated annually and submitted to the site administrator.
7. Agreement that fundraising activities directly related to an extracurricular/instructional program must be approved by the responsible administrator or designee.
8. Agreement that all funds raised for a specific purpose/activity, shall be expended on the activity and not for other organizational purposes.
9. Agreement to hold the district harmless from liability due to the organization's own negligence

10. Agreement to provide evidence of liability insurance as required by law
11. Agreement to abide by all provisions of Board Policy 1230 and this Administrative Regulation
12. Signature and recommendation of the administrator supporting the request for authorization

Authorization granted under this policy shall be valid for up to one calendar year. Requests for continuing authorizations by organizations that remain in operation throughout the school year are to be submitted annually to the responsible site administrator who will maintain the records and forward a list of approved requests to the Superintendent or designee. These requests shall be accompanied by the previous year's financial statement showing all expenditures and all income from fundraisers, a current certificate of insurance, and a current list of officers including addresses and phone numbers.

After review, and upon approval of the application which has been forwarded to the Board, the approved organization shall be eligible to plan fundraising activities directly related to an extracurricular/instructional program.

A copy of this Policy and Administrative Regulation will be distributed to all organizations by the principal or designee upon petition to become a school-connected organization. It shall also be redistributed annually to each existing club to remind the organization of the conditions and timeliness of this Policy and Administrative Regulation.

Organizations that operate only in relation to a season or sport or other specific co-curricular period shall submit their requests and previous season's financial report 60 days prior to the first scheduled activity in the program if they do not request annual continuing authorization.

School-connected organizations automatically grant the Board the right to audit their financial records at any time, for cause or randomly, at the cost of the district. In any case, the district shall annually identify, randomly or for cause, at least two school-connected organizations to be audited by the district or district's auditor.

The use of school facilities for a school-connected organization's program, fundraiser, or other activity shall be authorized by the responsible administrator or designee and conducted according to Board Policy, Administrative Regulation, the rules of the sponsoring school, and the district's Civic Center procedure.

All school-connected organizations shall comply with the following requirements for managing funds and fundraising activities:

1. The district requires that any fund-raising activity by a school-connected organization, designed to raise money to benefit a school or its students, receive approval in advance from the principal or designee.
2. School-connected organization funds are not to be commingled with student body funds.
3. Student participation in fundraising activities will be governed by provisions of Education Code 51520. This code section limits solicitations for contributions to, or work for, outside organizations during school hours.
4. The proceeds of fundraising may be used for any expenditures permitted by Education Code provisions, such as salaries, books, equipment, etc.
5. Since there is no general exemption from sales tax, the district's Business Office should be consulted before raising funds.
6. School employees shall not sign checks on behalf of school-connected organizations when the program(s) or the team(s) for which they have job-related responsibility will benefit directly from the parent organization(s).
7. All funds generated by activities must be deposited within five working days in an account under the name of the school-connected organization in an accredited financial institution (see AR 1230 (a) #6).
8. Disbursement of all funds generated by activities will require two co-signers, not in the same household.
9. Cash transactions are discouraged, but, if used, the following procedures shall be in place:
 - a. In transactions for merchandise that is non-perishable, it is recommended that itemized receipts be available upon request.
 - b. Fundraising transactions involving the sale of merchandise or other items by students shall require that the organization issue an itemized inventory (in duplicate) to the student at the time that the merchandise or other items (e.g. candy, tickets, etc.) are given to the student to sell. The student or parent/guardian of the student will sign the inventory to acknowledge receipt of the merchandise or other items. Upon completion of the fundraising activity, when the student turns in the cash, a cash receipt shall be issued.

- c. For cash transactions in which students exchange cash for goods or services, or payments are made for a specific purpose to an organization, an itemized cash receipt shall be issued.
 - d. Non-cash sales including those paid by check or credit card do not require the issuance of an itemized receipt.
10. All requests for reimbursements shall be accompanied by an itemized receipt and submitted to the organization for payment.

To initiate the donation of a purchased item(s) or donated goods or equipment, the organization shall contact the site administrator and request that the administrator complete and submit a Burbank Unified School District Request Form for acceptance by the Board in accordance with Education Code 41032. The district will, in turn, convey the purchased items, goods or equipment to the identified site.

School-connected organizations wishing to hire individuals to assist the school in any co-curricular or instructional program shall donate the funds for this purpose to the district. The district will, in turn, hire the individuals in accordance with district policy.

When an approved fundraising activity is conducted for a school-connected organization, such funds shall be raised for the express purpose of being used by the specific organization. Funds may not be diverted or used for recreational activities or any trip that is otherwise not district approved

(cf. 6153- School Sponsored Trips)

Fees owed to school-connected organizations, or other parent support groups approved or not approved by the Board of Education, do not fall within the Education Code as enforceable for collection by the district or its schools. The district has no authority to collect fees or deny participation in school activities or to withhold a diploma or transcript as a result of a student owing fees to any group or organization which operates as a parent support group that have not been approved by the Board of Education.

It shall be the prerogative of the Superintendent, either independently or upon the advice of the administrator, to recommend to the Board the disassociation of the school or district from any organization at such time as it is determined that the organization no longer functions in the best interests of the students, the school, and/or the district.

If a school-connected organization does not agree with a decision relating to any of the provisions contained in this policy and regulation, the organization may appeal the decision in writing to the Superintendent or designee. Appeals, in writing, shall be made within 30 days of a decision. The Superintendent or designee will render a decision within 30 days of the receipt of the written appeal from the appealing organization.

