



USE OF FACILITIES GUIDE

Maintenance/Operations
5851 Newman Street • Cypress, CA 90630
(714) 220-6952

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CYPRESS SCHOOL DISTRICT PROHIBITS

**TOBACCO PRODUCTS
ALCOHOLIC BEVERAGES
GAMBLING**



ON ANY SCHOOL PROPERTY

SECTION 1 - INTRODUCTION

CIVIC CENTER ACT

California law permits the governing board of a school district to grant the use of school buildings or grounds for public, literary, scientific, recreational, or educational meetings, or for the discussion of matters of general public interest.

The Board of Trustees of the Cypress School District grants community use of school district facilities after the needs of the school district have been met.

The Board may establish such terms and conditions of usage as it deems proper, subject to the limitations, requirements, and restrictions set forth in the Education Code of the State of California.

The Board recognizes that there are costs involved in nonschool-related use of facilities. Charges are necessary so that school funds that would otherwise be dedicated to the instructional program are not used to support nonschool-related activities.

California Education Code sections 38130 & 38131

38130. This article shall be known and may be cited as the Civic Center Act.

38131. (a) There is a civic center at each and every public school facility and grounds within the state where the citizens, parent teacher associations, Camp Fire girls, Boy Scout troops, veterans' organizations, farmers' organizations, school-community advisory councils, senior citizens' organizations, clubs, and associations formed for recreational, educational, political, economic, artistic, or moral activities of the public school districts may engage in supervised recreational activities, and where they may meet and discuss, from time to time, as they may desire, any subjects and questions that in their judgment pertain to the educational, political, economic, artistic, and moral interests of the citizens of the communities in which they reside. For purposes of this section, "veterans' organizations" are those groups included within the definition of that term as specified in subdivision (a) of Section 1800 of the Military and Veterans Code.

(b) The governing board of any school district may grant the use of school facilities or grounds as a civic center upon the terms and conditions the board deems proper, subject to the limitations, requirements, and restrictions set forth in this article, for any of the following purposes:

(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 that has no suitable meeting place for the conduct of the services, provided the governing board charges the church or religious organization using the school facilities or grounds a fee as specified in subdivision (d) of Section 38134.

(4) Child care or day 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 youths 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.

(9) Other purposes deemed appropriate by the governing board.

GROUP CLASSIFICATIONS

The Board's policy on Use of Facilities allows for categories of use by the community, as explained in this guide. In broad, general terms, groups are as follows:

GROUP A	Nonprofit Community Groups <i>(Organized to promote youth, school, and community activities)</i> Includes nonprofit organizations and clubs or associations organized to promote youth, school, and community activities, including but not limited to PTAs, Girl Scouts, Boy Scouts, neighborhood associations, youth baseball/soccer/football, etc. For a group to qualify under Group A, the program must be open to any child/resident in the community, and they may only charge a minimal/reasonable fee that makes participation accessible to the general population. The district charges no fee if the activity takes place during hours when school staff is regularly available. If school staff is not regularly available (evenings, weekends, or holidays), staff time will be charged at the rates indicated on the Schedule of Fees.
GROUP B	Direct Cost Groups <i>(All nonprofit or for-profit groups not covered in Group A)</i> Includes groups or organizations not covered in Group A where proceeds are devoted to the welfare of pupils or to charity. The "direct cost" of use, as designated on the Schedule of Fees, will be charged. If school staff is not regularly available, staff time will be charged. Rental fees are charged at an hourly rate and are determined by the venue requested regardless of time of use.
GROUP C	Fair Rental Value Groups <i>(Nonresident and commercial users for nonprofit or for-profit)</i> Includes all other uses not covered in Groups A or B. "Fair rental value" fee groups include nonprofit or for-profit organizations that utilize school facilities where admission fees are charged, or contributions are solicited, and net receipts are not to be expended for the welfare of the students of a particular school or the district or for charitable purposes defined under section 501(c)3 of the Internal Revenue Code. The "fair rental value" shall be charged. If school staff is not regularly available, staff time will be charged. Rental fees are charged at an hourly rate determined by the site requested. All personnel fees are determined by the district.

PROHIBITED USES

Prohibited uses include:

- Any use by an individual or group for the commission of any crime or any act prohibited by law.
- Any activity that is injurious to the buildings, grounds, or equipment.
- Any purpose in conflict with school activities.
- Commercial advertising.
- Fundraising campaigns, except as permitted by Board of Trustees policy or special action of the Board.
- Activities which are discriminatory in the legal sense.

