

Cupertino Union School District
Use of School Facilities – Terms & Conditions

1. Definitions:

- a. Facilities; Includes buildings, grounds, and equipment.
- b. Property; Includes equipment, apparatus, furniture, and supplies.
- c. Charges; Fees due for facilities, services, or property use.
- d. Schedule of Fees; A list of charges adopted by the Board of Education.
- e. District – Cupertino Union School District.

2. Permits for the use of school facilities shall be issued on behalf of the Board of Education and shall be consistent with Education Code Sections 38130-38138.

3. For use of District buildings, a District employee is required to unlock and lock all rooms for which a permit is approved.

4. An approved use permit is REQUIRED for every use of any District facility after that facility's normal hours, or for activities other than the facility's primary purpose. Under no circumstances shall permits be valid for a period exceeding six (6) months in duration. Users are required to submit a new application each academic year (July 1st – June 30th). Permits are non-transferable.

5. The use of facilities shall be consistent with the use of the buildings or grounds for school purposes and must not interfere with regular conduct of schoolwork. School functions in any school buildings or on any school property shall receive priority over use by any other groups or organization, whether day, afternoon, or evening sessions. Permits issued to any group may be revoked if it becomes unavoidably necessary for a school to use the space at the same time. When such action is necessary, every care shall be exercised by the responsible staff member(s) involved to give the permit holder as much advance notice as possible.

6. Groups which use the facilities must comply with rules and regulations adopted by the Board of Education. Groups which discriminate on the grounds of race, religion, creed, national origin, ancestry, gender or sexual orientation may be denied permission to use school facilities.

7. All juvenile organizations seeking use of school premises must have sufficient adult sponsorship and adult supervision while using school facilities to ensure adequate control.

8. Use of school facilities for religious or sectarian purposes shall be permitted on a temporary basis per Education Code 38138(3).

9. The use of profane language, tobacco, drugs, intoxicating liquor, quarreling, or fighting, betting, or any form of gambling, and the conducting of raffles or lotteries are expressly prohibited on school property.

10. The use of tobacco is not permitted anywhere on school district property.

11. Permits for use of school facilities for meetings at which there will be a discussion of social, economic, or political problems shall be granted only on the condition that such meetings shall be open to all who desire to attend.

12. Any group granted the use of any school facilities shall use them only for such purposes as are specified in the permit for use and shall limit the use to the facility, i.e., the specific classroom, multipurpose room, or other area.

13. School property must be protected by the user from any damage or mistreatment. Each group using such property must be responsible for the condition in which it leaves the facility. Damage to school property and/or equipment shall be paid for by the organization which has use of the facility. Use permit holders are expected to leave the facility in the condition in which it was found.

14. The use of food and beverages is prohibited in classrooms (including special classrooms), libraries, GLC's, gymnasiums, and office/counseling areas. Any use of food and beverages is restricted to areas specifically authorized.

15. No school furniture, apparatus, or equipment of any kind, including classroom materials and devices may be removed or displaced by any organization without permission. This includes not erasing anything the school has put on wipe boards, etc. Decorations must be removed by the group or organization in time for normal school use the following day.

16. Permits may be declined due to a lack of custodial coverage.

17. All individuals, groups, and organizations using school facilities must agree to abide by the regulation embodied herein.

18. Permits may be revoked whenever there has been a violation of these regulations.

19. Any user or organization requesting use who does not agree with the decision of the District, may appeal the matter directly to the Chief Business Officer.

20. Groups are permitted to use the school grounds in the evenings, weekends, and holidays according to administrative regulation, provided that a regular use permit for fields is properly issued and that the groups give way to any activity scheduled for school purposes. It is the intention of the District Board of Education that pedestrian access to playgrounds be left open for use by children and parents during the school year, Saturdays, Sundays, holidays, vacation periods, and after-school hours in the evenings until dark.

The only exceptions to this policy are:

a) Priority is given to any group having a use permit.

b) Priority is given to school activities conducted under the Recreation Program or Summer Session.

c) No horses or self-propelled vehicles, go-carts, motor scooters, motorcycles, automobiles, or any other vehicular traffic will be permitted on the school grounds without the authorization of the superintendent or designee.

d) There shall be no use of equipment of any type which would present a hazard to other users or property. Forbidden are golf balls, shot-puts, archery, javelins, powered model airplanes, drones, etc.