Regulation
approved: September 12, 1995
Revised: February 23, 2010

PASADENA UNIFIED SCHOOL DISTRICT
Pasadena, California

USE OF SCHOOL FACILITIES

General Statement

The Board of Education recognizes that district facilities are a community resource whose primary purpose and use is for school programs and activities. The district permits the use of school facilities by groups and organizations whose purpose and objectives contribute to the development and welfare of the community when such use does not interfere with school activities, or result in undue cost to the district. Certain uses are subject to charge, as provided below. Such charges depend upon group categorization, with different charge levels generally ranging from Category 1 (exemption from charges) to Category II (direct cost) to Category III (fair rental charges).

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 consistent with their use for school purposes and does not interfere with the regular conduct of school work.

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 Section 38131).

1. Public, literary, scientific, recreation, education, 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, provided the governing board charges the church or religious organization using the school facilities or grounds an amount at least equal to the district's

- direct costs (Category II).
4. Childcare or day 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 for youths 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.
 8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare.
 9. Other purposes deemed appropriate by the Board.

Fees

If use of a facility occurs at a time when custodial staff or other district employee who is required to be present is on duty, charges will include the actual number of hours of use, with a minimum charge of 1 hour plus 1/2 hour.

If use of a facility occurs during the time when custodial staff or other district employee who is required to be present are not scheduled to work, overtime fees will include the actual number of hours of use with a minimum charge of 1 hour overtime.

When an auditorium or multi-purpose room is used for instruction, charges will be assessed at the classroom rate. When an auditorium or multi-purpose room is used for a performance (audience is present), charges will be assessed at the performance rate.

Rates in the Facility Fee Schedule shall be increased annually, effective September 1, based on the increase in the Consumer Price Index (CPI) for the prior fiscal year July 1 to June 30.

Category I (exemption from charges)

1. Exemption from charges is granted to non-profit organizations whose primary purpose and activities are in direct support of school or district programs, and groups that have been identified in Board Policy 1230, as school-connected organizations (e.g. PTA's, School Foundations and other parent support groups), and recognized employee organizations/associations (hereinafter referred to as "School Affiliated Groups"). When direct costs are incurred by the district, the organization shall be

charged costs of supplies, equipment, utilities, custodial and other services provided by district employees necessitated by the organization's use of the school facilities and/or grounds of the district. Category I (exemption from charges) does not permit the approved organization to allow a for-profit individual or organization that charges a fee to operate within its exemption from charges.

2. Exemption from charges (Category I) may also be granted by the district to nonprofit, civic, and religious- organizations that promote school and youth activities (hereinafter referred to as "Nonprofit Groups". When such usage is frequent or of longer duration, or the organization charges participants for the activity, the organization shall be subject to charges for direct costs (Category II rate).
3. The City of Pasadena, as part of the Joint Use Agreement, is exempted from most facility use charges. This provision may be extended to other governmental agencies as deemed appropriate (hereinafter referred to as "Government Groups").

Category II (direct costs)

1. A nonprofit group is defined as an organization that has been granted 501(c) (3) status under the Internal Revenue Code and/or school-connected organizations that meet the conditions and are approved by the Board pursuant to PUSD Administrative Regulation 1230.
2. All nonprofit groups providing activities for adults shall be charged direct costs (Category II rate). Direct costs are defined as the cost of supplies, utilities, janitorial services, services of any other district employees, and salaries necessitated by the organization's use of the facilities and grounds.
3. If the use of facilities is during the time when custodial staff or other district employee who is required to be present is on duty, salary costs will be calculated at the number of hours of actual overtime with a minimum of 1 hour.
All nonprofit youth-based groups shall be charged direct costs (Category II rate) when they charge a fee to participate in the activity.
4. All Western Association of Schools and Colleges (WASC) accredited institutions of higher education providing courses that directly benefit district students and/or staff members shall be charged direct costs (Category II rate).

Category III (fair rental charges)

1. Where admission 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, fair market value must be charged
2. Commercial entertainment programs do not qualify as community programs for civic center use. Use of school facilities for such purposes may be granted at the discretion of the district, with uses subject to the fair rental charges and fees established by the district in its discretion. Commercial filming and television activities and resulting film or broadcast product shall not specifically identify the school facilities, staff or students. In addition, the organizations will be responsible for obtaining necessary permits (hereinafter referred to as "Commercial Entertainment Groups").

A youth-based group is defined as a not-for-profit organization whose primary purpose is to support activities for youth.

"Fair Rental Charges" means the direct costs to the district, plus the amortized costs of the school facilities or grounds used for the duration of the activity authorized. Both fair direct cost and fair rental value are, for convenience, estimated and charged to users on a uniform hourly basis.

Users in any Category are to be subject to additional charges if their use causes damage to or loss of district/school-site supplies and/or equipment, special maintenance or special accommodations, or if their use requires additional district personnel or work hours to be assigned (e.g., weekend, holidays, or other days when the facility may otherwise be closed).

No groups shall be allowed to use district facilities until an Application for Use of School Facilities has been approved by the district, and, if applicable, the group has agreed to pay assessed charges.

No Application for Use of School Facilities permit will be issued when it has been determined that approval of the use of facilities would not be in the best interest of the district. Therefore, no group providing activities for school age children shall be granted a permit to use district facilities during instructional time.

