



Chico Unified School District
1163 East Seventh Street, Chico, CA 95928-5999
(530) 891-3000

**Administrative
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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.

Anyone applying to use school facilities shall do so as specified in district procedures and in accordance with law.

Application Process

Any organization desiring to use a school/District facility must submit a request online using the School Dude website. A link is located on the Chico Unified School District under Departments - Business – Facilities & Construction – Facilities Use. Requests must be submitted a minimum of fourteen (14) days prior to the proposed activity; thirty (30) days in advance if requesting use for the duration of a school quarter, semester, or school year. Late applications may not be approved. The application must be complete, and individual dates must be provided. An agreement will be valid for a maximum of one fiscal year (July 1 through June 30).

The site administrator or designee will verify the availability of facilities for the date requested, approve or deny the application, and forward the request to the Facilities Use Manager. If approved, the Facilities Use Manager will schedule the use of school facilities in a cost effective and energy efficient manner, and forward approved applications to the Maintenance/Operations Department. If a facility is to be used by an organization that does not pay an expense charge for the use of facilities, the facility will be reserved only when custodial staff is on duty during regularly scheduled hours. If a facility is reserved when a custodian is not on duty during regularly scheduled hours, the organization will be charged for custodial services at the designated hourly rate. Use of the kitchen facilities requires staff provided by Nutrition Services. Any charges for labor supplied by the Nutrition Services department will be estimated and billed separately by that department.

Applications will be processed during the regular hours of District operations. Applicants will be notified by the Facilities Use Manager once their request is approved or denied.

Organizations must apprise the Maintenance/Operations Department of any requested modifications or cancellations relative to the use of a facility a minimum of twenty-four (24) hours prior to the scheduled activity to avoid incurring applicable facility and custodial charges. An approved application may be revoked with reasonable notice when District facilities are needed for emergency purposes.

Permission to use District facilities shall neither be granted for a period exceeding one fiscal year, nor so often during any year as to afford any person or organization a real or implied monopoly.

Applicants shall adhere to the guidelines and regulations outlined in the Use of School Facilities Manual.

Facility and Grounds Use Priority

- 1st Priority Chico Unified Schools Use for instructional and other purposes, including
- a) student body group officially recognized by Chico USD
 - b) school employee group officially recognized by Chico USD



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- c) school related group (e.g. Boosters, Education Foundation)
 - d) facilities and grounds maintenance (some facilities and grounds may be excluding from scheduling in order to provide for or until needed maintenance can be conducted)
- 2nd Priority Chico Area Recreation District (CARD) Joint Use per agreement
- 3rd Priority Other public schools in the Butte County area, including non-district charter schools
- 4th Priority Community use: non-profit schools and youth groups that are non-profit entities such as Scouts, Little League, AAU, club sports, senior groups, etc. on a 1st come, 1st serve basis
- 5th Priority Community use: for-profit including public presentations/performances
- 6th Priority Church services – as required by BP 1330/Ed Code 38130-38138

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, 51860)

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 for youth 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



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of honorably discharged soldiers, sailors, or marines of the United States, or any of their territories. (Military and Veterans Code 1800)

10. Bicycle, scooter, electric bicycle, motorized bicycle, or motorized scooter safety instruction for district students by local law enforcement, public agencies, nonprofit associations, or organizations specified in Education Code 38134
11. Other purposes deemed appropriate by the Governing Board

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 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 or any restricted substances, including tobacco
4. Any use which involves the possession, consumption, or sale of alcoholic beverages, except for special events approved by the Superintendent or designee pursuant to Business and Professions Code 25608 which are covered by a special events permit pursuant to Division 9 of the Business and Professions Code and which will occur at a time when students are not on the grounds. Any such use of school facilities shall be subject to any limitations that may be necessary to reduce risks to the district and ensure the safety of participants, as determined by the Superintendent or designee. Applicable limitations shall be clearly stated in the facility use agreement to be signed by the user's representative.

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)

When permitted by law, 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.



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Policy Reference Disclaimer: *These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

State

Description

5 CCR 14037-14042	<u>Proportionate direct costs for use of school facilities and grounds</u>
Bus. Code 25608	<u>Alcohol on school property; use in connection with instruction</u>
Ed. Code 10900-10914.5	<u>Community recreation programs</u>
Ed. Code 32280-32289.5	<u>School safety plans</u>
Ed. Code 37220	<u>School holidays</u>
Ed. Code 38130-38138	<u>Civic Center Act; use of school property for public purposes</u>
Ed. Code 51860	<u>Time and facilities for bicycle and scooter safety instruction</u>
Elec. Code 12283	<u>Polling places: schools</u>
Gov. Code 54950-54963	<u>The Ralph M. Brown Act</u>
M&V Code 1800	<u>Definitions</u>

Federal

Description

20 USC 7905	<u>Equal access to public school facilities</u>
40 CFR 141.1-141.723	<u>Drinking water standards</u>

Management Resources

Description

Attorney General Opinion	<u>79 Ops.Cal.Atty.Gen. 248 (1996)</u>
Attorney General Opinion	<u>82 Ops.Cal.Atty.Gen. 90 (1999)</u>
Court Decision	<u>Ellis v. Board of Education, (1945) 27 Cal.2d 322</u>
Court Decision	<u>Good News Club v. Milford Central School, (2001) 533 U.S. 98</u>
Court Decision	<u>Lamb's Chapel v. Center Moriches Union Free School District, (1993) 508 U.S. 384</u>
Court Decision	<u>ACLU v. Board of Education of Los Angeles (1961) 55 Cal. 2d 167</u>
Court Decision	<u>Cole v. Richardson, (1972) 405 U.S. 676</u>
Court Decision	<u>Connell v. Higgenbotham, (1971) 403 U.S. 207</u>
CSBA Publication	<u>Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009</u>
CSBA Publication	<u>Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010</u>



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	Description
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>California Department of Education</u>
Website	<u>CSBA</u>

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
0450	Comprehensive Safety Plan
0470	COVID-19 Mitigation Plan
1000	Concepts And Roles
1160	Political Processes
1230	School-Connected Organizations
1325	Advertising And Promotion
1330.1	Joint Use Agreements
1400	Relations Between Other Governmental Agencies And The Schools
3280	Sale Or Lease Of District-Owned Real Property
3513.3	Tobacco-Free Schools
3513.4	Drug And Alcohol Free Schools
3515.2	Disruptions
3515.21	Unmanned Aircraft Systems (Drones)
3516	Emergencies And Disaster Preparedness Plan
3530	Risk Management/Insurance
4119.25	Political Activities Of Employees
5148	Child Care And Development
5148.2	Before/After School Programs
5148.3	Preschool/Early Childhood Education
6111	School Calendar
6115	Ceremonies And Observances
6141.2	Recognition Of Religious Beliefs And Customs
6145	Extracurricular And Cocurricular Activities
6145.5	Student Organizations And Equal Access
7160	Charter School Facilities



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Code	Description
9320	<i>Meetings And Notices</i>