

Note: This Addendum is to be used with agreements to use school facilities when such agreements are required by the school district.

**ADDENDUM TO**

\_\_\_\_\_ (Name of Application)

This Addendum amends that certain application to \_\_\_\_\_ (name of school district)  
 (The "School District") for use of the facilities at \_\_\_\_\_ (name of facility)  
 signed by \_\_\_\_\_ (the "PTA"),  
 \_\_\_\_\_ (name of PTA)  
 dated \_\_\_\_\_ (the "Application").  
 \_\_\_\_\_ (date of application)

Notwithstanding anything to the contrary contained in the Application, the School District and the PTA agree that California Education Code Section 38134(i) is incorporated into and supersedes any conflict part of the application. California Educational Code Section 40043(h) provides as follows:

Any school district authorizing the use of school facilities or grounds under subdivision (a) shall be liable for any injuries resulting from the negligence of the district in the ownership and maintenance of those facilities or grounds. Any group using school facilities or grounds under subdivision (a) shall be liable for any injuries resulting from the negligence of that group during the use of those facilities or grounds. The district and the group 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. Notwithstanding any other provision of law, this subdivision shall not be waived. Nothing in this subdivision shall be construed to limit or affect the immunity or liability of a school district under Division 3.6 (commencing with Section 810) or Title 1 of the Government Code, for injuries caused by a dangerous condition of public property. [California Education Code Section 38134(i)]

PTA

SCHOOL DISTRICT

\_\_\_\_\_ (Name of PTA)

\_\_\_\_\_ (Name of School District)

By: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

By: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_