

Community Relations
Administrative Regulation No. 1330
Reviewed: December 7, 2023

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.

The Superintendent or designee shall maintain application procedures and regulations for use of school facilities that:

- a. Encourage and assist groups desiring to use school facilities for approved activities.
- b. Preserve order in school buildings and on school grounds and protect school facilities. If necessary, a person may be designated to supervise this task.
- c. Ensure that the use of facilities or grounds is not inconsistent with the use of the school facilities or grounds for school purposes and does not interfere with the regular conduct of schoolwork.

Fees and Payments

The cost of making district facilities and grounds available shall be borne by the applicant in accordance with the Civic Center Act. All applicants granted use of school facilities or grounds under the Civic Center Act shall be charged fees in accordance with the Board adopted Fee Schedule pursuant to Board Policy 1330 and Administrative Regulation 1330. The Superintendent or designee may revise or update the Schedule of Fees according to adjustments in costs incurred by the district.

If special or additional labor or services are required, district may, at its sole discretion, charge applicants a fee equal to the direct cost to district of such special or additional labor or services provided in accordance with the district's Fee Schedule, or otherwise require applicants to pay for necessary security, attendants, utilities, custodial services, traffic control, and/or other services or conditions deemed necessary in the district's sole discretion for proper and safe management of applicant's use. This includes, without limitation, applicants desiring to use a facility other than during the designated normal hours of operation, or on legal holidays or weekends.

Fee Category

Fee category is based on the applicant organization and the facility use activity. Factual variances may lead the district to exercise its discretion to set fees in accordance with the Civic Center Act.

Facility Rates

All listed rates in the Schedule of Fees are subject to periodic revision, and do not include personnel charges, which will be charged in addition to the rates listed therein. Each organization will be charged the rates in effect at the time of usage, not at the time the application is submitted.

Event Fees/Contributions

An organization/group/entity charging fees or soliciting contributions bears the burden of proof that net receipts are expended for charitable purposes or for the welfare of district pupils. Failure to provide proof will result in the organization being charged the Fair Rental Value Rate.

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. Childcare 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 youths may participate regardless of religious belief or denomination
7. A community youth center
8. 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)

9. Other purposes deemed appropriate by the Governing Board
10. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

Priority Use of District Facilities and Fields

It is the goal of the Board to have facilities used as much as possible. The following groups shall have priority for use of school facilities in the following order:

Group I: District and district-related activities and/or groups (e.g. PTA, PTO, Booster Clubs). Category I facility fees are waived. Custodial, technical, and utility fees will be charged as required or necessary at the discretion of the Superintendent or designee.

Group II: Nonprofit groups/organizations open to all school-age children which provide youth activities in which school-age children are the primary beneficiaries. All nonprofit groups will need to provide the following documentation: IRS letter indicating nonprofit status and exemption from federal taxes and current board of directors' names, addresses, and current phone numbers.

Group III: State, local, and federal government groups; local nonprofit organizations; private not-for-profit groups; denominational groups; any remaining groups that do not meet the criteria for Category I, II, or IV.

Group IV: Private, for-profit, commercial businesses/groups; any activity where the gate receipts or donations are not to be used for the benefit of district students.

Use of School Facilities and Fields

The district may, at its discretion, include written conditions of approval as deemed necessary, including, without limitation, that on-site security, district personnel attendants, additional custodial, and/or traffic or parking attendants, or other services or conditions deemed necessary by district, be provided, at the applicant's expense, in order to maintain the health and safety of participants, neighbors and community members, protect school facilities, grounds and equipment from damage or abuse, ensure the regular conduct of schoolwork and district programs are not infringed upon or interfered with, and preserve order in school facilities and on school grounds. This includes ensuring that parking is monitored, and violations are prevented, that noise requirements are met, and that district property is not damaged or vandalized.

Applicant shall comply with all applicable federal, state, local, and other governmental laws, requirements, regulations, rules, and ordinances, including, without limitation, district Board Policies and Administrative Regulations, and state and/or local fire, health, and safety laws, when using district facilities and/or grounds. Applicant shall, at applicant's sole cost and expense, be responsible for obtaining any use permits, licenses, registrations, or other approvals required by any all applicable Federal, State, local or other governmental or regulatory agencies having jurisdiction for applicant's use of the district's facilities and/or grounds, related to the operation of applicant's program, or otherwise connected to applicant's use of the facilities or grounds. This includes, without limitation, that all childcare or daycare programs shall be properly licensed and registered as required by law.