In addition, the following prohibitions and restrictions shall apply to all individuals, groups, organizations, and agencies permitted to use school facilities:

- At no time shall there be more persons admitted to the multipurpose room, classroom, or other assembly room than the legal seating capacity will accommodate.
- No device which produces flames, sparks, smoke, or explosions shall be used at any time without prior approval of the Cypress School District and Fire Chief.
- No smoking.
- No use of intoxicants or narcotics.
- No profane language, quarreling, or gambling.
- Access to rooms or facilities other than approved by application shall not be permitted.
- School premises are not to be used by any person, groups, or organizations as political campaign headquarters for any purpose.
- No gratuities may be given to, nor will they be accepted by, custodians, principals, directors, or others in charge of any school facility.
- Nothing is allowed to be sold, offered, or advertised for sale on school premises without prior approval of the district office issuing the permit (including, but not limited to, items of literature).
- Keys will not be issued to any group without prior approval of the Superintendent (or designee).
- No activity will be allowed to extend past 11:00 p.m., unless special permission to extend the closing hour has been granted by the Superintendent (or designee).

Education Code section 38135

Any use, by any individual, society, group, or organization for the commission of any act intended to further any program or movement the purpose of which is to accomplish the overthrow of the government of the United States or of the state by force, violence, or other unlawful means shall not be permitted or suffered.

Any individual, society, group, or organization which commits any act intended to further any program or movement the purpose of which is to accomplish the overthrow of the government by force, violence, or other unlawful means while using school property pursuant to the provisions of this chapter is guilty of a misdemeanor.

SECTION 2 – USE OF FACILITIES APPLICATION PROCEDURES

REQUESTS

All applicants must submit an application package, which includes:

- *Application and Permit for Use of School Facilities or District Office form*
- Proof of nonprofit status, if applicable (*See Section 3 – Nonprofit Organizations*)
- Proof of insurance (*See Section 4 – Insurance Requirements*)

Follow the *Use of Facilities Checklist* to ensure all required documents are attached to the *Application and Permit for Use of School or District Office Facilities form*

Submit all required application materials at least 15 days prior to the event date

To request use of a school site:

- Confirm date availability with the school office.
- Submit complete application package to the school office for preliminary approval.

School approval tentatively places the requested date on the school's calendar. The event, however, is not approved until the district has processed the paperwork and given its final approval.

To request use of a school field for sports activities:

- Submit complete application package to Cypress Recreation & Community Services. The city is responsible for scheduling use of school district fields for sports activities.

Priority is given to community sports/recreation groups. Independent sports groups, travel ball clubs, and booster-sponsored sport groups may be issued permits based on availability of fields after all community groups have been assigned.

To request use of the district office facility:

- Confirm date availability with the Maintenance/Operations department.
- Submit complete application package to the Maintenance/Operations department for approval.

APPROVAL

- The applicant will receive a copy of the approved *Application and Permit for Use of School or District Office Facilities form*.
- If fees are due, the amount will be shown at the bottom of the form, under "Invoice." This amount must be paid within 10 days of the scheduled event. (*See Section 5 – Fees & Payment*)

NO GROUP MAY BEGIN USE OF A SCHOOL/DISTRICT FACILITY WITHOUT DISTRICT APPROVAL.

GROUPS MUST BE PREPARED TO PRESENT A USE PERMIT AT ALL TIMES DURING USE OF THE FACILITY.

SECTION 3 – NONPROFIT ORGANIZATIONS

NONPROFIT DOCUMENTATION

Nonprofit status does not assure that use of facilities will be free of charge. Direct costs may apply and will be determined by the district upon receipt of the application for a permit.

Nonprofit organizations must provide a nonprofit tax ID number as well as an IRS determination letter assigning the ID number. Nonprofit fees can only be applied when a group has been designated a nonprofit organization under 501(c)(3) charitable organizations.

How to prove nonprofit status?

An applicant may show that it is a nonprofit organization by any of the following means:

- 1) Proof that the Internal Revenue Service currently recognizes the applicant as an organization to which contributions are tax deductible under section 501(c)(3) of the Internal Revenue Code;
- 2) A statement from a state taxing body or the State Attorney General certifying that:
 - a. The organization is a nonprofit organization operating within the state; and
 - b. No part of its net earnings may lawfully benefit any private shareholder or individual;
- 3) A certified copy of the applicant's certificate of incorporation or similar document if it clearly establishes the nonprofit status of the applicant; or
- 4) Any item described in items 1 through 3 of this section if that item applies to a state or national parent organization, together with a statement by the state or parent organization that the applicant is a local nonprofit affiliate.