Additionally, an Application for Use of School Facilities may be revoked at any time that the district believes that the permittee is not using district facilities in a responsible manner or in accordance with district policy.

Prior to the issuance of a facility use permit, the requesting organization must provide an original certificate of insurance, in the minimum amount of \$500,000.00 or \$1 million, if the intended use involves physical activities, and a separate specific endorsement which names the district as an additional

insured on the organization's liability policy. Additionally, a Hold Harmless Agreement (indemnification) must be completed and signed by a duly authorized representative of the organization and received by the district at the time the Application for Use of School Facilities is submitted to the district for approval.

Any not-for-profit or for-profit groups or organizations are not authorized to fundraise on school District facilities or grounds without prior approval from the Chief of Facilities, Planning and Construction, Maintenance and Operations or his or her designee.

Priority of Users

1. All school related activities shall be given priority in the use of facilities and grounds under the Civic Center Act. Pasadena Unified School District's (PUSD) priority when approving applications for facility use permits, takes into consideration both current PUSD policy and a reciprocal use agreement between PUSD and the City of Pasadena. Therefore, PUSD will continue to observe the following order of priority when considering applications for approval.
 - a. PUSD and PUSD sponsored activities and community partners. Pasadena, Sierra Madre and Altadena school support groups, such as PTA's and Parent Support Groups or Booster Organizations.
 - b. City of Pasadena activities and City sponsored activities or other municipalities with whom PUSD has entered into a Memorandum of Understanding.
 - c. Non profit/tax exempt youth-based groups/organizations, with rosters indicating residency of 65% within the PUSD boundaries, enrollment at PUSD of 50%.
 - d. Other youth groups/organizations.
 - e. Civic and related organizations (adult participants) Public agencies, other than the City of Pasadena, the City of Sierra Madre and the community of Altadena, public officials, government commissions, Pasadena, Sierra Madre and Altadena community service groups and/or organizations
 - f. All charging groups as defined in Category III.

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 of So. Calif. 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.AttyGen. 90 (1999)

79 Ops. Cal.Atty. Gen. 248 (1996)

Management Resources:

CDE 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

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PASADENA UNIFIED SCHOOL DISTRICT

Pasadena, California

USE OF SCHOOL FACILITIES

Application Procedure and Regulations for Use of School Facilities

The Chief, Facilities Planning, Construction, Maintenance and Operations or designee shall maintain application procedures and regulations for use of school facilities which:

- a. Encourage and assist groups desiring to use school facilities for approved activities.
- b. Preserve order in school buildings and on school grounds and protect school facilities. If necessary, a person may be designated to supervise this task.
- c. Ensure that the use of facilities or grounds is consistent with the use of the school facilities or grounds for school purposes and does not interfere with the regular conduct of school work.

Restrictions and Provisions for Facility Use

School Facilities shall not be used for any of the following activities:

- a. Any use by an individual or group for the commission of any crime or any act prohibited by law.
- b. 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 work.
- c. Any use which is discriminatory in the legal sense.
- d. Any use which involves or permits the possession, consumption, or sale of alcoholic beverages or any restricted substances on school property.
- e. Any use which involves or permits the use or sale of tobacco or any tobacco product in any school property.

(cf. 3513.3 Tobacco-Free Schools)
(cf. 5131.6- Alcohol and Other Drugs)

- f. The District may exclude certain school facilities from non-school use for safety or security reasons.

The following provisions must be adhered to:

- a. The use of open flames such as candles, or any fire is forbidden. Decorations must be approved in advance. Decorations must be flame resistant and shall be erected and taken down in a manner not destructive to school property.
- b. All equipment and facilities to be used must be listed on the Application for Use of School Facilities. Only trained district personnel shall operate facilities and/or equipment deemed by the district to require skilled operators. The user is bound by the determination of the district and is responsible for these salaries in addition to the basic rental fee.
- c. Stage productions require the presence of assigned district personnel, stage manager, who shall have complete responsibility and authority over the use of stage facilities whether district-owned or brought in for the function.
- d. Program and rehearsal arrangements are binding. Buildings will be normally opened one-half hour before the program begins and closed one-half hour after adjournment. Last-minute extra rehearsals or additional room use normally will not be permitted.
- e. Facilities are available during non-instructional periods only if the use does not conflict with cleaning and renovating activities and if required personnel are available for supervision.
- f. Appropriate district personnel shall be on duty whenever a facility is being used, except for activities under the Joint Use Agreement between the City of Pasadena, the City of Sierra Madre, the community of Altadena and the District. He/she shall be in charge of facility use and will report to the site and the Chief, Facilities Planning, Construction, Maintenance and Operations or designee any problems regarding the use, including the behavior and discipline of user.
- g. The district may require that ushers and/or security be employed for audience control and to enforce occupancy restrictions.
- h. All meetings qualifying under these provisions shall be conducted within the hours of 3:30 PM to 10:00 PM. Use of School facilities and grounds shall not extend beyond 10:00 PM during school days, unless permission

is granted by the Civic Center Permit Department. School facilities shall be available from 7:00 AM to 10:00 PM during non-school days. No request for use of office areas shall be approved. The district retains the right to limit usage of facilities during periods that are not being used for school purposes in order to accomplish maintenance and repairs, conduct required cleaning programs, or realize energy cost savings. Use of school facilities may also be limited during spring, summer and winter recess periods, as determined by the Chief, Facilities Planning, Construction, Maintenance and Operations or designee.

