

Application for Use of Facilities

Any person applying for the use of any school facilities or grounds on behalf of any society, group, or organization shall present written authorization from the group or organization to make the application.

Persons or organizations applying for the use of school facilities or grounds shall submit a facilities use statement indicating that they uphold the state and federal constitutions and do not intend to use school premises or facilities to commit unlawful acts.

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: (Education Code 32282, 38131)

- Public, literary, scientific, recreational, educational, or public agency meetings
- The discussion of matters of general or public interest
- The conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization
- Child care programs to provide supervision and activities for children of preschool and elementary school age
 - (cf. 5148 - Child Care and Development)
 - (cf. 5148.2 - Before/After School Programs)
 - (cf. 5148.3 - Preschool/Early Childhood Education)
- The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies
- 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 youth may participate regardless of religious belief or denomination
- A community youth center
 - (cf. 1020 - Youth Services)
- Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare
 - (cf. 0450 - Comprehensive Safety Plan)
 - (cf. 3516 - Emergencies and Disaster Preparedness Plan)

- A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization
 - A veterans' organization means the American Legion, Veterans of Foreign Wars, Disabled American Veterans, United Spanish War Veterans, Grand Army of the Republic, or other duly recognized organization of honorably discharged soldiers, sailors, or marines of the United States, or any of their territories. (Military and Veterans Code 1800)
- Other purposes deemed appropriate by the Governing Board

School facilities or grounds 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 which is inconsistent with the use of school facilities for school purposes or which interferes with the regular conduct of school or school work
3. Any use which involves the possession, consumption, or sale of drugs or any restricted substances, including tobacco
4. Any use which involves the possession, consumption, or sale of alcoholic beverages.

The district may exclude certain school facilities from non-school use for safety or security reasons.

(cf. 3513.3 - Tobacco-Free Schools)

Damage and Liability

Groups, organizations, or persons using school facilities or grounds shall be liable for any property damage caused by the activity. The district may charge the amount necessary to repair the damages and may deny the group further use of school facilities or grounds. (Education Code 38134)

Any group or organization using school facilities or grounds shall be liable for any injuries resulting from its negligence during the use of district facilities or grounds. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk. (Education Code 38134)

Groups or organizations shall provide the district with evidence of insurance against claims arising out of the group's own negligence when using school facilities. (Education Code 38134)

As permitted, the Superintendent or designee may require a hold harmless agreement and indemnification when warranted by the type of activity or the specific facilities being used.

Classification of Users

Group 1 – Free Use

Free Use Activities are typically scheduled when custodial staffs are on duty; otherwise charges are levied based on the specific length of use. Free Use groups consist only of non-discriminatory, non-profit organizations, or associations organized to promote youth and school activities. Groups eligible for Free Use consist of the following categories:

- Associated Student Body (ASB) organizations, school clubs, or groups defined by Board Policy.
- Fund-raising events or meetings for which admission fees are charged or contributions solicited are expended for the welfare of the District's pupils.
- Parent-Teacher Associations
- School community advisory councils
- Regular business meetings of employee related organizations such as:
 - Administrators Association
 - California Teacher Association
 - California School Employee Association
 - Other employee Organizations approved by the District
- Youth organizations such as Girl Scouts, Boy Scouts, and Camp Fire
- Senior Citizen Organizations
- Oroville Public Agencies
- Palermo Community Groups

Groups in this category who use the facility after school hours when custodial staff is not on duty will be charged a fee to open and close the facility. In addition, these groups will be charged a fee to cover the expense of district assistance with set-up and clean up.

Group II – Direct Cost Recovery Use

Direct Cost Recovery Use applies to groups not authorized under "Free Use" and whose purposes are not in conflict with the educational programs or goals of the District. Direct Cost Recovery Use is defined as a proportionate share of the costs of supplies, utilities, custodial services, services of school district employees, and salaries paid to school district employees directly associated with operation and maintenance of the school facilities and grounds involved, attributable to the organization's use of the grounds or facilities.

If the group's use includes non-classroom space and/or schools grounds, the Direct Cost Recovery will also include a share of the costs for maintenance, repair, restoration, and refurbishment of the school facilities or grounds proportional to the group's use of the facilities or grounds. However, for the classroom-based programs that operate after school hours, including, but not limited to, after-school tutoring, and child care programs, the Direct Cost Recovery shall not include the cost of maintenance, repair, restoration, or refurbishment of the facilities or grounds.

Typically, these groups may use the Direct Cost Recovery Use fee schedule provided no

admission or donation is charged or solicited for the activity, or those groups whose proceeds go directly to school or community purposes. Activities and groups eligible are typically other non-profit organizations which are not associated with the District.

Direct Cost Recovery Use typically includes, but is not limited to, the following groups:

- Civic and Service Groups, such as:
 - Kiwanis, Rotary, Lions, etc.
 - Chamber of Commerce
 - League of Women's Voters
- Religious Organizations. Conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization.
- Supervised recreational activities including, but not limited to, sports league activities for youths that are arranged for and supervised by entities, including religious organizations or churches, and in which youths may participate regardless of religious beliefs or denomination.
- Civic organizations, community councils, civic associations, and neighborhood awareness groups for discussion of community governance issues, community development and redevelopment, governmental services issues, and community recreational issues.
- Organizations whose sole purpose is providing free educational programs to all District students and parents
- District partners who an approved partnership agreement when the activity is noncommercial, does not advertise the business and is free to participants
- Community youth centers for athletic, recreational, music and art, and core curriculum educational activities
- Other non-profit groups using school facilities or grounds for activities

Group III – Fair Rental Value Use

Fair Rental Value Use applies to groups that use the facilities for entertainment, meetings, or classes for which admission is charged or contributions are solicited and the net receipts are not expended for charitable purposes or for the welfare of the District's students. Fair Rental Value Use reflects the estimated direct costs to the District, plus the amortized costs of the facilities or grounds used for the duration of the authorized activity. Amortized costs are computed on replacement costs on an appropriate basis, based on hours of use per year.

Restrictions

School Facilities or grounds 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 which is inconsistent with use of the school facility for school purposes or which interferes with the regular conduct of school or school work
3. Any use which involves the possession, consumption, or sale of alcoholic beverages or any restricted substances, including tobacco use.
(cf. 3513.3- Tobacco-Free Schools)
4. Any private parties (birthdays, weddings, etc.)

The District may exclude certain school facilities from non-school use for safety or security reasons.

**USE OF FACILITIES FEE SCHEDULE
 (Per Hour)**

HOURLY RENTAL RATES					
	<u>Free (Group I)</u>	<u>Direct Cost (Group II)</u>		<u>Fair Rental (Group III)</u>	
		<u>Min/1st Hour</u>	<u>Add'l Hours</u>	<u>Min/1st Hour</u>	<u>Add'l Hours</u>
Classrooms	\$58.00 per call back	\$60.00	\$10.00	\$75.00	\$20.00
Gyms	Set up or clean up 2 hour minimum at current overtime salary rate plus benefits	\$80.00	\$50.00	\$125.00	\$65.00
Kitchens		\$85.00	\$30.00	\$125.00	\$65.00

The District may also consider implementing a yearly inflationary increase to the above rates.

THE FOLLOWING CHARGES APPLY TO ALL GROUPS

Staff (Site Attendant, Custodial, Sound):

Should any group prefer to use school facilities when custodial services are not normally available, the District may charge a fee to open or close the facility at \$58.00 per call back. An hourly fee will be charged when additional staff is employed to supervise and/or clean the facility. Fee will be current overtime salary rate + benefits for a minimum of 2 hours.