

Resolution Adopting Da Vinci Schools Facilities and Grounds Use Policy

WHEREAS, the Board of Directors of Da Vinci Schools recognizes that California public school facilities and grounds are vital community resources which, under the Civic Center Act, are made available for public uses which do not interfere with school activities or other school-related uses; and

WHEREAS, under the facilities use agreement between Wiseburn Unified School District and Da Vinci Schools, all leased Da Vinci Schools sites, including the Wiseburn High School campus facilities (“Schools”) shall be available to the public in accordance with the Civic Center Act; and

WHEREAS, Schools-related activities shall have priority in the use of school facilities and grounds, as well as any space dedicated to administrative uses by Wiseburn Unified School District or Da Vinci Schools, with other uses authorized under the Civic Center Act to be permitted be on a first-come, first-served basis, except as noted in Section 9;

NOW, THEREFORE BE IT RESOLVED:

1. **Delegation of Authority**

For the effective management and control of school facilities and grounds, the Board of Directors of Da Vinci Schools delegates to its Chief Executive Officer, or his or her designee, administration of this policy to:

- A. Aid, 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 designating a person to supervise this task, if necessary;
- C. Ensure that the use of school facilities or grounds is not inconsistent with their use for school purposes, including administration, and does not interfere with the regular conduct of school work;
- D. Provide that there shall be no advertising on school facilities and grounds except as specifically approved.

2. **Basis of Fees.**

Public users should pay the full cost of the use of school facilities or grounds. Therefore, private and other non-school users granted the use of school facilities or grounds under this policy shall be charged an amount not exceeding direct costs determined in a manner consistent with Education Code [38134](#). However, the use of school facilities or grounds without charge shall be allowed for any school-related organizations whose activities are directly related to or for the benefit of Da Vinci Schools. All other groups requesting the use of school facilities under the Civic Center Act shall be charged an amount not to exceed direct costs. However, if the use of school facilities or grounds is for religious services, the group shall be charged an amount that equals or exceeds direct costs determined in accordance with Education Code [38134](#).

3. **Direct Costs**

In determining direct costs to be charged for community use of school facilities or grounds, including, but not limited to, gymnasiums, playing or athletic fields, track and field venues,

tennis courts, and outdoor basketball courts, fees shall include a proportionate share of the costs of the following:

- A. Supplies, utilities, janitorial services, other services of employees, and salaries of employees directly associated with operation and maintenance of the school facilities or grounds involved;
- B. Maintenance, repair, restoration, and refurbishment of the school facilities or grounds;
- C. For classroom-based programs that operate after school hours, including, but not limited to, after-school, tutoring, and child care programs, direct costs to be charged shall not include the cost of maintenance, repair, restoration, or refurbishment of the school facilities or grounds.
- D. 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 students.

4. Applications and Permitted Uses.

- A. 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.
- B. School facilities and grounds shall be available to citizens and community groups under this policy for the following purposes:
 - 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
 - 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
 - 8) Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare
 - 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
 - 10) Other purposes which are consistent with this policy.

- C. Uses of school facilities may be permitted on those days on which the public school is closed.
- D. Use of school facilities is permitted only through the approval of the Facilities Use Application process. This process is conducted under the supervision of the Chief Executive Officer or Designee. No other staff may approve facilities use.

5. Restrictions on uses.

School facilities or grounds 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 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
- C. Any use which involves the possession, consumption, or sale of alcoholic beverages or any restricted substances, including tobacco use. Also prohibited shall be the use of products containing tobacco and/or nicotine, including, but not limited to, smokeless tobacco, snuff, chew, clove cigarettes, and electronic nicotine delivery systems, such as electronic cigarettes, electronic hookahs, and other vapor emitting devices, with or without nicotine content, that mimic the use of tobacco products any time.
- D. Any use which is discriminatory in the legal sense. No permit shall be granted to any individuals for any purpose which would discriminate against persons because of their race, color, or creed.
- E. No use shall be allowed which pose a substantial, articulable risk to school safety or security.

6. Damage and Liability

Groups using school facilities pursuant to this policy shall sign an agreement acknowledging the risk allocation provisions of this policy:

- A. Any group using facilities or grounds under this policy shall be liable for any injuries resulting from the negligence of that group during the use of those facilities or grounds. Groups shall bear the cost of insuring against its risks and shall bear the costs of defending itself against claims arising from those risks.
- B. Groups, organizations, or persons using school facilities or grounds shall be liable for any property damages caused by the activity, may be charged the amount necessary to repair the damages and may be denied further use of school facilities or grounds.
- C. Groups or organizations shall provide evidence of insurance against claims arising out of the group's own negligence. Groups or organizations shall also be required to include Da Vinci Schools, Inc. as additional insureds on their liability policies for claims arising out of the negligence of the group.
- D. A hold harmless agreement and indemnification may be required as a condition of use when warranted by the type of activity or the specific facility being used.

