

Community Relations

Use of School Facilities

A. Civic Center Use

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:

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 (EC 38131 – 79 Ops. Cal. Atty. Gen 248 (1996))
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. Other purposes deemed appropriate by the Superintendent, as an agent of the Board of Education

B. Prohibited Uses

Facilities may not be used by non-school groups during the hours that school is in session, unless clearly such use shall in no way interfere with the regular conduct of school work; nor during such times as may have been scheduled for school functions.

Certain district facilities, or areas of facilities, may not be used for safety or security reasons as deemed by the Superintendent, or designee. These may include school or district offices; areas where records or confidential information may be stored; science or other laboratories or rooms where hazardous chemicals may be stored; areas where equipment may be located

that cannot be safely used without special knowledge or skills; or areas where use by untrained personnel could result in injury or damage.

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
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 substances restricted on school property, including tobacco.
5. Any use which may, in the opinion of the superintendent or designee: endanger the health or safety of district students or personnel; endanger participants in the activity; present a risk to district liability; or which may create a condition which could result in adversely affecting the district's program(s) or activities normally conducted at the facility.

C. Conditions of Use

All persons using district facilities must agree to comply with the policies and rules of the district, and the following conditions.

1. All applications for the use of school facilities shall be made on the district-provided form. Except for the school or district activities of the facility occupants; forms shall be completed by all users, including other district schools or departments and school-affiliated organizations, such as a PTA or booster club. As-appropriate, one form may be used for multiple dates or multiple facilities.
2. All applications shall be signed by an authorized representative of the user group. Written verification of authorization may be required.
3. No application shall be approved for a period longer than June 30 of any year. At the expiration of the approved application, written application must be made for renewal.
4. Every effort shall be made to grant use of the facility requested; however, for the purposes of energy conservation or other reasons, some facilities may not be available. In this event, alternative facilities will be designated and made available.
5. The district reserves the right to:
 - (a) relocate lower priority users to other facilities in order to accommodate district activities or the needs of higher priority users;
 - (b) cancel any use of district facilities, at any time, for emergency reasons;

- (c) cancel any use of district facilities, at any time, if the facility is required for a high priority district activity, and only if the cancellation is approved by the Superintendent or the Board of Education.

In all cases, every effort shall be made to satisfactorily accommodate users at another facility. All fees and charges shall be appropriately modified and refunds made as appropriate.

6. Fees and cost-covering charges must be paid in advance, unless otherwise excepted in a fully-executed agreement for joint use of facilities, or by the Superintendent.
7. Cancellations, except in the case of emergencies or district-approved circumstances must be made at least three working days prior to the scheduled date of use if a refund of fees or costs is to be requested. All requests for refunds must be made in writing to the district within 5 working days of the cancellation.
8. Before the application for use can be approved, all users must provide proof of adequate insurance coverage; and other indemnifications as provided in district policy, and further noted in this Rule.
9. Facilities must be under the supervision of a responsible adult *at all times*.
10. Enforcement of rules is the responsibility of the adult in charge, who must be present during the entire period of use.
11. The adult in charge will seek out and notify the on-site district employee when the activity is completed.
12. The school district will require that an employee be on site during use. If a regular employee is not scheduled, the cost of additional time shall be borne by the group using the facility.
13. Kitchen facilities, computer labs or equipment, and other specialized spaces or equipment, as designated by the district, may be used only with express permission of the program director, and authorized district personnel in attendance. All direct and related costs shall be borne by the group using the facility.
14. All employees of the district rendering services in connection with the use of school facilities, shall be paid by the district. No money shall be paid to any school employee in the form of "tips" or "gratuities."
15. Use is confined to the area(s) named in the approved application, with access to appropriate corridor and lavatory facilities.
16. School or district equipment will not be used unless specifically authorized in the approved application.
17. No school equipment will be permitted to be removed from the facility.

18. Users may be required to comply with special conditions related to the facility. Such as only gym shoes on gym floors during active recreation activities, or restrictions on where food and beverages may be served or consumed.
19. At the discretion of the district, additional security may be required. This security will be provided by the district, the cost of which is to be paid by the user. A deposit for this cost must be paid before agreement for use is approved by the district.
20. Nothing shall be offered for sale at meetings without specific permission of the district.
21. Users may be subject to the provisions of any exclusive contracts of the district, such as the sale of soft drinks.
22. The using group will return the facility to its original arrangement and condition before leaving. Extraordinary clean up by district personnel will be charged to the user.
23. The using group agrees to assume financial responsibility for all damages and any additional custodial or maintenance services if required.
24. In case loss or damage does occur, the person or group signing the request for use of premises shall be fully responsible and liable. All costs will be billed to the group, and must be paid before the person or group may be granted the use of school premises again. A proper bond must be filed, or a deposit placed on file with the district, if requested.
25. Authorizations to use district facilities may be revoked by the Superintendent or designee when:
 - (a) there is interference with regular school use;
 - (b) there has been a violation of district policy, this rule, *or* conditions of use.