- i. Permitted users of district facilities and grounds are only to use the areas and equipment specifically stated on the approved request for use of school facilities and grounds. School equipment may not be used other than on school property, and then only in conjunction with the approved use of school facilities and under the supervision of the district employee in charge of such use.
- j. The Board of Education may grant the use of school buildings or grounds to any church or religious organization for the conduct of religious services for temporary periods where such a church or organization has no suitable meeting place for the conducting of such services. The length of the use of facility permit will be approved up to six-months only. A new request must be submitted for each additional period not exceeding six months. The fees charged for such organization shall be in accordance with Category II (direct costs).
- k. Any use contrary to or in violation of any law, rules or regulations shall be grounds for cancellation of permit and for removing the users from the property and shall bar such individual, group or organization from further use of district facilities and grounds. There shall be no smoking in or about school buildings and grounds, no intoxicants, narcotics, profane language, quarreling, fighting or gambling. The use of golf clubs, motor vehicles, bicycles, skateboards, scooters, roller-skates and in-line skates (rollerblades) is strictly prohibited. Animals are not allowed on district properties except for seeing-eye dogs. Violators that do not comply with the district requirements, rules and regulations will be asked to leave the premises. If violators refuse, the Local Police Department will be requested by district staff to remove or arrest the violators. Violation of district regulations and policies by any individuals, groups, organizations or users during use of school facilities and grounds shall be sufficient cause for revoking the organization's facility use permit and for denying further use of school buildings and grounds.
- l. Consumption or sale of food or refreshments is not permitted in auditoriums.

- m. Nothing shall be offered for sale at meetings without prior approval by Civic Center Permit department. Whenever the use of school premises without paying a rental fee is permitted, there shall be no admission fee charged, no funds solicited, no free will offering, or sale of literature by the individuals, groups or organizations using the school buildings and/or grounds.
- n. Vehicle control under Vehicle Code Section 21113 - "No person shall drive any vehicle, nor shall any person stop, park, or leave standing any vehicle, whether attended or unattended, upon the driveways, paths, parking facilities, or the grounds of any public school, except with the permission, of, and upon and subject to such conditions and regulations as may be imposed by, the governing board." The regulations for vehicle control shall be as follows:

Bicycles, skateboards or other vehicles moved by human power may not be ridden on school grounds.

No person shall drive any vehicle on any driveways, paths or parking facilities owned by the district at a speed in excess of five miles per hour.

Parking lots: Vehicle parking areas are provided at each school site owned by the district. These parking areas are reserved for the use of school employees from 7:00 a.m. through 5:00 p.m. Monday through Friday. Where space is provided, the public is invited to use spaces designated as "Visitor."

Vehicles may be driven or parked only in designated areas. Vehicles shall not be parked in driveways or near vehicle gates in such a manner that would restrict passage of emergency vehicles. Permission must be secured in advance, in writing, from the Civic Center Permit Department under terms and conditions as may be designated for the following purposes:

- a. Contractors entering the grounds to carry out the intention of repair or construction on contracts authorized by the Board of Education
- b. Suppliers of school supplies and equipment

Damage and Liability

Groups or persons using school facilities under the provisions of Board Policy 1330 shall be liable for any property damages caused by the activity. The

district shall charge the amount necessary to repair the damages and may deny the group future use of school facilities.

Any group or organization using school facilities or grounds shall be liable for any injuries resulting from its use of district facilities or grounds. The group shall bear the cost of insuring against this risk and defending itself and the district against claims arising from this risk.(Education Code 38314)

All groups or organizations using district facilities will be required to provide an original certificate of insurance, in the minimum amount of \$500,000.00 or \$1 million, if the intended use involves physical activities and a separate specific endorsement which names the district as an additional insured on the groups or organization's liability policy. Additionally, a "Hold Harmless Agreement" must be completed and signed by a duly authorized representative of the group or organization and received by the district at the time the Request for Use of School Facilities is submitted to the district for approval.

Request for Use of School Facilities

Any group or organization wishing to use district facilities shall submit an application for use of school facilities to the Civic Center Permits department.

Organizations requesting use of facilities may be required to provide identifying credentials, such as a charter or constitution and bylaws to establish the type of organization.

All groups qualifying for use must adhere to the rules and regulations set forth by the Board of Education. Each group will be held accountable for damages and may be denied subsequent use of facilities if district rules and regulations are not followed.

Any persons applying for the use of school property on behalf of any society group or organization shall present written authorization from the group to make the application.

Upon receipt of notice that a permit for use has been issued to an outside individual, group or organization, the Civic Center Permit department shall designate an employee to open the building; to be in charge during the permitted use; close and clean the buildings or grounds after the use. There shall be a school custodian on duty when school facilities, excluding outdoor facilities, unless deemed required by the Chief, Facilities, Planning and Construction, Maintenance and Operations or designee, are being used by outside groups. It is further understood that all additional personnel furnished by the district become a part of the rental agreement. It shall be the duty of the custodian or the employee in charge to see that rules and regulations are

enforced and to report any violations or attempted violations to the Civic Center Permit department. Whenever the district Facilities manager or the designee determines that these rules and regulations have been violated, he shall revoke the permit or permits given to the individual, group or organization in question and shall refuse issuing further use of facility permits to the violating party.

Any permit may be revoked by Civic Center Permit department for any individual, group or organization that fails to use the facility two consecutive times as scheduled.

