



BLACK OAK MINE

UNIFIED SCHOOL DISTRICT

Committed to Educational Excellence

December 20, 2018

SPECIAL MEETING OF THE BOARD OF TRUSTEES

Black Oak Mine Unified School District will provide a safe learning environment that challenges all students to achieve academic, excellence, develop their creative potential, and acquire marketable, career, technical, and personal skills.

Superintendent

Jeremy Meyers

Board of Trustees

Bill Drescher

Darcy Knight

Ronnie Ebitson

Jeff Burch

Joe Scroggins

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
6540 WENTWORTH SPRINGS ROAD
GEORGETOWN, CALIFORNIA

NOTICE OF SPECIAL MEETING

AT THE DIRECTION OF THE PRESIDENT OF THE BOARD OF TRUSTEES,
A SPECIAL MEETING OF THE BOARD OF TRUSTEES IS CALLED

COMMENCING AT 5:00 P.M.
THURSDAY, DECEMBER 20, 2018
GOERGETOWN SCHOOL
6530 WENTWORTH SPRINGS RD
GEORGETOWN, CALIFORNIA

AGENDA

Members of the public may address the Board regarding items on the agenda as these items are taken up for consideration. Each person who addresses the Board must first be recognized by the presiding officer and then give his/her name. Comments must be directed to the Board as a whole and not to individual members or District employees. Individual speakers will be allowed three minutes to address the Board.

1.0 CALL TO ORDER – OPEN SESSION – 5:00 P.M.

2.0 PLEDGE OF ALLEGIANCE

3.0 ADOPTION OF THE AGENDA

M _____ S _____ V _____

4.0 COMMUNICATIONS 6:10 P. M.

4.1 Oral Communications - Members of the public may address the Board on any items of interest to the public that are within the subject matter jurisdiction of the Board, but are not on the agenda or are on the consent agenda. Each person who addresses the Board must first be recognized by the presiding officer and then give his/her name. Comments must be directed to the Board as a whole and not to individual members or District employees. Individual speakers will be allowed three minutes to address the Board. However, the Board shall not act upon, respond to, or comment on the merits of any item presented during the Oral Communications, although the Board may ask clarifying questions of the presenter or refer the presenter to a District procedure if appropriate. (Government Code Sections 54954.2 and 54954.3)
This is also the time to address any items on the consent agenda

5.0 INFORMATION AND DISCUSSION – 5:10 P.M.

5.1 Local Control and Accountability Plan (LCAP) Discussion (Page 1)

EXPLANATION: Dr. Wendy Westsmith will use the California Dashboard to present the District's LCAP as it pertains to Georgetown School of Innovation.

6.0 NEW BUSINESS – 5:45 P.M.

6.1 Facility Fee Schedule (Pages 3-10)

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to approve the new Facility Fee Schedule as previously discussed and presented.

M _____ S _____ V _____

7.0 Adjournment

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 15.1 Local Control and Accountability Plan (LCAP)

MEETING DATE: December 20, 2018

FROM: Dr. Wendy Westsmith, Principal

EXPLANATION: Dr. Wendy Westsmith will use the California Dashboard to present the District's LCAP as it pertains to Georgetown School of Innovation.

BACKGROUND: The Local Control and Accountability Plan (LCAP) was established in the Education Code to serve as a blueprint for Districts' actions and expenditures to support student outcomes.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 6.1 Facility Use Fees Discussion

MEETING DATE: December 20, 2018

FROM: Jeremy Meyers, Superintendent

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to approve the new Facility Fee Schedule as previously discussed and presented.

BACKGROUND: Education Code Section 38130, The Civic Center Act, provides that there is a civic center at each and every public school and grounds within the state for which the community can gather and meet. A school district may grant the use of the school facilities or grounds, and in turn may charge proportional fees that reflect the school district's direct costs for capital and direct costs for operations.