Joint Use

The Board may grant joint use of specific district facilities and fields to the city of Mountain View or any public agency, public institution or community organization. That use shall be based on the fact that all education programs and/or activities of the district have first priority at the facilities and fields.

Maintenance or construction of new facilities such as baseball fields (including backstops), snack bars, restrooms, storage buildings, scoreboards, paved walkways, goal posts, etc. by city of Mountain View or any public agency, public institution or community organization on district property shall only be permitted by specific approval of the Board. Detailed plans for any proposed construction on district property must be submitted to the Superintendent or designee and receive approval from the Board and comply with all applicable local and state building codes and safety regulations.

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 facility 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 alcoholic beverages or any restricted substances, including tobacco
4. Any use which involves or permits the use or sale of tobacco or any tobacco product in any school property

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 damages 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. Groups or organizations shall also be required to include the district as an additional insured on their liability policies for claims arising out of the negligence of the group.

The district shall require a hold harmless agreement and indemnification from users unless waived in writing by the Superintendent or designee.

Fee Schedule

This Administrative Regulation includes the following Fee Schedule, which the District reserves the right to adjust at any time.

Please see the next page for the fee schedule.

Final Fee Schedule Proposed

Facility	Tier 1	Tier 2	Tier 3	Tier 4
Standard Classroom/Conference Room	\$ -	\$ 17	\$ 26	\$ 50
Field	\$ -	\$ 40	\$ 60	\$ 150
Blacktop	\$ -	\$ 20	\$ 28	\$ 53
Parking Lot	\$ -	\$ 18	\$ 30	\$ 70
Multi-use Room at Elementary with Stage	\$ -	\$ 44	\$ 67	\$ 120
Innovation Center	\$ -	\$ 65	\$ 85	\$ 140
Theater *	\$ -	\$ 60	\$ 200	\$ 300
Kitchen *	\$ -	\$ 33	\$ 75	\$ 100

Theater: must have Theater Technician on site at Contractor's rate at the time of rental. Must have 1 custodial staff charged at current District's payroll rates. Minimum of 4 hrs rental

Kitchen: must have CN staff at Event with MVWSD's current payroll rates. Minimum 4 hrs rental

MVWSD 2023-24 Child Nutrition Rates

Regular Hourly	Overtime Hourly	Sunday/Holiday
\$ 44.43	\$ 66.63	\$ 88.97

MVWSD 2023-24 CUSTODIAL RATES

Regular Hourly	Overtime Hourly	Sunday/Holiday
\$ 48.98	\$ 73.46	\$ 97.96

Facility Use Group Descriptions

Group 1	
District and school related organizations and activities	Examples: (1) games, practices, meetings, performances, and other events sponsored by the school district and supervised by a district employee, (2) auxiliary organizations, e.g., PTA, (3) recognized school clubs
Group 2	
Activities oriented toward community youth that are sponsored by recognized non-profit organizations who charges participants a "nominal fee" of under \$60 per month under AB 1557	Examples: (1) scout meetings, (2) parks and recreation activities not covered by the joint use agreement with the City of Mountain View, (3) other public school districts, (4) YMCA/YWCA, (5) CSMA, (6) youth sports leagues
Group 3	
Other community activities sponsored by recognized non-profit organizations or other public agencies	Examples: (1) city or governmental agencies not covered by joint use agreement with the City of Mountain View, (2) college or university groups, (3) civic organizations and service clubs, (4) fundraising events sponsored by non-profit organizations where receipts are expended for charitable purposes, (5) educational groups, (6) religious organizations, (7) adult sports leagues
Group 4	
Activities and events sponsored by for-profit organizations or individuals requesting facilities for personal use. All fundraising events not for the benefit of district students. Examples: (1) commercial use of facilities, e.g., music lessons, private tutoring, or summer camp, (2) activities sponsored by for-profit organizations, (3) private dances, parties, or other functions, (4) any events or meetings where receipts are not expended for charitable p	Examples: (1) commercial use of facilities, e.g., music lessons, private tutoring, or summer camp, (2) activities sponsored by for-profit organizations, (3) private dances, parties, or other functions, (4) any events or meetings where receipts are not expended for charitable purposes or for the welfare of district students