

USE OF SCHOOL FACILITIES

The Governing Board shall make school facilities and grounds under its jurisdiction available as a civic center to citizens and community groups for the following purposes, subject to district policies and regulations:

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 which has no suitable meeting place for the conduct of services, provided the Board imposes a charge at least equal to the district's direct costs.
4. The administration of examinations for the selection of personnel or the instruction of precinct Board members by public agencies.
5. Supervised recreational activities.
6. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, and shall cooperate in furnishing and maintaining such services as it deems necessary to meet community needs.
7. Other purposes deemed appropriate by the Board.

The Board shall not grant the use of school 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 of school facilities or grounds which is inconsistent with their use for school purposes or which interferes with the regular conduct of school or school work.
3. Any use which discriminates against participation of individuals based upon race, religion, gender, or any other criteria which is discriminatory in the legal sense.

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4. Any use which involves the possession, consumption, or sale of alcoholic beverages or any restricted substances on school property.
5. Public dances or parties, other than those sponsored and conducted as a part of a school activity.

Fees for Use of school facilities and grounds shall be charged in accordance with the following classifications:

1. Free-Use: When an alternative location is not available, the Board shall not charge any fees for the use of school facilities or grounds by clubs, associations or nonprofit organizations which Promote youth and schools activities.

These groups include, but are not limited to: Girl Scouts, Boy Scouts, Camp Fire, Inc., parent-teacher associations, and school/community advisory councils.

The Superintendent or designee may require free-use groups to certify to the district that an alternative location as identified by the district is unavailable for their activity. If an alternative location is available, the district may grant the use of school facilities and charge direct costs for such use.

Should any free-use group prefer to use school facilities at a time when custodial services are not normally available, the district may charge a fee equal to the cost of those services. The principal or designee shall first determine any availability of other times when the facility could be provided without charge, and such availability shall be pointed out to the free-use group.

2. Direct-Costs Fee: Activities other than those specified for free use or fair rental value shall be charged a fee not to exceed direct costs to the district.

The following activities shall be charged direct costs:

- a. Activities conducted by religious groups for temporary periods.
- b. Charitable fund-raising activities which are not beneficial to youth or public school activities of the district, as determined by the Board.
- c. Events sponsored by religious or community groups, except those which qualify for free use.
- d. Classes or other activities sponsored by private schools and private or public colleges or universities.

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- e. Public Agencies.

In lieu of direct costs, the district may enter into a written joint-powers agreement with local public agencies.

- f. Activities not previously identified which do not fall within the free-use or fair-rental-value classifications and, which are included here through subsequent Board action.

- 3. Fair-Rental-Value Fee: Groups shall be charged fair rental value when using school facilities or grounds for entertainment, meetings, or other activities where an admission or fee is charged or contributions solicited and net receipts are not to be expended for charitable purposes or for the welfare of the district's students.

Fair rental-value-fees are to be paid in advance.

Fair-rental-value use shall be at the discretion of the district.

- 4. The Administration shall recommend to the Board of Trustees for their approval a schedule of fees for the use of school facilities.

- a. The Superintendent shall develop procedures for the granting of permission to use school facilities and the development of rules and regulations for such use.

- b. The Superintendent shall cause the rules and regulations to be distributed to each user of school facilities and monitor such use in order to insure that the user conforms with those rules and regulations.

Regulations for the use of school facilities shall include:

- 1. A schedule of fees and a procedure for the proper accounting and allocation of such receipts.
- 2. Assurance that responsible school personnel will always be in a supervisory position.