(Authority: 20 U.S.C. 1221e-3 and 3474)

INTERNAL REVENUE SERVICE
P.O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:	Employer Identification Number:
	00-0000000
	DLN:
	000000000
Organization Name	Contact Person:
Address	Benjamin Franklin ID# 00000
City, State ZIP	Contact Telephone Number:
	(000) 000-0000
	Accounting Period Ending:
	December 31
	Public Charity Status:
	107(b)(1)(A)(vi)
	Form 990 Required:
	Yes
	Effective Date of Exemption:
	00/00/0000
	Contribution Deductibility:
	Yes
	Addendum Applies
	No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106, or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities for some helpful information about your responsibilities as an exempt organization.

Sincerely,

Mary Smith
Director, Exempt Organizations

SECTION 4 – INSURANCE REQUIREMENTS

CERTIFICATE OF INSURANCE AND ADDITIONAL INSURED ENDORSEMENT

The district requires proof of insurance from all individuals, organizations, and business that apply for the use of any district facility. Please provide your insurance company with a copy of this document showing the district's insurance requirements.

All applicants must provide the district with a Certificate of Liability Insurance for at least \$1,000,000 per occurrence, \$2,000,000 in aggregate, and a separate endorsement naming the district as an additional insured. The endorsement is a separate document, attached to the Certificate of Insurance, adding the district to your policy.

The Certificate Holder and Additional Insured should be listed as:

Cypress School District
5816 Corporate Avenue
Cypress, CA 90630

The following wording is required in the endorsement:

The Cypress School District, its Board of Trustees and its officers, agents, and employees shall be named an Additional Insured, by separate endorsement. Any insurance maintained by (insert name of organization, individual or vendor using the facility) shall be primary, and any insurance or self-insurance maintained by the district shall be excess and non-contributing.

If you are requesting the use of school fields for sports activities, you will also need to include:

City of Cypress
5275 Orange Avenue
Cypress, CA 90630

All insurance documents must be originals. The district will accept a fax as proof of insurance to expedite the approval of a request; however, an original must be received within five business days of acceptance of the fax.

Current insurance policies must be provided each year. Renewal is the responsibility of the group. If the expiration date of your policy occurs while your group is using the facility, send a current copy of the insurance with your application and follow up with the renewal when it is received by your group. The district will not accept certificates written after the date of the event.

ONE-TIME ONLY OR SHORT-TERM INSURANCE COVERAGE

The district's insurance carrier, Keenan & Associates offers a plan called "Tenant User Liability Insurance Program (TULIP)." This plan is offered to individuals (third parties) who will be holding their special events on a school campus.

Visit <http://www.keenan-tulip.bene-marc.com/>

You will be prompted to create a profile and guided through the website. Coverage is secured through payment with a major credit card.