District facilities and grounds may not be modified in any way, form or fashion. Structures may not be erected or assembled on school premises, nor any electrical, mechanical or other equipment be brought thereon unless approval has been obtained in writing from the Civic Center Permit department. Individuals, groups or organizations using school premises including a stage or stage equipment shall not be permitted to remove or displace furniture or apparatus including but not limited to house lights, curtains, ceiling balances, counter weight systems, stage lighting, and sound control panels or boards except under the supervision of the school employee in charge. When a stage is to be used, full details of equipment and personnel needed must be furnished in advance.

The use of a school auditorium, except for school activities, shall be limited to the use of the stage, auditorium seats, dressing and property rooms, restrooms, ticket office, and entrance corridor, and shall not include the use of other corridors or areas. The district employee in charge shall not permit any individual, group or organization to use any room or part of the school or equipment which is not specifically designated on the permit issued by the Civic Center Permit Department unless authorized by the Civic Center Permit Department.

The use of school premises shall not be granted when in the opinion of the Chief, Facilities Planning, Construction, Maintenance and Operations or Designee there is a reasonable likelihood of damage or injury to school property. In case loss or damage does occur, the individual, group or organization who has signed the Request for Use of School Facilities shall be fully responsible and liable for such damage or injury and shall assume such liability before being granted the use of school premises.

The School district shall assume no responsibility for handling the mail of a non-school group and shall not permit the use of the school telephone or school mail by any such group or representative thereof.

The district reserves the right to provide police or security protection for any meetings held on school property when it deems such protection necessary.

Cost for such services shall be charged to the organization or groups using the school facilities.

School premises shall not be used by any person, group or organization as a political campaign headquarters.

Commercial entertainment programs do not qualify as community programs for civic center use. Use of school facilities for such purposes may be granted at the discretion of the district through the Civic Center Permit Department with uses subject to the rental charges and fees established by the district.

Commercial filming and television activities and the resulting film or broadcast product shall not identify the school facilities, staff or students.

In addition, individuals, groups or organizations using district facilities shall be responsible for obtaining any additional permits that may be required.

Application Procedure

Any application for the Use of School Facilities by an individual, group or organization must be presented in writing on a form approved by the Board of Education and signed by the president or secretary of the organization or by the individual assuming responsibility for the use of the facility. "Application for Use of School Facilities" forms may be obtained from the Civic Center Permit department or on the PUSD web page at pusd.us. The original, including all copies, shall be completed and returned to the Civic Center Permit department. A Hold Harmless Agreement (Indemnification form) must also be completed as supplied on the PUSD web page. A Certificate of Insurance must be for \$1,000,000, and a separate, specific endorsement which names the district as an additional insured on the organization's liability policy must accompany the application.

All applications for the use of school facilities shall be referred to the Civic Center Permit Department. All applications need to be filed no earlier than 30 calendar days prior to the event and at least 30 calendar days in advance of the time the use is requested. Failure to comply with this requirement will result in the request being denied. All equipment and rooms to be used must be listed on the original application or they shall not be provided. A \$75.00 nonrefundable processing fee must be paid by check, cashier's check or money order before the application is processed for review. No cash will be accepted. The processing fee must be submitted along with the use of facility application. Only school organizations and school-connected organizations (as defined by Board Policy 1230) are exempt from this processing fee.

Upon receipt of an application for Use of School Facilities form, the Civic Center Permit department shall forward the application to the appropriate

school principal/site administrator or site designee and supporting departments for their verification and/or acknowledgement the facility requested is available. Upon verification, the facility requested is available, the request shall be approved. The Civic Center Permit department will notify the requestor, site, and supporting departments if the request is permitted. Individuals, groups, or organizations requesting the use of school facilities will not contact the school sites until they have been notified that their request has been permitted.

When the application is approved, the first copy is filed in Civic Center Permit Department and in the future will be posted to the master calendar, the second copy is forwarded to the applicant (non-district connected applicants), the remaining copies are forwarded to the Civic Center Permit Department and to the site administrator. When a fee is charged, a letter of transmittal is sent with the applicant's copy drawing attention to the rules and regulations printed on the back of the application. Denied applications are so noted; the original is filed with the Civic Center Permit Department, the applicant is notified and the remaining copies are destroyed.

All rental fees, service charges, or deposits are payable in advance. Opening of the buildings for use shall be dependent upon the showing of an approved copy of the "Permit for Use of School Facilities" to the district employee in charge. Users of outdoor facilities must have in their possession an approved copy of the Permit.

The principal is responsible for notifying school personnel and having the program date marked on the school master calendar. The principal shall forward the school copy of the Permit for Use of School Facilities to the custodian, who will review the permit, provide services and equipment noted on the permit. At the completion of the activity, the school copy is retained in the school office for one year.

Any Civic Center Permit overtime must be authorized only by the Civic Center Permit Department. All employees must complete and sign a time sheet which is approved by employee's supervisor, forwarded to the Civic Center Permit Department and entered on the monthly time sheet.

In the event of a user's change of plans, notice of cancellation must be given to the Civic Center Permit Department at least 36 hours prior to the date of intended use in order to avoid financial obligation for applicable charges. If notice for cancellation is given less than 36 hours prior to the scheduled use of district facility or grounds, a four-hour labor charge will be imposed per district employee scheduled for the event or use. When cancellations occur, the Civic Center Permit Department will contact the school principal and the supporting

departments. If payment has been made by the applicant, reimbursement will be made upon written request minus any applicable charges.

