

Bear Valley Unified School District Education Foundation

Policy 100: Use Of Foundation Facilities

Original Adopted Date: 4/26/2021

| Last Revised Date:

A. The Board of Directors shall make foundation facilities and grounds available to citizens and community groups for public, literacy, scientific, recreational, educational and other purposes deemed appropriate by the Board, subject to foundation policies and regulations.

B. The Board shall not grant the use of foundation facilities 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 in violation of state or federal antidiscrimination laws.
3. Any use which involves the possession, consumption, or sale of alcoholic beverages or any restricted substance.

C. Fees for the use of foundation facilities and grounds shall be charged in accordance with the following classifications:

1. Free Use: Non-profit organizations which promote the mission of the Bear Valley Unified School District Education Foundation proposing individual events not continuing for more than two (2) consecutive days and agree to leave the property undamaged and free of all trash, debris, and objects as a result of their use of the property.
2. Direct-Cost Fee: Non-profit organizations which promote the mission of the Bear Valley Unified School District Education Foundation proposing ongoing events (eg. local youth sports leagues) and agree to leave the property undamaged and free of all trash, debris, and objects as a result of their use. Direct costs shall include a reasonable share of normal maintenance, lights, utilities, and administrative costs.
3. Fair-Rental-Value Fee: The following activities/groups shall be charged Fair-Rental Value:
 - a. All non-profit, educational and other groups that are not locally-based within the boundaries of the Bear Valley Unified School District.
 - b. All private, non-school-connected classes and educational events.
 - c. All profit-making or commercial events.
 - d. Adult sports leagues, tournaments, and all other groups/activities that do not fall within the Free or Direct-Cost Fee categories.

D. Damage and Liability

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

Any group using foundation facilities shall be liable for any injuries resulting from its negligence during such use. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk. The group shall provide evidence of such insurance and include the Foundation as additional insured.

The CEO or designee may require a hold harmless agreement when warranted by the type of activity or the specific facility being used.

E. Application for Use of Facilities

The CEO or designee shall maintain application procedures and regulations for the use of foundation facilities. Regulations shall include, but not be limited to:

1. Providing encouragement and assistance for any of the activities listed above.
2. Preserving order on foundation property and facilities.
3. Ensuring that the use of foundation property and facilities under this policy is not inconsistent with or interfere with the regular activities at the adjacent schools.
4. Any persons applying for the use of foundation property on behalf of any society, group, or organization shall be a member of the applicant group. Unless he/she is an officer of the group, the applicant shall present written authorization from the group to make the application.