

SAN RAMON VALLEY UNIFIED SCHOOL DISTRICT
699 Old Orchard Drive, Danville, CA

DATE: May 3, 2016

TOPIC: CONSIDERATION OF APPROVAL OF REVISION TO BOARD POLICY
AND ADMINISTRATIVE REGULATION 1330 – COMMUNITY
RELATIONS

DISCUSSION: On April 19, 2016, the Board reviewed proposed revisions to the Board Policy and Administrative Regulation 1330 that incorporates a new “Priority of Use Schedule.” A minor addition to AR1330 was requested and has been incorporated into the current revision. The Board Policy and Administrative Regulation 1330 have been updated to align with changes to the California School Boards Association (CSBA) model policy.

RECOMMENDATION: Staff recommends Board approval of revisions to Board Policy and Administrative Regulation 1330 – Community Relations.

BUDGET IMPLICATIONS: None



Tina Perault
Sr. Planning & Development Manager



Gary Black
Assistant Superintendent
Business Services & Facilities Development



Mary Shelton
Superintendent

10.5
Item Number

Community Relations
USE OF SCHOOL FACILITIES

BP 1330

The Governing Board believes that school facilities and grounds are a vital community resource which should be used to foster community involvement and development. Therefore, the Board authorizes the use of school facilities by district residents and community groups for purposes specified in the Civic Center Act, to the extent that such use does not interfere with school activities or other school-related uses.

(cf 6145.5 - Student Organizations and Equal Access)

The Superintendent or designee shall give priority to school-related activities in the use of school facilities and grounds. Other uses authorized under the Civic Center Act shall be granted under the District's Prioritization of Use Schedule as set forth in the Administrative Regulation (AR1330).

For the effective management and control of school facilities and grounds, the Superintendent or designee shall maintain procedures and regulations 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

Subject to prior approval by the Board, the Superintendent or designee may grant the use of school facilities or grounds on those days on which district schools are closed
(Education Code 37220)

(cf. 6115 -- Ceremonies and Observances)

There shall be no advertising on school facilities and grounds except as allowed.

As necessary to ensure efficient use of school facilities, the Superintendent or designee may, with the Board's approval, enter into an agreement for the joint use of any facilities or grounds. The Board shall approve any such agreement only if it determines that it is in the best interest of the district and the community.

(cf. 1330.1 - Joint Use Agreements)

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Fees

The Board shall adopt a comprehensive schedule of fees to be charged for community use of school facilities and grounds. The schedule of fees shall be prepared in accordance with 5CCR 14037 – 14041. (5CCR 14041)

(cf. 9320 Meetings and Notices)

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. In addition, the Board shall grant the use of school facilities or grounds without charge or at a reduced rate to historic user groups or joint-use partners due to prior agreements (Reference 1330 Fee Schedule). All other groups requesting the use of school facilities under the Civic Center Act shall be charged an amount not exceeding direct costs determined in accordance with 5CCR 14037 – 14041.

Additionally, when any use of school facilities or grounds is for religious services, the district shall charge an amount at least equal to the district's direct costs (Education Code 38134).

In determining direct costs to be charged for community use of each or each type of school facility or grounds, the Superintendent or designee shall calculate, in accordance with 5CCR 14038, the community's proportionate share of the following costs: (Education Code 38134; 5CCR 14038 – 14041)

1. Capital direct costs calculated in accordance with 5CCR 14039, including the estimated cost of maintenance, repair, restoration, and refurbishment of non-classroom space school facilities or grounds.

However, capital direct costs shall not be charged to organizations retained by the district or school to provide instruction or instructional activities to students during school hours or for classroom-based programs that operate after school hours, including, but not limited to, after-school, tutoring, and child care programs, (5CCR 14037)

(cf 5148 - Child Care and Development)
(cf 5148.2 - Before/After School Programs)

2. Operational direct costs calculated in accordance with 5CCR 14040, including estimated costs of supplies, utilities, custodial services, other services of district employees and/or contracted workers, and salaries and benefits paid to district employees directly associated with the administration of the Civic Center Act to operate and maintain school facilities and grounds.

