Community Relations

Use of School Facilities

The Governing Board believes that school facilities and grounds are a vital community resource which should be used to foster community involvement and development. Therefore, the Board authorizes the use of school facilities by district residents and community groups for purposes specified in the Civic Center Act, to the extent that such use does not interfere with school activities or other school-related uses.

The Superintendent or designee shall give priority to school-related activities in the use of school facilities and grounds. Other uses authorized under the Civic Center Act shall be on a first-come, first-served basis.

For the effective management and control of school facilities and grounds, the Superintendent or designee shall maintain procedures and regulations that:

1. Aid, encourage, and assist groups desiring to use school facilities for approved activities
2. Preserve order in school facilities and on school grounds and protect school facilities, designating a person to supervise this task, if necessary
3. Ensure that the use of school facilities or grounds is not inconsistent with their use for school purposes and does not interfere with the regular conduct of school work

Subject to prior approval by the Board, the Superintendent or designee may grant the use of school facilities or grounds on those days on which district schools are closed. (Education Code 37220)

There shall be no advertising on school facilities and grounds except as allowed by district policy specified in BP 1325 - Advertising and Promotion.

As necessary to ensure efficient use of school facilities, the Superintendent or designee may, with the Board's approval, enter into an agreement for the joint use of any school facilities or grounds. The Board shall approve any such agreement only if it determines that it is in the best interest of the district and the community.

Fees

The Board authorizes the use of school facilities or grounds without charge to school-related organizations whose activities are directly related to or for the benefit of district schools. All other groups requesting the use of school facilities under the Civic Center Act shall be charged an amount not exceeding direct costs determined in accordance with 5 CCR 14037-14041.

Additionally, when any use of school facilities or grounds is for religious services, the district shall charge an amount at least equal to the district's direct costs. (Education Code 38134)

Groups shall be charged fair rental value when using school facilities or grounds for entertainment or meetings where admission 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. (Education Code 38134)
Use of School Facilities (Cont.)

Upon written request to the Superintendent or designee, a fee reduction may be considered for groups during hours when staff is regularly scheduled on the premises.

Calculating Direct Costs

Direct costs to be charged for community use of each, or each type of, school facility or grounds shall be calculated in accordance with 5 CCR 14038 and may reflect the community’s proportionate share of the following costs: (Education Code 38134; 5 CCR 14038-14041)

1. Capital direct costs calculated in accordance with 5 CCR 14039, including the estimated costs of maintenance, repair, restoration, and refurbishment of non-classroom space school facilities or grounds

2. Operational direct costs calculated in accordance with 5 CCR 14040, including estimated costs of supplies, utilities, janitorial services, other services performed by district employees and/or contracted workers, and salaries and benefits paid to district employees directly associated with the administration of the Civic Center Act to operate and maintain school facilities and grounds

Direct cost fees shall not be discounted to any group or organization except when the discount is specifically authorized in the adopted fee schedule. (5 CCR 14041)

Expending Funds Collected as Capital Direct Costs

Any funds collected as capital direct costs shall be deposited into a special fund to be used only for capital maintenance, repair, restoration, and refurbishment of school facilities and grounds. (5 CCR 14042)

Use of School Facility as Polling Place

The Board may authorize the use of school buildings as polling places on any election day, and may also authorize the use of school buildings, without cost, for the storage of voting machines and other vote-tabulating devices. However, if a city or county elections official specifically requests the use of a school building as a polling place, the Board shall allow its use for such purpose. If school will be in session, the Superintendent or designee shall identify to elections officials the specific areas of the school buildings not occupied by school activities that will be allowed for use as polling places. (Elections Code 12283)

When a school is used as a polling place, the Superintendent or designee shall provide the elections official a site with an adequate amount of space that will allow the precinct board to perform its duties in a manner that will not impede, interfere, or interrupt the normal process of voting and shall make a telephone line for Internet access available for use by local elections officials if so requested. He/she shall make a reasonable effort to ensure that the site is accessible to persons with disabilities. (Elections Code 12283)

The Superintendent or designee shall establish procedures to ensure student safety and minimize disruptions whenever school is in session while the facilities are being used as a polling place.
Use of School Facilities (Cont.)

<table>
<thead>
<tr>
<th>State</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 CCR 14037-14042</td>
<td>Proportionate direct costs for use of school facilities and grounds</td>
</tr>
<tr>
<td>Bus. Code 25608</td>
<td>Alcohol on school property; use in connection with instruction</td>
</tr>
<tr>
<td>Ed. Code 10900-10914.5</td>
<td>Community recreation programs</td>
</tr>
<tr>
<td>Ed. Code 32282</td>
<td>School safety plans</td>
</tr>
<tr>
<td>Ed. Code 37220</td>
<td>School holidays</td>
</tr>
<tr>
<td>Ed. Code 38130-38138</td>
<td>Civic Center Act, use of school property for public purposes</td>
</tr>
<tr>
<td>Elec. Code 12283</td>
<td>Polling places: schools</td>
</tr>
<tr>
<td>Gov. Code 54950-54963</td>
<td>The Ralph M. Brown Act</td>
</tr>
<tr>
<td>M&amp;V Code 1800</td>
<td>Definitions</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Federal</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>20 USC 7905</td>
<td>Equal access to public school facilities</td>
</tr>
<tr>
<td>40 CFR 141.1-141.723</td>
<td>Drinking water standards</td>
</tr>
</tbody>
</table>

Adopted: 11/89
Amended: 4/16/08, 7/17/13, 5/6/15, 11/18/20
**Community Relations**

**Use of School Facilities**

**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)

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
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 youth 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. 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)
Use of School Facilities (Cont.)

10. Other purposes deemed appropriate by the Governing Board

Classification of Users

Group I - 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 as defined by Board policy
- Fund-raising events or meetings for which admission fees 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 Teachers Association
  - California School Employees 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

Group II - Direct Cost Recovery Use

Direct Cost Recovery Use applies to groups that are authorized free use but are using facilities after hours incurring additional costs and groups not authorized “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 school 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.
Use of School Facilities (Cont.)

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 with an approved partnership agreement when the activity is noncommercial, does not advertise the business, and is free to the 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

Those groups listed above under “Free Use” that use the facilities outside the normal workday, such as weekends and nights, shall incur additional costs for their use.

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 student’s. 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
Use of School Facilities (Cont.)

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 private parties (birthdays, weddings, etc.)

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

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.

USE OF FACILITIES FEE SCHEDULE (Per Hour)

<table>
<thead>
<tr>
<th></th>
<th>Direct Cost (Group II)</th>
<th>Fair Rental (Group III)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Min/1st Hour</td>
<td>Add’l Hours</td>
</tr>
<tr>
<td>Classrooms</td>
<td>$60.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>Gyms</td>
<td>$80.00</td>
<td>$50.00</td>
</tr>
<tr>
<td>Weight Room</td>
<td>$60.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>Student Union</td>
<td>$65.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>Kitchens</td>
<td>$85.00</td>
<td>$30.00</td>
</tr>
<tr>
<td>Library</td>
<td>$65.00</td>
<td>$10.00</td>
</tr>
</tbody>
</table>
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 per call back. Groups requesting to use kitchen facilities will be required to have an OUHSD food service employee present while the kitchen is being used. 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 plus benefits for a minimum of 2 hours.

An additional charge for a district employee to operate the sound system may be assessed at the district’s discretion.