At its meeting on August 27, 2018, the Georgetown Divide Recreation District Board (GDRD) voted to terminate the long-time MOU (*effective December 1, 2018*) with Black Oak Mine USD whereby GDRD paid the facility use fees of participating community partners and scheduled school district facilities on behalf of BOMUSD. BOMUSD will now take on the responsibility of scheduling facilities and collecting fees. In order to facilitate this transition, BOMUSD staff have been establishing systems and criteria for the collection of facility use fees beginning in December.

The collection of facility use fees is codified by the California Education Code and allows for: (1) the collection of direct costs for capital, and (2) the direct costs for operations. Education Code Section 38134 (g)(1)(B) defines Capital Direct Costs as the share of the costs for maintenance, repair, restoration, and refurbishment, proportional to the use of the school facilities or grounds by the entity using the school facilities or grounds. Furthermore, Education Code Section 38134 (g)(1)(A) defines Operational Direct Costs as the share of the costs of supplies, utilities, janitorial services, services of school district employees and salaries paid to school district employees directly associated with the administration of this section to operate and maintain school facilities or grounds that is proportional to the entity's use of the school facilities or grounds under this sections.

Facility Use Fee Schedule

Intent of Fees: The primary intent of the Board of Trustees in establishing a usage fee schedule is to recover at least the direct costs (*capital and operational*) of providing additional services to organizations and individuals who chose to rent District facilities for individual or organizational use. School-sponsored organization, whose activities are directly related to or for the benefit of district schools shall be granted free use of facilities.

In the event the fees have been paid and the activity is cancelled or bumped by a school-sponsored activity and no alternate date can be arranged, the fees will be refunded.

The administration of facilities and their usage shall be in accordance with the Civic Center Act and Board Policy/Administration Regulation 1330 (d). The following fee schedule will apply to eligible groups, Class II-IV, with priority for use in the order listed on the attached AR 1330 (d). **For private entities and activities, Class V-VI, fair rent is equal to double the rates below plus insurance and deposits.**

Note: The Facility Use Fee Schedule Includes both direct capital costs (*rental charge*) and direct operational costs (*supplies, labor, and utilities*).

Fields	2 Hours ¹	4 Hours	Day Use	Security Deposit (refundable)
Stadium Field (without lights) ²	\$160	\$440	\$810	\$300
Stadium Field (with lights) ²	\$190	\$520	\$950	
				Security Deposit (refundable)
	2 Hours ¹	4 Hours	Day Use	
Golden Sierra Softball Field	\$50	\$70	\$120	\$100
Golden Sierra Baseball Field	\$50	\$70	\$120	\$100
Golden Sierra Lower Practice Field	\$50	\$70	\$120	\$100
Georgetown Baseball Field	\$50	\$70	\$120	\$100
Northside Baseball Field	\$50	\$70	\$120	\$100
Field of Dreams	\$50	\$70	\$120	\$100
District Baseball Field	\$50	\$70	\$120	\$100
				Security Deposit (refundable)
	2 Hours ¹	4 Hours	Day Use	
School Sites ²				
Parking Lots	\$30	\$50	\$80	\$200
Classroom ²	\$110	\$210	\$370	\$200
Library ²	\$120	\$210	\$370	\$200
Kitchen ³	\$100	\$190	\$360	\$250
Golden Sierra MPR ²	\$140	\$250	\$470	\$200
Golden Sierra Gym ²	\$140	\$250	\$470	\$250
Georgetown Gym/MPR ²	\$110	\$200	\$390	\$200
Georgetown Amphitheater ²	\$110	\$200	\$390	\$200
Northside Gym/MPR ²	\$110	\$200	\$390	\$200

¹Rates are based on a 2 hour minimum

²Requires a Black Oak Mine USD custodian staff member at all events

³Requires a Black Oak Mine USD kitchen staff member at all events

Note:

Rates subject to change for Holidays and Sundays

Facility fees include direct capital costs and direct operational costs combined

Proof of liability insurance is required for all groups

Other Terms and Conditions may apply

(2) School districts make valuable contributions to their communities by providing needed space for recreational activities and are obligated to protect and preserve public school facilities and grounds for the safety and enjoyment of the pupils and community members who use the school facilities or grounds.