Legal Reference:

EDUCATION CODE

40040-40047 Civic Center Act

ADOPTED: 9/14/77; Rev. 10/11/78, 4/13/83, 4/29/91

REVISION/REDESIGNATION: 10/13/93 (BP 705 - Use of Facilities for Non-School Purposes)

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A. General Requirements

1. Procedure For Requesting Facilities: Persons or organizations desiring to use school facilities shall secure application forms from the Office of the Coordinator of Facilities.
2. Filing Of Required Information: The completed application and statement of information shall be filed with the Coordinator of Facilities. Requests for use must be filed at least two weeks prior to the requested use. The Coordinator of Facilities shall be notified when there is any change in the functions, purposes, or officers of any organization using school facilities
3. Hold Harmless Agreement and Insurance: The applicant must agree to defend, indemnify and hold the Oxnard Union High School District, its directors, officers, agents, employees, and individual members free and harmless from and against any and all liability, claims, demands, causes of action of law or equity, expenses and costs (including attorney fees), or loss of any sort for personal injury (including death) and property damage that may arise during or be caused in any way by such use, operation, occupancy, acts, omissions, and/or condition of premises by the Applicant, Applicant's members or Applicant's agent or employee, whether said agency or employment be direct or indirect, or their invitee.

Applicant further agrees to furnish such liability or other insurance naming the Oxnard Union High School District an additional insured, for the protection of public and Oxnard Union High School District in the amount of \$1,000,000 combined single limit for personal injury or property damage.

4. Arranging For Supervision And Custodial Services: The Coordinator of Facilities shall see that the requested dates are entered on the facility's master calendar and shall arrange appropriate supervision and custodial services.
5. Protection of School Property: School property must be protected from damage and mistreatment and ordinary precautions for cleanliness maintained. Groups shall be responsible for the condition in which they leave the building or premises. In cases where school property has been damaged or abused beyond normal wear, the costs of repair or replacement shall be paid for by the organization involved.

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6. Adult Sponsorship: All juvenile organizations and groups seeking use of school premises must have adequate adult sponsorship and supervision of all facilities used, including restroom facilities.
7. Assignment Of Accommodations: Groups will be assigned accommodations suitable to the size of the group.
8. Precedence Of School Functions: School functions will take precedence over previously scheduled meetings of outside organizations. In such cases, the organizations will be so notified by the Coordinator of Facilities (Education Code 40049).
9. Supervision of Cafeteria Facilities: A cafeteria employee shall be assigned the responsibilities of supervising the use and care of cafeteria equipment where cafeteria facilities are used, and the number of adults in the kitchen shall be determined by the cafeteria employee in charge.
10. Operation Of School Equipment: Specialized equipment such as movie projectors, etc., owned by the district shall be approved for use only when operated by trained persons.
11. Denial Of Use: Organizations not complying with all applicable rules and regulations will be denied further use of school facilities.
12. Duties Of Assigned Personnel: Civic center activities held at times other than hours covered by regular employee assignments shall be conducted in the presence of an employee assigned for this purpose. The employee so assigned may conduct other school work (cleaning, etc.) in proximity of activities so as to be able to assist when needed and to protect school property.
13. Setting Up Facilities: Employees assigned to civic center functions are to clean up and set up facilities properly for use for regular school purposes before the next school day as part of the civic center assignment.
14. Activities Requiring Additional Time: Civic center activities that require additional time in excess of that authorized or those showing improper use of school facilities shall be brought promptly to the attention of the Coordinator of Facilities.

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15. Extra Work Authorization: Requests for authorization for work beyond regularly assigned hours must first be approved by the Assistant Business Manager.
16. Gymnasium Supervision: All activities which take place in a gymnasium during those times when a District employee is not regularly scheduled to work shall be conducted under the direct supervision of District employees.
17. Keys/Security: Keys shall not be loaned or otherwise provided to any organization except in exceptional cases which require the approval of the Assistant Business Manager. Master keys will never be loaned out.
18. Duration of Permits: The duration of any single permit shall not exceed one year. Exceptions to this rule may be granted only by the Superintendent or Board of Trustees. Existing multi-year agreements shall remain in force until their scheduled expiration date.
19. Public Access: All activities shall be open to the public.
20. Facility Improvements: All improvements, alterations, and additions to athletic fields or buildings by outside groups must have prior approval from the District.
21. Game Lines: The marking of permanent game lines on athletic fields by outside groups is prohibited.
22. Availability of Athletic Fields: The District may limit the availability of athletic fields for outside use in order to allow these areas to be renovated or otherwise "recover" from overuse. The District will provide notification to affected user groups as far in advance of such action as possible.

