

**POWAY UNIFIED SCHOOL DISTRICT  
ADMINISTRATIVE PROCEDURE**

**Originator:** Director of Maintenance and Operations

**Issue No:** 5

**Date:** 3/11/02

**Page:** 1 of 2

**Reference:** EC 38131, 38132; 38133;  
Form FAC-28B

**ARTICLE: 6.0 BUSINESS SUPPORT SERVICES**

**6.20 MAINTENANCE AND OPERATION  
OF FACILITIES**

**6.21 PUBLIC USE OF SCHOOL  
FACILITIES**

---

**SECTION 6.21.1 Fees for Use of District Facilities**

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

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

Any person 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.

Persons or organizations applying for the use of school facilities shall submit a statement of information indicating that the organization does not intend to use the school premises to commit unlawful acts.

**Civic Center Act**

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 38131, 38132)

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. Childcare 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

**SECTION 6.21.1 Fees for Use of District Facilities**

---

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 Governing Board

**Restrictions**

School facilities 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 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
3. Any use which is discriminatory in the legal sense
4. Any use which involves the possession, consumption, or sale of alcoholic beverages, or any restricted substances on school property

For safety or security reasons the following facilities are excluded from public use:

1. Offices or computer rooms containing records and confidential information
2. Science rooms and other rooms containing hazardous chemicals or equipment that cannot be used safely without special knowledge or skills

**Damage and Liability**

Groups or persons using school facilities shall be liable for any property damages caused by the activity. The Board may charge the amount necessary to repair the damages and may deny the group further use of school facilities.

The Superintendent or designee shall require an Application and Permit for Use of School Facilities, a Certificate of Insurance, and an appropriate Hold Harmless and Indemnification Agreement from all user groups, except groups that promote youth and school activities, pursuant to Education Code, shall not be required to sign the Hold Harmless and Indemnification Agreement.

Any non-profit group that promotes youth and school activities shall be liable for any losses or injuries resulting from its negligence during such use, and shall bear the cost of insuring against this risk and defending against all claims arising from this risk.

All other groups using District facilities shall agree to defend, indemnify, and hold harmless the District, its board, officers, employees, and agents for any and all losses, claims, or injuries that may occur for any reason during such use, regardless of cause.

These groups shall sign the supplemental Hold Harmless and Indemnification Agreement (E1330.2) for athletic activities, or if the facility or activity is deemed by the District to be "high risk" for any reason.

Groups other than those that promote youth and school activities may be required to include the District as additional insured on their liability policies.