

## **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 apply and be approved for a facilities use permit and agree to the District's board approved terms and conditions for Facilities Use and fee schedule and agree that they will 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 38131, 38132)

1. Public, literary, scientific, recreational, education 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. Childcare programs to provide supervision and activities for children of preschool and elementary school age.

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

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.

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8. 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)

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)

10. Other purposes deemed appropriate by the Board.

**Direct Costs/Fair Rental Value**

Groups whose activities are covered by the Civic Center Act will be charged a direct cost not to exceed:

1. The cost of a school employee's presence during the organization's use of the facilities if that employee would not otherwise be present as part of his/her normal duties.
2. The cost of custodial/maintenance/grounds, security service if the services are necessary and would not have otherwise been performed as part of normal duties.
3. The cost of food service personnel.
4. The cost of utilities directly attributable to the organization's use of facilities.
5. The cost of supplies directly attributable to the organization's use of facilities.

Any private groups, organization, or individual whose activities are not covered by the Civic Center Act and charge a fee to their participants shall be charged appropriate

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rental fees and shall be responsible for all direct costs. Applications for such activities shall be approved only upon specific authorization of the Board. Rental fees shall be in conformance with the schedule adopted by the Board of Education. This schedule is subject to be adjusted on an annual basis.

**Restrictions**

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

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 the 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, alcoholic beverages or any restricted substances, including tobacco.

(cf. 3513.3 - Tobacco-Free Schools)

4. Due to safety and security reasons, use of facilities such as classrooms, labs, libraries, and offices can be restricted.
5. The use of school facilities for private parties, showers or receptions honoring individuals and the like, is not deemed to serve a public purpose and such use is prohibited.
6. No district site may be used for car washes or rummage sales.
7. Due to safety/security reasons, activities such as, but not limited to, kite flying contests, swap meets, and model rocket launching are not permitted at school district sites.
8. Animals shall not be allowed on district property at any time during use of facilities with exception of police dogs, seeing-eye dogs, and dog obedience classes sponsored by county or city organizations.

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9. The use of open flames such as candles is forbidden. Decorations must be flameproof and shall be erected and taken down in a manner not destructive to school property.
10. Use of school facilities for the filming of commercial films, including feature movies, are considered to be outside the scope of the Civic Center Act (Education Code 38130-38136). As such, use of school facilities for filming purposes is permissible only with the approval of the Board of Education. Uses will be permitted only under circumstances that do not create disruption to the educational program. The Board of Education affirms its right to deny permission to film certain movies based solely upon their content.

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

### **Provisions for Facility Use**

1. An employee shall be on duty whenever a facility is being used.
2. Use of cafeteria/kitchen facilities requires the supervision of Nutrition Services personnel. Use must be arranged with the Nutrition Services Department at the time of application.
3. Facilities are available during vacation periods only if the use does not conflict with cleaning and renovating activities and if necessary personnel are available for supervision.
4. Organizations shall not use any facility or equipment not approved in the permit.
5. Use of facilities shall not extend beyond the time specified in the permit. Parking shall be included as part of the permit process and will be limited to existing space in each facility's regular parking lot. Overflow parking on asphalt play area or grass fields is prohibited.

### **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

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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.

(cf. 3515.21 - Unmanned Aircraft Systems (Drones))

### **Field/Athletic Use**

The use of school athletic facilities will be determined on a priority basis. The highest priority will be reserved for school activities. The next priority will go to those activities controlled by county and city organizations based within the district boundaries and will be given priority over those from other areas. The district will determine time periods that facilities/fields will be made available.

All applications for the use of school athletic facilities shall be filed with the city recreation department sponsoring the event. Applications in accord with priorities established by the sports committee shall be directed to the site administrator and the Superintendent or designee for approval based upon site availability. The recreation department shall be responsible for informing the organization of approval and monitoring the usage of school athletic facilities.

School athletic facilities include: all field areas located at elementary, junior high and high school campuses, and all tennis courts, handball courts, gymnasiums and swimming pools.

Other facilities at a specific site may be defined as athletic facilities for the purpose of this policy only with the concurrence of the district's site administrator. All athletic facilities are subject to closure as determined necessary by the district.

Tennis courts will be available for use after school hours with priority given to school site requests. Use of tennis courts after dark will result in a charge for lights.

All facility use requests for use of district pools must include the name of the Red Cross CPR/Lifeguard certified individual(s) that will be present the entire time the pool is in use

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in the “event description” area. Copies of the certification must be attached to the facility use request upon submission. Requests for use of district pools that do not include this information will not be approved.

Any field/athletic user group must comply with terms and regulations set forth in any existing Joint Use Agreement between the district and the cities.

### **Application Requirements**

1. Any group or organization wishing to use district facilities shall apply using the district's online facilities use application process. Any group wishing to use district fields must apply at the respective city recreation department.
2. Only applications originating with established and responsible organizations shall be considered. Individuals must have sponsorship by a qualifying organization.
3. All groups qualifying for use must adhere to the rules and regulations set forth by the Board of Education. Each group will be held accountable for damages, and withdrawal of consideration upon subsequent request.

### **Construction by Community Group on School Property**

Under no circumstances is a user group to build, modify, and/or renovate any district athletic facility. This is to include erecting storage buildings, making irrigation repairs or modifications, sod removal, changing backstops or adding to backstops. A group wishing to improve athletic facilities must get written permission from the district Maintenance Department before making any changes.

Requests to construct facilities on school property shall be evaluated by the Superintendent or designee, the Director of Maintenance, Operations, and Construction, and the appropriate site administrator. All such recommendations shall consider the compatibility of the request with the site's master plan and educational program. The district may stipulate conditions as determined necessary to ensure such compatibility. Requesting groups or organizations may be required to consent to contractual obligations for this purpose. Such obligations may include the eventual removal of the facilities in question.

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**Chino Valley Unified School District**

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