In the event of change in date or details, notice must be given to the Civic Center Permit Department immediately but no later than 36 hours prior to the date of intended use. Honoring requests for changes will be dependent upon availability of facility for the new date and/or time. If costs have been or are to be incurred as a result of a change of date by the requestor, all costs incurred, including revisions to the application or the permit will be assumed by the requestor and must be paid for before the approval for change of date and time is granted.

The district's priority for approving applications for facility use permits will continue to observe the following order of priority when considering applications for approval:

- a. PUSD and PUSD sponsored activities and community partners.
- b. City of Pasadena activities and City sponsored activities or other municipalities with whom PUSD has entered into a Memorandum of Understanding.
- c. Non-profit youth organizations based within PUSD boundaries. Team Rosters are to be included, indicating 65% residency and 50% PUSD enrolled students.
- d. Other youth organizations. Civic and related organizations - (adult participants).

Fields & Gymnasiums

The application and approval process for the turf fields and the gymnasiums are combined. The requirements for application submittal include: completion of the application for Use of School Facilities; a signed Indemnification form; a current roster, indicating residency and school attending; a flyer advertising program; a copy of their 501(c)3; the PUSD Standardized Non Profit Youth Organization Profile Form.

The Athletic Director submits a calendar of Athletic events (games and practice schedules) to the Civic Center Permit Office by each season's application deadline. The Civic Center Permit Office will use the school calendars to establish the availability of district facilities for public use under the Civic

Center Permit Act. Scheduling conflicts will be resolved by PUSD and the interested parties.

PUSD and City of Pasadena (City) officials will meet and compare the applications received by each. Due to the shortage of available facilities, duplicate application submissions to PUSD and to the City of Pasadena will be reviewed closely to ensure the applicant has a valid need for facilities from both the City and PUSD. Applicants that merit the use of either a PUSD or City of Pasadena facility, but not both, will be notified as soon as the determination is rendered.

Notification of the application deadline and Permit Status meeting date is USPS and electronically mailed to organizations listed on the Use of District Facilities mailing list. At the Permit Status meeting, applicants will be advised of the status of their application, if an alternate location was assigned, or if a scheduling conflict exists.

As applications are submitted and reviewed for completeness, a date stamp will be placed onto the permit application package. When numerous applications for Use of Facility listing the same facility, assignment priority will be based on the policy requirements met including: Rosters indicating 65% PUSD boundaries residency, of which 50% enrollment in PUSD schools; history of good stewardship, prior and continued support of District Athletic Facilities; good standing with fees being paid prior to the end of the current permit period.

Use of Outdoor Facilities and Grounds

It shall be the policy of the district to permit recreational use of the school outdoor facilities and grounds subject to the following regulations, which are established to ensure the safety and well-being of students and employees, and protect the property of the district:

On days school is in session:

The grounds and fields of the elementary schools and middle schools shall be available for community use after school hours 6:00 p.m. until dusk, unless a Use of Facilities Permit has been granted for a specific purpose by the district's Civic Center Permit department.

The tracks at the four comprehensive high schools shall be available for joggers/walkers from 6:30 a.m. to 8:00 a.m.

The grounds and fields at all Children's Center shall remain closed to the public due to the length of program operation and the presence of specialized playground equipment.

On days school is not in session (weekends, Winter, Spring and Summer recess) excluding holidays:

1. The grounds and fields of the elementary schools and middle schools shall be available for community use from 8:00 a.m. until dusk, unless a Use of Facilities Permit has been granted for a specific purpose by the district's Civic Center Permit department.
2. The tracks at the four comprehensive high schools shall be available for joggers/walkers from 6:30 a.m. to 8:00 a.m.

The grounds and fields at all children's Center shall remain closed to the public due to the length of program operation and the specialized playground equipment.

In the event of moderate to heavy rainfall, gates to school grounds shall be locked and access to the grounds restricted until the fields/track/grounds are dry, as determined by the Civic Center Permit Department. The PUSD mud-line, 626.396.3600 x 88901 is updated regularly and is to be phoned for availability of fields after inclement weather.

The district, at its sole discretion, reserves the right to restrict public use of its grounds and fields at any time without prior notice due to school use, inclement weather, vandalism, maintenance or for other reasons determined appropriate by the district.

Violators of the above regulations shall be considered to be trespassing and subject to arrest and prosecution pursuant to Pasadena City Ordinance 7170 and Penal Code Section 602.

Athletic Facilities

Athletic fields at all the secondary schools are available for use under Restrictions and Provisions for facility use. This includes the four High School fields, high school baseball and softball fields and track, and middle school playfields. All requests for use of any athletic fields must be submitted only to the Civic Center Permit Department.

Tennis courts are available for public use according to the rules and regulations that are posted.

All requests for the use of gyms and other athletic facilities, including field and tracks, tennis courts, gyms and pools shall only be approved by the Civic Center Permit department.

Broadcasting School Athletic Events

All broadcasting must be done from the radio booth. Interviews may not be conducted on the field during the game. Official representatives of the schools participating in the game, newspaper reporters or official representatives of the broadcasting station are the only persons to be permitted in the booth at any time.

An assistant principal shall be designated as the district representative at high school games, and shall be responsible for compliance with district policies. The designated assistant principal will clear all students either handling interviews for the broadcasting station or being interviewed by the media.

Prior to the start of the season, the broadcasting station must submit a Use of School Facilities form listing the games to be broadcast and obtain approval from Civic Center Permit Department.