B. Application Procedure

1. An officer of the organization wanting to use school facilities shall obtain and fill out a "Use of Facilities" request form. These forms are available at the School District Office, 309 South K Street, California 93030.

Prior to filling out a request form, the applicant should check with the Coordinator of Facilities to determine the availability of the desired facility.

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3. If the facility is available, the form should be completed and submitted to the Coordinator of Facilities at least two weeks prior to the anticipated use.
4. The Coordinator of Facilities confirms that the facility is available, determines the charges, if any, authorizes the use by signing the application, and sends the application to the Office of the Assistant Business Manager.
5. The Office of the Assistant Business Manager makes final approval of the application, and distributes copies to the appropriate personnel. Final approval is further dependent upon receipt of the appropriate documentation regarding insurance coverages.
6. The application will indicate all facilities to be used, exact dates and hours of use, any special arrangements to be made, charges assessed, and deposits to be paid.
7. Prior to the actual use, it is the applicant's responsibility to. make any other arrangements necessary.

C. Categories and Priorities of Use Groups:

The following categories establish the basis for priority of use and the basis for charges and fees:

Category 1:

School district activities and programs directly related to the educational program have first priority.

Category 2:

Organizations sponsored by the school district have second priority. Examples would include but are not limited to student body organizations, booster clubs, parent-teacher groups, and employee organizations.

Groups in Categories 1 and 2, qualify for "Free Use " of facilities.

Category 3:

Activities or events designed to serve the youth of the district shall have third Priority. Examples would include but are not limited to youth athletic organizations and youth activities of the City of Oxnard or Pleasant Valley Recreation and Parks Department.

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Category 4:

Activities or events designed to serve the adults of the district shall have fourth Priority. Examples would include but are not limited to senior citizen, civic, and social/recreational groups, and adult activities of the City of Oxnard Recreation and Park's Department.

Groups in Categories 3 and 4 will be assessed "Direct Costs" for the use of facilities.

Category 5:

Activities sponsored by groups charging fees for commercial or other activities which are not used for the direct benefit of the children of the district or a recognized charity shall have fifth priority.

Category 6:

Uses by commercial groups or other profit-making organizations shall have sixth priority.

Groups in Categories 5 and 6 will be assessed Fair Rental Value rates for the use of facilities.

1. When Free Use is granted, no personnel or services will be furnished by the District except the employee in charge whose sole duty is to open and close the facility. The qualifying user group will be responsible for leaving the facility in a neat and orderly condition.
2. In order to qualify for Free or Direct Cost usage, at least fifty percent of the group's participants must reside within the Oxnard Union High School District.
3. There shall be a minimum charge for all Direct Cost and Fair Rental Value usage based upon two hours of occupancy. Each additional hour will be assessed separately.
4. Monetary donations in lieu of fees will be accepted from large user groups provided that the donation equals or exceeds the fee amount which would otherwise have been charged for that group's usage of facilities.
5. The Superintendent or Board of Trustees, may waive or adjust Direct Cost charges when it is in the best interest of the District to do so.

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6. Organizations which qualify for Free Use of facilities shall be notified of the District's direct costs. Contributions will be accepted from such organizations for all or part of these costs.
7. Cancellations by outside groups must be made at least 24 hours in advance of the scheduled activity. Failure to do so will result in the assessment of a two hour minimum charge.
8. Delinquency in payment of fees will result in loss of use and approval of future use applications.
9. Special charges will be assessed for private companies wishing to use school facilities for motion picture filming and/or still photography. These fees may be negotiated upward based upon extent of use.
10. Whenever possible, facility use fees will be reinvested into those facilities used by the outside group(s) from which fee income is received. Actual costs for utilities, supplies, and employee wages will be deducted first.

E. Fee Schedule

Education Code Section 40043 defines the basis upon which facility use charges shall be determined. The Board of Trustees authorizes the Assistant Superintendent, Business Services to make appropriate adjustments and revisions to the fee schedule as needed.

Legal Reference:

EDUCATION CODE

40040-40058