(3) School districts provide access to school facilities and grounds to organizations that promote physical activity, before and after school care, recreation, tutoring, and other activities that benefit the residents of those communities.

(4) The ability of school districts to maintain their facilities and grounds has been jeopardized due to severe budget cuts in recent years and the current economic climate in which school districts now operate.

(5) The costs directly incurred by a school district to maintain its facilities or grounds exceeds the operational costs associated with supplies, utilities, janitorial services, and services of school district employees that are necessitated by an organization's use of the school facilities or grounds.

(6) The "direct cost" to maintain school facilities and grounds also includes ongoing costs related to maintenance, repair, restoration, and refurbishment of the school facilities or grounds.

(b) It is therefore the intent of the Legislature to amend the Civic Center Act to authorize a school district to charge an organization using school facilities or grounds an amount proportional to the organization's use of the school facilities or grounds to maintain, repair, restore, and refurbish the school facilities or grounds and to limit the proportional costs related to maintenance, repair, restoration, and refurbishment to only a school's nonclassroom space and grounds.

SEC. 2.

Section 38134 of the Education Code is amended to read:

38134.

(a) (1) The governing board of a school district shall authorize the use of school facilities or grounds under its control by a nonprofit organization, or by a club or an association organized to promote youth and school activities, including, but not necessarily limited to, any of the following:

(A) The Girl Scouts; the Boy Scouts; Camp Fire USA; or the YMCA.

(B) A parent-teacher association.

(C) A school-community advisory council.

(2) This subdivision does not apply to a group that uses school facilities or grounds for fundraising activities that are not beneficial to youth or public school activities of the school district, as determined by the governing board.

(b) Except as otherwise provided by law, a governing board may charge an amount not to exceed its direct costs for use of its school facilities or grounds. A governing board that levies these charges shall first adopt a policy specifying which activities shall be charged an amount not to exceed direct costs.

(2) "Fair rental value" means the direct costs to the school district plus the amortized costs of the school facilities or grounds used for the duration of the activity authorized.

(h) By December 31, 2013, the Superintendent shall develop, and the state board shall adopt, regulations to be used by a school district in determining the proportionate share and the specific allowable costs that a school district may include as direct costs for the use of its school facilities or grounds.

(i) (1) A school district authorizing the use of school facilities or grounds under subdivision (a) is liable for an injury resulting from the negligence of the school district in the ownership and maintenance of the school facilities or grounds. An entity using school facilities or grounds under this section is liable for an injury resulting from the negligence of that entity during the use of the school facilities or grounds. The school district and the entity using the school facilities or grounds under this section shall each bear the cost of insuring against its respective risks, and shall each bear the costs of defending itself against claims arising from those risks.

(2) Notwithstanding any other law, this subdivision shall not be waived. This subdivision does not limit or affect the immunity or liability of a school district under Division 3.6 (commencing with Section 810) of Title 1 of the Government Code, for injuries caused by a dangerous condition of public property.

(j) This section shall remain in effect only until January 1, 2020, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2020, deletes or extends that date.

SEC. 3.

Section 38134 is added to the Education Code, to read:

38134.

(a) (1) The governing board of a school district shall authorize the use of school facilities or grounds under its control by a nonprofit organization, or by a club or an association organized to promote youth and school activities, including, but not necessarily limited to, any of the following:

(A) The Girl Scouts; the Boy Scouts; Camp Fire USA; or the YMCA.

(B) A parent-teacher association.

(C) A school-community advisory council.

(2) This subdivision does not apply to a group that uses school facilities or grounds for fundraising activities that are not beneficial to youth or public school activities of the school district, as determined by the governing board.

(b) Except as otherwise provided by law, a governing board may charge an amount not to exceed its direct costs for use of its school facilities or grounds. A governing board that levies these charges shall first adopt a policy specifying which activities shall be charged an amount not to exceed direct costs.

(c) The governing board of a school district may charge an amount, not to exceed its direct costs for use of its school facilities or grounds by the entity using the school facilities or grounds, including a religious