7. Timelines

The completed Application and Permit for facilities use and appropriate proof of insurance should be submitted to the Chief Executive Officer or designee at least 15 working days prior to the requested use date. Applications will be acted upon within 5 working days to confirm the availability of space and the identification of required staff hours for the event. Then fees

will be determined and the applicant will be contacted for payment and any other documentation required. Upon receipt of payment for all fees and executed documentation, an approval email or letter will be furnished or mailed to the applicant within 5 working days.

8. Schedule of Fees for Use of School Property

Fees shall be charged in accordance with the currently adopted rate schedule. The rate schedule is based on the following categories of activities:

- A. Free Use** (excluding application fee; including applicable custodial fees):
 - 1) Meetings of Da Vinci Schools employees.
 - 2) Agencies covered in a joint use agreement or memorandum of understanding with or on behalf of Da Vinci Schools or Wiseburn Unified School District, such as El Segundo Parks and Recreation, or other organization.
 - 3) Governmental agency requests for special public meetings and polling.
 - 4) Meetings of parent-teachers' associations, school-community advisory councils, and school foundations.
 - 5) School-affiliated alumni association meetings.
 - 6) Uses which advance the educational goals and/or programs of the Schools for which fees would not be appropriate.
- B. Direct Cost Uses:**
 - 1) Nonprofit organizations, clubs or associations organized to promote activities for school-aged children when the activity involves student participation.
 - 2) Public, literary, scientific, recreational, educational, or public agency meetings
 - 3) The discussion of matters of general or public interest
 - 4) Child care 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) A community youth center
 - 7) 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 beliefs or denomination
 - 8) Conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization that has no suitable meeting place for the conduct of the services
 - 9) Nonprofit organizations, clubs or associations organized to promote activities for school-aged children and/or adults will be charged 1.5 times the Direct Fee rate (rounded) when the activity involves non-school-aged children.
- C. Fair Market Value Use**
 - 1) Use other than the categories described above for free and direct cost use.
 - 2) Entertainment or meetings where admission fees are charged or contributions are solicited and the net receipts are not expended for the welfare of the students of the Schools.
- D. Schedule of Fees for Use of School Property**

- 1) As a condition of auditorium use for rehearsal and/or a performance which requires the use of stage lighting and sound systems, the applicant must satisfy the site administration that the group has staff or has hired a person or persons with sufficient demonstrated knowledge and expertise to operate the sound and light equipment. At certain sites, as a condition of approval, a site theater manager for specialty services assistance may be required.
- 2) Specialty services, such as custodial and kitchen, are in addition to fees noted below.
- 3) All fees are per hour unless noted otherwise.
- 4) No refunds are issued for unused rental hours or services.

E. Facilities Use Fee Schedule

	Direct Cost	Market Rate
High School - 1st Floor (MPR/Theatre/ Atrium)	\$250	\$500
High School Gym (per 2 volleyball or 1 basketball court area)	\$120	\$240
High School Theatre	\$120	\$240
High School—Artificial Turf Field	\$100	\$200
High School—Multi-Purpose Room	\$100	\$200
High School—Kitchen (sinks and counters only - no stove, oven or refrigerator/freezer use)	\$75	\$150
Classroom	\$20	\$60
Parking Lot Rental	\$50	\$100
Additional Custodial Fee (per person)	\$45	\$45

Information Technology Fee (per person) (Depending on use, these services may be required.)	\$45	\$45
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*Field usage at Del Aire or Aviation campuses is coordinated through Wiseburn Unified School District.
Del Aire gym and tennis court usage is coordinated by L.A. County Parks and Recreation.

9. Gymnasium Use Schedule

Notwithstanding any other provisions of this policy, the first priority for gym usage will be driven by the facilities needs of the Wiseburn-Da Vinci Athletic Program. The second priority will be other gym facilities needs of Da Vinci Schools and Wiseburn Unified School District. Other gym usage may be made available to outside groups for direct costs or market value costs. Priority for outside groups will go to sports programs for school-age youth.

Da Vinci Schools plans to continue to work with these proven programs in scheduling for the Wiseburn High School Gym. Clubs and programs with an established relationship with the district will be asked to submit proposals for gym usage. Priority will be given to those who can commit to weekend times for gym use, which is when the majority of times will be available. The gym will be divided into three areas, each with two volleyball courts or one basketball court. Once current clubs and programs have had an opportunity to submit proposals, other groups will be considered for remaining time spaces. Scheduled calendar time, once established, will remain ongoing from year to year, except where it conflicts with the needs of the school programs.

Special consideration may also be provided for local youth programs that directly serve to support the Wiseburn-Da Vinci Athletics Program. A club or program will be considered in this category if at least 80% of the participants are attending Da Vinci Schools, Wiseburn residents and/or students in the Wiseburn district. To qualify, rosters of participants must be submitted and verified. Programs in this category may be provided priority in scheduling, as appropriate.

Approved and adopted on September 19, 2018