Direct cost fees shall not be discounted to any group or organization except when the discount is specifically authorized in the adopted fee schedule. (5CCR 14041)

10.5(3)

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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)

Expanding Funds Collected as Capital Direct Costs

Any funds collected as capital direct costs shall be deposited into a special fund to be used only for capital maintenance, repair, restoration, and refurbishment of school facilities and grounds.
(5 CCR14042)

Community Relations USE OF SCHOOL FACILITIES

BP 1330(d)

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

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act

MILITARY AND VETERANS CODE

1800 Definitions

CODE OF REGULATIONS, TITLE 5

14037-14042 Proportionate direct costs for use of school facilities and grounds

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:

CSBA PUBLICATIONS

Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010

Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009

WEB SITES

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

California Department of Education: <http://www.cde.ca.gov>

(11/06 4/13) 8/14

Policy adopted: June 20, 1995

Revised: May 22, 2001

Revised: December 15, 2009

Revised: March 22, 2016

Revised:

**SAN RAMON VALLEY UNIFIED SCHOOL DISTRICT
Danville, CA**

10.5 (5)

Community Relations
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Any person applying for the use of any school facilities or grounds on behalf of any society, group, or organization shall present written authorization from the group or organization to make the application.

Persons or organizations applying for the use of school facilities or grounds shall submit a facilities use statement indicating that they uphold the state and federal constitutions and do not intend to use school premises or facilities to commit unlawful acts.

Civic Center Use

Subject to district policies and regulations, school facilities and grounds shall be available to citizens and community groups as a civic center for the following purposes: (Education Code 32282, 38131)

1. Public, literary, scientific, service, 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 youth may participate regardless of religious belief or denomination.
7. A community youth center.

(cf 1020 - Youth Services)

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

(cf 0450 - Comprehensive Safety Plan)

(cf 3516 - Emergencies and Disaster Preparedness Plan)

9. A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization.

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 Governing Board

Prioritization of Use Schedule

The use of facilities and grounds will be determined as follows:

1. School Activities
2. School Related Activities and Joint Use Partners: (school clubs, PTA, SRVEF, Boosters, City of San Ramon, Town of Danville, and County of Contra Costa)
3. Other Public Agencies: (local, county, state, federal agencies)
4. Charitable Non-Profits 501(c) (3):
 - a. Youth leagues and youth organizations
 - b. Adult leagues and adult organizations
 - c. Other non-profits

Additional factors will also be considered such as membership size, percentage of residency, and historic use.

5. Other [non-501(c) (3)]:
 - a. Youth leagues and youth organizations
 - b. Adult leagues and adult organizations

Additional factors will also be considered such as membership size, percentage of residency, and historic use.

10.5(7)

Community Relations
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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 facilities 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

(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 damage caused by the activity. The district may charge the amount necessary to repair the damages and may deny the group further use of school facilities or grounds. (Education Code 38134)

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 when using school facilities. (Education Code 38134)

As permitted, the Superintendent or designee may require a hold harmless agreement and indemnification when warranted by the type of activity or the specific facilities being used.

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SAN RAMON VALLEY UNIFIED SCHOOL DISTRICT
699 Old Orchard Drive, Danville, CA

DATE: May 3, 2016

TOPIC: CONSIDERATION OF APPROVAL OF REVISION TO FACILITIES USE FEE SCHEDULE

DISCUSSION: In 2012, the Governor signed Senate Bill 1404, which amended the existing Civic Center Act to expand the definition of direct costs that a school district may charge for the use of school facilities or grounds. Districts have long been able to charge for operational direct costs like the cost of the custodian and the cost of utilities. SB 1404 added a category of what the regulations term “capital direct costs,” which allows school districts to recover costs for maintenance, repair, restoration, and refurbishment related to the depreciation of school facilities and grounds as accelerated by non-school users.

District staff has analyzed and calculated its direct costs, as well as operational costs, as it relates to use of district facilities and grounds by outside user groups. Staff has also requested and compiled comparison data from neighboring and “like” districts. Information was also compiled from the City of San Ramon and Town of Danville regarding co-sponsored groups and Sports Alliance members, respectively. Comparison data collected revealed that, in some areas, the district’s rates are significantly under the average of neighboring and “like” districts.