The station must present the broadcast of each athletic event in its entirety. Taping all or any portions of activities to be broadcast at a future date is not permitted without the approval of the Board of Education or its designee.

Commercial Use and General Conditions of Use

A non-refundable processing fee of \$75.00 is charged to all individuals, groups and organizations that are not school organizations or school-connected organizations (as AR defined by Board Policy 1230). The processing fee must be submitted with the Use of Facility Request before the request is processed.

The fair rental value fee is the minimum rental charge per hour for the use of a facility for up to four hours. The basic fee consists of the facility rental (per facility), restroom/cleaning supplies (if restrooms are used), utility cost, maintenance cost, and additional staffing cost as determined by the Civic Center Permit Department.

The following straight time hourly rates will be added to the total fees when the request requires additional staffing: \$28.05/man hour for maintenance, \$22.44/man hour for custodial services, and \$23.00/man hour for grounds services. Staffing rates will be multiplied by one and one half times the straight time rate for overtime staffing. Use of facilities above the four-hour minimum

will be in one-hour increments. The district's evaluation of the request is final but is based on the requestor's needs.

All organizations that are being charged at the commercial rates will also be charged a security deposit of \$2000.00. This deposit will be returned when the district has determined that no additional costs were incurred. Any additional charges that may have occurred will be deducted from the security deposit.

Commercial special event fees will be negotiated by the Chief, Facilities Planning, Construction, Maintenance and Operations or designee.

Any request that is not specifically included in the fee schedule will be evaluated on an individual basis and charged accordingly.

Charges for the use of school facilities and grounds shall be determined based on the Fee Schedules adopted by the Board. Fees are subject to change at the sole discretion of the Board, with the effective date of new fees to be 60 days following the Board approval of the new fees. In addition, fees will be increased accordingly whenever district employee hourly rates increase; these increases will be effective at the same time as the new hourly rates go into effect.

Users of facilities shall offer no gratuities to school personnel nor shall school personnel accept gratuities from any users. Gratuities for school programs are not to be solicited; however, unsolicited gratuities may be accepted by the district in appreciation for the rental inconvenience. Such gratuities shall be donated to the district, through Civic Center Permit Department. An accompanying letter from the donor may recommend that the gratuity be directed to a particular site and/or for a particular program. The money will then be deposited with Pasadena USD, then distributed to the site and account code as deemed by the donor/site administrator or designee using the 40/30/30 policy.

Fee Schedule for Filming and Photography - Basic Fees

Prep and strike: first 8 hours is \$1,500.00, \$150.00/hour there after.

Filming: first 8 hours \$3,000.00, \$300.00/hour there after, includes one major facility, i.e. auditorium. Custodial staff and additional facilities are an additional fee.

Parking: \$650.00/50 or less cars; \$1,000.00 for 50+ cars & 2-3 trucks; \$1500.00 for 100 cars + 4 -5 trucks. Base camp is separate from crew parking and is an additional \$1,500.00 per date of use.

Hold day: \$1,500.00.

Still photography: Fee is \$100.00 per hour in addition to facility fee associated with facility used with a four hour minimum. Including an additional charge for custodial at time and half.

Fee Schedule for Athletic Facilities

CUSTODIAL AND GATE ATTENDANT FEES

FIELDS

For permits Monday through Friday after regular school hours when a custodian is already on duty, a PUSD custodian will unlock designated gates 15 minutes prior to the permitted start time and lock the gates, 30 minutes after the permitted end time. The custodian will take note of the condition of each field before and after each group's use. Groups requesting relief from custodial hours must pick up trash, empty trash cans and have portable toilets available to their participants. If any of the above are not met, the group will be asked to correct the problem. If the problem is not corrected, PUSD reserves the right to charge custodial hours as deemed necessary. If the charges are not paid, the permit will be revoked. Future permits will not be issued until all outstanding charges are paid.

A PUSD Gate Attendant will unlock gates in the mornings and lock the gates in the evenings for weekend use of fields by user groups. The Gate Attendant will take note of the condition of each field before and after each group's use. Groups requesting relief from custodial hours must pick up trash, empty trash cans and have portable toilets available to their participants. If any of the above are not met, the group will be asked to correct the problem. If the problem is not corrected, PUSD reserves the right to charge custodial hours as deemed necessary. If the charges are not paid, the permit will be revoked. Future permits will not be issued until all outstanding charges are paid.

A security deposit in the amount of \$100.00 will be provided to PUSD by the applicant for each Field Use Permit. If it becomes necessary for the custodian to clean-up following an event, the user will be notified and the deposit will be utilized to fund the custodial overtime. The user will then be required to pay for custodial services on all future uses.

John Muir High School and Pasadena High School synthetic track and football fields, a custodian will be assigned to work Saturday or Sunday, for youth football games and track meet events. For permits of use when custodians are not on duty, the custodial hours assigned equal the hours used plus one hour, for permits of four hours or less and equal the hours used plus two hours, for permits over four hours.

GYMNASIUMS

Custodial support is mandatory for all users of gymnasiums. For permits of use during regular school hours when a custodian is already on duty, the custodial hours assigned equal one hour for permits of four hours or less and equal two hours for permits over four hours. For permits of use when custodians are not on duty, the custodial hours assigned equal the hours used plus one hour, for permits of four hours or less and equal the hours used plus two hours, for permits over four hours.

