

COMMUNITY RELATIONS/USE OF SCHOOL FACILITIES**I. Use of School Facilities**

The Board of Trustees recognizes that there exists a civic center at each of the district high school facilities and grounds pursuant to Education Code Section 40041. It is the intent of the Board that non-school related groups may use school facilities to the extent permitted by law provided that no cost is incurred by the District.

II. Management, Direction and Control

The management, direction, and control of school facilities and grounds is vested in the Board of Trustees. The Board is empowered to promulgate any and all rules, regulations, terms, and/or conditions necessary to provide for, implement, and operate the District's civic center locations. The Board shall provide for the following:

- A. Aid, assistance, and encouragement for any of the activities authorized herein;
- B. Preservation of order in school buildings and on school grounds;
- C. Protection of school facilities from damage; and,
- D. Assurance that school facilities or grounds are used neither in a manner inconsistent with the use of such facilities or grounds for school purposes nor in a manner which will interfere with the regular conduct of school work.

III. Permissible Purposes

Subject to the limitations, requirements, and restrictions set forth herein, the Board may grant the use of school facilities or grounds as a civic center upon the terms and conditions the Board deems proper for any of the following purposes.

- A. Public, literary, scientific, recreational, educational or public meetings;
- B. The discussion of matters of general or public interest;
- C. Child-care or day-care programs to provide supervision and activities for children of preschool and elementary age;
- D. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies;
- E. Supervised recreational activities;
- F. Other purposes deemed appropriate by the Board.

IV. Terms and Conditions

Any individual or group described in Section I (collectively referred to hereafter as the "Group") desiring to use the District's facilities or grounds as a civic center must first agree to and comply with all the following terms and conditions:

- A. Make application through the appropriate high school main office for the use of school property using the District-approved application for use of school facilities. Any person applying on behalf of any group shall be a member of the applicant group, and, unless he or she is an officer of the group, must present written authorization from the applicant group to make the application.
- B. Enter into a written agreement with the Fullerton Joint Union High School District for the proposed use.
- C. Maintain in force during the term of the agreement, full comprehensive public liability insurance, insuring against all claims for injuries to person or property occurring in, on, or about the school property arising out of the group's use of the school property. Said policy shall have limits for injuries to person or persons, and for property damage in amounts which shall be specified by the Board, in its sole discretion based upon the nature of the proposed use of the District's school facilities or grounds.
- D. Indemnify and hold harmless the District, its officers, agents and employees from and against any and all claims, demands, losses or liabilities of any kind or nature which the District, its officers, agents and employees must sustain or incur or which may be imposed upon any of them for injury or death sustained as a result of, arising out of, or in any manner associated with the group's use of the school property, except for liability resulting from the negligence or willful misconduct of the District, its officers, agents, employees or independent contractors.
- E. Assume the financial liability for any damage to the facilities or grounds as a result of the activity.
- F. Warrant and represent that group's use of said school property will neither be inconsistent nor interfere with the District's operation of high school classes and programs.
- G. Certify or declare in writing under penalty of perjury that to the best of his or her knowledge the school property for which application is made will not be used for the commission of any act which is prohibited by law, or for the commission of any crime.
- H. Furnish to the Board any information which the Board deems necessary to make the determination that the use of school property for which application is made is consistent with the objectives and purposes enumerated herein.
- I. Any violation of the above terms and conditions shall constitute just cause for the Board to deny the applicant's request for school property use.

V. Emergency Aid

In furtherance of its desire to promote good will and harmonious community relations, the Board shall grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters in the event of disasters and other emergencies as declared by the Civil Defense Authority affecting the public health and welfare. The Board shall cooperate with these agencies in furnishing and maintaining such services as the Board may deem necessary to meet the needs of the community.

VI. Definitions and User Groups

For the purpose of this policy, the following definitions shall apply:

1. Wherever the term "free use" is used, it shall mean that the use shall be without charge of any kind.
2. Wherever the term "direct costs" is used, it shall mean those costs of supplies, utilities, janitorial services, services of any other district employees, and salaries paid to school district employees necessitated by the organization's use of the school facilities and grounds at the District.
3. Wherever the term "commercial rate" or "fair rental value" is used, it shall mean the direct cost to the District, plus the amortized cost of the school facilities or grounds used for the duration of the activity authorized.

Pursuant to the provisions of Section II as previously stated, the Board of Trustees has established the following fee schedule for the following types of use and user groups:

A. Group I - Nonprofit Organizations Which Promote Youth and school Activities (Free Use)

The Board shall grant, without charge, the use of school facilities or grounds under its control, when an alternative location is not available, to nonprofit organizations, and clubs or associations which are located and operated within the boundaries of the District and are organized to promote youth and school activities; provided that the use of school property for fund-raising activities shall be of benefit to the youth or public school activities of the District, as determined by the Board. Groups in this category include, but are not limited to: (1) girl scouts, boy scouts, explorer scouts, camp fire girls; (2) parent-teachers associations; (3) school/district/community advisory councils and or task forces; (4) booster groups; (5) educational foundations; (6) community substance abuse groups and/or school core teams.

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B. Group II - Other Nonprofit Organizations and other Public Agencies (Direct Costs)

The Board shall charge an amount not to exceed its direct costs for activities where the user group is located and operates within the boundaries of the District and is a non-profit organization organized for purposes other than to promote youth and school activities. Activities which shall be charged an amount not to exceed direct costs include (1) other public agencies; (2) elementary school districts; (3) artistic and cultural groups; (4) colleges and universities; (5) youth sports leagues and programs.

C. Group III - Commercial and/or Profit-making Groups (Fair Rental Value)

The Board shall charge at least the fair rental value/commercial rate to all other groups not otherwise qualified under the provisions of paragraphs A or B above for use of the District's school facilities or grounds. Activities within this category include, but are not limited to, cases of entertainment or meetings where admission fees are charged or contributions are solicited and the net receipts are not expended for the welfare of the pupils of the District or for charitable purposes. Also included are functions such as dances as profit-making ventures, dealers' exhibits, sporting shows, commercial sales, promotional activities, and religious groups.

The Superintendent or designee shall develop and implement the fee schedule for different user groups according to law. The fee schedule shall be reviewed on an annual basis with adjustments each year based upon the Consumer Price Index (CPI) for the greater Los Angeles, Long Beach and Anaheim metropolitan areas or an average of 5 percent, whichever is greater. Said review and adjustments shall be conducted prior to September 1 of each year.

Reference: Education Code Sections 40040 through 40045 (inclusive)

Policy Adopted: October 18, 1988