The district’s current Fee Schedule, which has not been updated since 2008/09, is no longer in compliance with the new regulation. Therefore, staff is proposing a revision to the Fee Schedule as well as the ability to increase the rates on an annual basis by an amount tied to the Consumer Price Index, San Francisco-Oakland USA.

Staff is also proposing the Board continue to 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. In addition, staff is proposing that the Board continue to grant use of school facilities and grounds without charge or at a reduced rate to historic user groups or joint-use partners due to prior agreements.


In addition to the hourly fees, staff is proposing the addition of “revision and cancellation” fees. These fees are to cover staff time required to change or cancel reservations that have been finalized. It would also help to off-set costs associated with lost revenue due to late cancellations.

RECOMMENDATION: Staff recommends Board approval of revision to Facilities Use Fee Schedule to become effective on August 15, 2016.

BUDGET IMPLICATIONS: Increase in revenue is estimated to be sufficient to cover the increase of personnel cost associated with the Facility Use department.


Tina Perault
Sr. Planning & Development Manager


Gary Black
Assistant Superintendent
Business Services & Facilities Development


Mary Shelton
Superintendent

10.6 Item Number

San Ramon Valley Unified School District

Facility Use - Fee Schedule (Hourly Rates) - Effective August 15, 2016

FACILITIES	Non-Profit 501c(3)	Community Rate
Classroom/Regular	\$10	\$30
Classroom Specialty (i.e. Band, Music, Drama)	\$20	\$50
Gym - Small - HS Ancillary & MS (except Iron Horse)	\$40	\$120
Gym - Large - High School Main Gyms & Iron Horse	\$55	\$165
Library - Elementary (K-5)	\$20	\$50
Library - Secondary	\$30	\$65
Locker Rooms	\$30	\$90
MPR - Elementary (K-5)	\$30	\$75
MPR and Kitchen - Elementary (K-5)	\$55	\$100
MPR/Commons - Secondary	\$35	\$90
MPR and Kitchen - Secondary	\$60	\$125
Theater - CHS, MVHS & SRVHS (~400 seats)	\$85	\$200
GROUNDS		
Blacktop or Quad (for events)	\$15	\$28
Baseball/Softball (K-8 schools)	\$9	\$30
Baseball Field - JV (9-12 schools)	\$12	\$36
Baseball Field - Varsity (9-12 schools)	\$15	\$50
Parking Lot	\$15	\$28
Practice Field - (9-12 schools)	\$18	\$50
Soccer/Lacrosse Field (K-8 schools)	\$9	\$30
Softball Field - JV (9-12 schools)	\$12	\$36
Softball Field - Varsity (9-12 schools)	\$15	\$45
Synthetic Turf Field - Diablo Vista	\$35	\$75
Stadium - Synthetic turf without lights	\$50	\$100
Stadium - Synthetic turf with lights	\$75	\$150
Swimming Pool - Monte Vista	\$60	\$120
Swimming Pool - San Ramon Valley	\$90	\$180
Tennis Court w/out lights	\$6	\$10

Youth Leagues - Non-Profit 501c(3) and Joint-Use Partners

Classroom	\$6.67
MPR - Elementary or Secondary	\$21.67
Baseball & Softball Fields	\$6.00
Soccer/Football/ Lacrosse Fields	\$10.00
Gym - Small - HS Ancillary & MS (except Iron Horse)	\$26.67
Gym - Large - High School Main Gyms & Iron Horse	\$36.67
Stadium - Synthetic turf w/out lights (includes Diablo Vista)	\$33.33
Stadium - Synthetic turf with lights	\$58.33

Revision/Cancellation Fees on Approved Reservations

Revision	\$20 revision fee
Greater than 60 days cancellation notice	\$20 cancellation fee
Less than 60 days cancellation notice	25% of rental charges + \$20 cancellation fee
Less than 30 days cancellation notice	50% of rental charges + \$20 cancellation fee
Less than 14 days reservation request	On-Line Reservations Not Available

- 1) Rates do not include additional costs associated with additional support staff.
- 2) Historic rates with City, Town, Scouts, YMCA Youth & Government, Co-Sponsored and Sports Alliance groups are maintained.
- 3) ALL Fees subject to an Annual increase based on the CPI (SF-Oakland)

as of 4-25-2016

10.6 (2)