Custodians are expected to remain on site and notify the users of their location on the campus. Custodians are also required to check-in every hour with the activity sponsor to inquire if custodial services are needed. It is anticipated that custodians will be assigned specific custodial tasks by the site administrator or the custodial supervisor during this time period.

PUSD has adopted a fee schedule similar to the fee schedule currently used by the City of Pasadena. The Civic Center Permit Office will make bi-annual adjustments over a period of time (2 - 3 years). The bi-annual adjustments will serve as an acclimation period. However, PUSD's fee schedule for non-profit youth organizations may not follow the City's fee schedule since PUSD is required to follow the Civic Center Act. Only direct costs will be charged for the nonprofit youth organizations.

Non fee exempt organizations are subject to an application fee for Facility Use Permits. The application processing fee is \$75.00. Organizations that are exempt from fees (excluding direct expenses), are also exempt from the application processing fee.

All fee-exempt and non-fee exempt organization's are subject to a \$10.00 per hour fee for non profit youth organizations and \$35.00 per hour fee for all other organizations for the use of outdoor field lighting. This fee will be adjusted as utility rates change.

Only facility fees collected will continue to be shared with the host school site receiving 40%, Civic Center Permits department receiving 30% and the remaining 30% will be distributed to the remaining schools, as per Board Report No. 105-F, dated June 9, 2009, effective July 1, 2009.

OTHER FACILITIES

Small groups using classrooms or common areas for a minimal amount of time will not be assessed a custodial fee. Examples of this would be Boy and Girl

Scouts and other similar community organizations conducting meetings such as neighborhood organizations.

Report of Use

After each usage of district facilities and grounds an "Employee's Report of Use of School Facilities," (Time Ticket), will be completed by the employee in charge and signed by the principal. The original time ticket is then forwarded to the Civic Center Permit Department within 48 hours, and the copy is retained at the site for one year. Any irregularities in usage of the facility shall be reported.

"Reports of Use of School Facilities" are retained with the Civic Center Permit Department for 24 months.

Food Services Facilities

1. General Policies and Regulations

- a. No commercial caterers are authorized to use the food services facilities or equipment.
- b. Breakage, damage, or loss of equipment shall be paid by the group or organization using the food service facilities. This must be reported immediately by the principal on Form 30-30245. Costs shall be established by Food Services and/or Civic Center Permit Department and the group or organization shall be invoiced by Civic Center Permit Department.
- c. Food Services shall be responsible for notifying the group or organization of the equipment which may be used, supervising the use of the equipment, checking the use of the range and unlocking and locking the kitchen doors.
- d. Minors are not allowed in the kitchen area.
- e. The cash register or automated point of sales equipment may not be used by a group or organization as it contains a permanent record of Food Services.
- f. Only Food Services employees must be employed to prepare food in the kitchen and all food shall be purchased by Food Services.

- g. The group or organization using Food Services facilities shall be charged for the use of Food Services employees at the regular rate of pay or overtime rate of pay, as applicable.
- h. School-connected groups such as' student and employee organizations as well as civic center users are eligible to use kitchen facilities.

Use of School Facilities When Food Service Meal is not Prepared by Food Service Employees

A "Request for Use of School Facilities" shall be submitted to Civic Center Permit Department, by the organization requesting a food service facility no earlier than 90 days and at least two weeks prior to date of intended use.

The only equipment that may be used is the stove for boiling water, sink for washing, coffeemakers, and utensils as requested on the application form.

A Food Services employee must be present at all times when the kitchen is used. The group or organization using the kitchen will pay the overtime salary of the Food Services employee(s). If a portable refrigerator is available for use, it will be available to the school organization or school-connected organization at no charge.

All food furnished by the group or organization shall be prepared and served outside of the kitchen.

The group or organization must furnish soap, towels, and all labor for hand washing all utensils used. District equipment requested must be washed, dried, and neatly stacked on the drainage area.

Utensils belonging to the organization which are overlooked and not removed will be set aside and the principal's office notified.

A time ticket for the Food Services employee working during use of Food Services facilities shall be signed by the employee, and forwarded to the Food Services Department to be entered on the monthly time sheet. The group or organization shall be required to pay the overtime salary of the Food Services employee.

Use of School Facilities When a Meal is Prepared by Food Services Employees

A Request for Use of School Facilities shall be submitted to Civic Center Permit Department by the organization requesting facilities no earlier than 90 days

and at least two weeks prior to the date of use. A copy of the request will be forwarded to Food Services.

The organization's representative shall select a meal from the menus on file in Food Services. Food Services shall be responsible for the procurement of the food (based on confirmed reservations), preparation of the meals, serving of the meals, and cleaning of equipment. The organization shall furnish table servers unless this service is requested on the application form.

Food Services shall secure sufficient personnel to perform all requested functions.

Cafeteria kitchen facilities shall not be used except as may be arranged with the district's Food Services Department at the time the Request for Use of School Facilities is submitted.

When programs are scheduled in cafeterias in which meals are served by district Food Services, the user shall be assessed meal charges in addition to the use of facility and/or other charges.

The applicant must report to Food Services the confirmed number of reservations three days prior to the event. Alterations of this number will be permitted up to 9:00 A.M. on the day prior to the event.

The group requesting meals must pay for the meals to be served at or before the time of service. If the number of meals served is less than the number of reservations, the organization will be responsible for paying unfilled reservations in excess of 10.

When meals are prepared by Food Services, a separate monthly time sheet is prepared by Food Services. Costs are charged to that school's food service account and are computed as part of the meal cost.