21. Use of kitchens and kitchen equipment.

A. Cafeteria equipment and supplies are the property of the District and may not be used by any person or persons for private benefit.

B. Where use of the kitchen area is authorized, a regular member of the food services staff shall be present, and charges shall be made according to the current fee schedule.

C. Unless the user is granted the use of the kitchen area, the doors will be kept locked. Refrigerators and freezers may not be used unless special arrangements have been made with the Food Services Manager at the District office. Kitchens do not have dishes, trays, or silverware for use, and paper/food supplies cannot be purchased.

D. All cafeteria facilities must be specifically requested. The District requires a cafeteria employee to be present to supervise the use of such equipment and to prevent the use of District accountable items such as food. Refrigerator and freezer space are not available for outside group use.

22. The Schedule of Fees is an attachment and is subject to change at any time by the Board of Education.

23. Permit holders are not authorized to alter any of the facilities nor erect, construct or bring onto District property any unauthorized vehicle, temporary building, or structure.

24. The California Vehicle Code is enforced on District property. Vehicles are not permitted on District property except in designated areas such as driveways and parking lots. Holders of field permits may bring one (1) vehicle onto the field for purposes of delivering supplies or equipment when children are not present. That vehicle may not park on the field and blacktop and must be removed immediately after making delivery.

25. Keys to District facilities are not to be given to permit holders without the express permission of the superintendent or designee.

26. District may make arrangements with permit holders regarding storage, use of porta potties, etc at the full risk and liability of the permit holder.

27. Payment & Insurance Policy - All payments will be made directly to Facilitron. Facilitron's service fee will be charged directly to the permit user. A 25% deposit will be due at time of application. All payment and insurance requirements must be satisfied no later than 14 business days prior to use, and the District reserves the right to decline requests if payment in full or insurance is not received 14 days prior to your reservation start date. Failure to make full payment 14 business days prior to use will result in a cancellation of the entire permit. Any additional fees incurred above and beyond the estimated fees are due in 30 days. Failure to pay in a timely manner will result in denial of future use. Application Fees are non-refundable.

28. Cancellation Policy - There will be no refunds for cancellations made by Applicant within ten (10) days of the scheduled use. For cancellations that occur more than ten (10) days before the scheduled use, the District shall retain twenty-five percent (25%) of the fee paid.

29. Additional charges may be levied if the facilities require staff time or costs to make them immediately ready for student use. This may include additional charges for trash and/or recycling pickup.

- Permits which result in unusual circumstances which present additional costs to the District will be charged in order to ensure that the District does not incur costs for the use permit. This includes, but is not limited to, additional custodial overtime.
- Fees are paid directly to Faciltron. No gifts or donations of any kind may be accepted by an individual school or employee of the school District in lieu of payment of fees as scheduled. In-kind contacts may be written on with the approval of Superintendent or designee.
- Services not requested at the time of application may not be available on the date of the permit.
- Groups, whose activities demonstrate the need, may be required to prepay a cleaning deposit for issuance of a permit. A security deposit may required for the use of a computer lab. Unused portions of the deposits, if any, will be returned to the permit holder after the conclusion of the permit.

30. Compliance with Laws – Permit holders shall observe and comply with all rules and regulations of the District’s Board of Education and all Federal, State, and local laws, ordinances, regulations and health orders.

31. COVID-19 Safety Requirements – Permit holders shall, at their own cost, timely comply with all applicable Federal, State, and local requirements related to COVID-19 or other public health emergency/epidemic/pandemic orders.

32. District will determine the custodial coverage required based on the number of attendees and/or type of event.

33. A non-refundable change fee of \$15.00 will be assessed to the permit holder for each change request.

34. If custodial OT is being charged, a minimum of 90 minutes will be added to the permit for opening/closing/cleaning. If a weekday event requires an additional custodian, the OT rate will be applied.

35. Per SEIU contract 5.9.B, weekend permits require a minimum charge of 3 hours for custodial work, including the additional 90 minutes for opening/closing/cleaning.

36. If the permit has custodial OT, the District reserves the right to charge additional time, if the actual hours worked exceeds the permit.

I hereby certify that I have read the above applicable Rules and Regulations of the Governing Board of the Cupertino Union School District and agree that I will abide by all the rules, regulations, and conditions set forth herein and will conform to all applicable provisions of the laws of California and to all Rules and Regulations of the Board of Education.

5/25/23 For Board Review

6/7/23 For Board Approval