D. Procedures

The Superintendent shall designate the division or department within the District that shall administer the District's Use of Facilities program.

The designated division or department shall be responsible for developing, updating, and implementing procedures, consistent with district policy and these rules, for:

1. the reservation of district facilities;
2. the levy, collection, and allocation of fees;
3. the processing and verification of use applications;
4. the enforcement of the rules, regulations, and conditions related to facility use;
5. the protection of school facilities and grounds; and
6. other activities as deemed necessary and appropriate by the Superintendent.

Procedures shall be reviewed annually and revised as necessary. All procedures shall be in written form and readily available to all parties who may wish to use district facilities.

E. Fees and Charges

A schedule of fees and charges for use of district facilities shall be approved by the Board of Education. Fees shall be categorized as Direct Cost and Fair Market Value, as defined in the Civic Center Act. Charges for personnel, required services, equipment, or facility expenses shall be actual costs, or averaged based on actual costs.

Fees and charges may be adjusted at any time, without prior notice to users except as may be required by joint use agreements. Users with approved agreements for use of facilities (not joint use agreements) shall be subject to the fees and charges in effect at the time of application. All others are subject to the fees and charges in effect at the time of approval of the application.

For special events benefiting the district, or other extraordinary circumstances, fees and charges may be waived by the Superintendent or the Board of Education.

For the purposes of assessing fees and charges, users are classified as follows.

1. Class I

School or district organizations, clubs, and associations which provide or promote youth and school activities of the district. These groups include, but are not limited to:

- Student associations or clubs
- PTA
- Parent Clubs
- Booster Clubs
- District-approved Foundations

No fee shall be assessed for facilities or grounds used by these groups when the facility is not closed and appropriate district personnel are otherwise on-duty.

These groups will be charged only for overtime personnel or extraordinary costs which are the direct result of their use or activity. Including, but not limited to:

- Custodial or maintenance overtime
- Excessive lighting, heating, cooling, or electrical usage
- Kitchen supervision and use
- Lifeguards
- Security
- Solid waste removal
- Restroom products
- Equipment usage

2. Class 2*

Non-profit organizations which promote youth activities, particularly in the communities served by the district. These groups include, but are not limited to:

- Boy/Girl Scouts of America
- Camp Fire Girls
- 4-H
- Little League
- Boys and Girls Club
- Youth groups (if open to all children and non-denominational)

No fee shall be assessed for facilities or grounds used by these groups when the facility is not closed and appropriate district personnel are otherwise on-duty, if the purpose is for regular meetings for youth activities (for example the monthly Cub Scout Meeting).

A fee of 50% of the Direct Cost fee shall be assessed for facilities or grounds used by these groups when the facility is not closed and appropriate district personnel are otherwise on-duty, if the purpose is for regularly scheduled meetings of the organization (adults).

Special activities and functions of these groups (except regular meetings) shall be subject to Direct Cost fees and for personnel and facility costs directly related to their use or activity.

3. Class 3*

Non-profit organizations which promote community activities. These groups include, but are not limited to:

- Public agencies (see * below)
- Senior citizen groups
- Chamber of Commerce
- Community Advisory Councils
- YMCA
- Religious groups (may exclude youth groups which fall into Class 2)
- Churches or religious organizations conducting services
- Charitable fund raising activities (if direct benefit to youth or public school activities, may be Class 2 or Class 1)

This Class may also include other groups not clearly included as Class 1, Class 2, or Class 4, as determined by the Board of Education or the Superintendent.

Activities and functions of these groups shall be subject to Direct Cost fees, and for personnel and facility costs directly related to their use or activity.

* The district may enter into a written agreement for joint use of facilities with public agencies or other Class 2 or 3 groups. The fees and charges for these groups will be the

same as those for all others within their Class unless specifically modified by a joint use agreement.

4. Class 4

Groups providing entertainment or holding meetings where admission fees are charged or contributions are solicited and the net proceeds are not expended for charitable purposes of the district's students.

Activities and functions of these groups shall be subject to Fair Rental Value fees, and for personnel and facility costs directly related to their use or activity.

F. Damage and Liability

Groups or persons using school facilities shall be liable for any property damages caused by the activity. Users may be charged the amount necessary to repair the damages, and they may be denied further use of school facilities.

Any group using school 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.

Groups other than those that promote youth and school activities (EC 38134) shall be required to include the district as additional insured on their liability policies.

A hold harmless agreement may be required when warranted by the type of activity or the specific facility being used.

All users, including those that promote youth and school activities, are required to provide the district with proof of insurance at the time of application for use of facilities.

[Note: Effective May 4, 2004, Appendix I to Policy/Rule 1330, Fee Schedule, has been deleted. It is replaced by a stand-alone fee schedule to be adopted each time by separate action of the Board of Education.]

Rule

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