Reproduction of ACCORD, Inc. Form

EXAMPLE OF CERTIFICATE OF LIABILITY INSURANCE						Date: (MM/DD/YYYY)	
The above notice confirms the provisions of the California Insurance Code, §384. Other states have similar provisions. It states that the policy, not the certificate governs coverage. The Additional Insured endorsement page MUST be attached to this Certificate.							
PRODUCER <i>Name of Insurance Company</i>				THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.			
COVERED PARTY <i>Applicant/Name of Organization applying for use of facility</i>				INSURER A INSURER B INSURER C		<i>The insurer will be identified here. The insurer letter appears again near the left margin under "Type of Coverage" to show which insurer provides which coverage</i>	
THIS IS TO CERTIFY THAT THE COVERED PARTY NAMED ABOVE IS PROVIDED WITH THE COVERAGES LISTED BELOW FOR THE PERIOD INDICATED NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE COVERAGE DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS, AND CONDITIONS OF SUCH COVERAGE. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS (This notice states that the policy supercedes the certificate form.)							
INS. LTR.	TYPE OF COVERAGE	POLICY NO	EFFECTIVE (MM/DD/YYYY)	EXPIRATION (MM/DD/YYYY)	LIMITS		
	GENERAL LIABILITY				EA OCCURRENCE	\$1,000,000	
	☒ COMMERCIAL GENERAL LIABILITY		These two columns show inception and expiration dates for policies identified. Pay special attention that coverage does not expire before and during your lease or event.		DAMAGE TO RENTED PREMISES (EA OCCUR)	\$1,000,000	
	☐ CLAIMS MADE ☐ OCCUR				MED EXP (ANY ONE PERSON)	\$	
	☒ WRONGFUL ACTS				PERSONAL & ADV INJURY	\$1,000,000	
	☒ ERRORS & OMISSIONS				GENERAL AGGREGATE	\$2,000,000	
	GENERAL AGGREGATE LIMIT APPLIES PER				PRODUCTS – COMP/OP AGG	\$	
	☐ POLICY ☐ PROJECT ☐ LOCATION						
	AUTOMOBILE LIABILITY				COMB SINGLE LIMIT (EA ACCIDENT)	\$	
	☐ ANY AUTO	The columns under "Type of Coverage" show what is provided through the Agent or Broker identified above. If the insured uses more than one Broker, this certificate will not identify all existing.			BODILY INJURY/PER INDIV	\$	
	☐ ALLOWED AUTOS				BODILY INJURY/PER ACCID	\$	
	☐ SCHEDULED AUTOS				PROPERTY DAMAGE	\$	
	☐ HIRED AUTOS						
	☐ NON-OWNED AUTOS						
	GARAGE LIABILITY				AUTO ONLY – EA ACCIDENT	\$	
	☐ ANY AUTO				OTHER THAN EA ACC	\$	
					AUTO ONLY AGGR	\$	
	EXCESS/UMBRELLA LIABILITY				EA OCCURRENCE	\$	
	☐ OCCUR ☐ CLAIMS MADE				AGGREGATE	\$	
						\$	
	☐ DEDUCTIBLE					\$	
	☐ RETENTION \$					\$	
	WORKERS' COMPENSATION AND EMPLOYERS LIABILITY				☐ WC STAT ☐ OTHER		
	Any Proprietor/Partnership/Executive Officer/Member Excluded? If yes, explain under Special Provisions				E.L. EACH ACCIDENT	\$	
					E.L. DISEASE – EA EMPL	\$	
					E.L. DISEASE – POLICY LIMIT	\$	
The above columns to the right identify limits per occurrence and aggregate for each type of coverage afforded.							
DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS <i>This section may be used to restrict coverage to a specific lease or event.</i>							
CERTIFICATE HOLDER Cypress School District 5816 Corporate Cypress, CA 90630				CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL _____ DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE (Signature) <i>The authorized representative of the insurer should be an employee, unless the agent or broker is specifically authorized to sign on behalf of the company.</i>			

POLICY NUMBER: XX-XXXXXXX

COMMERCIAL GENERAL LIABILITY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR
CONTRACTORS – (FORM B)

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART:

SCHEDULE

Name of Persons or Organization:

Cypress School District
5816 Corporate Avenue, Suite 100
Cypress, CA 90630

The Cypress School District, its Board and its officers, agents and employees shall be named as Additional Insured, by separate endorsement.

Any insurance maintained by (Name of Applicant/Organization) shall be primary and any insurance or self-insurance maintained by the District shall be excess and non-contributing.

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

WHO IS AN INSURED (Section II) is amended to include as an insured the person or organization shown in the Schedule, but only with respect to liability arising out of “your work” for that insured by and for you.

EXAMPLE

THE ENDORSEMENTS MUST BE SUBMITTED ON INSURANCE COMPANY FORMS

SECTION 5 – FEES & PAYMENT

FEES

Fees are determined by the group designation, venue requested, and district personnel required.

For school or district facility use other than fields, a custodian or other designated staff member must be on site during all activities. If staff is not regularly available (evenings, weekends, or holidays), staff time will be charged at the rates indicated on the Schedule of Fees. Staff coverage assignments will be the responsibility of the Maintenance/Operations department, if required.

Cypress School District reserves the right to collect fees prior to the anticipated use of facilities. All applicable fees will be stated on the approved *Application and Permit for Use of School or District Office Facilities* form, including custodial fees and other district personnel fees.

All costs associated with a scheduled event will be discussed with the applicant prior to approval of the application. In the event of long-term use or multiple dates and times, the district will provide a detailed list of expenses.

PAYMENT

Fees are due upon receipt of the approved application and must be paid to the district within ten (10) days of the event. Failure to pay an invoice will prevent the requested use or any future use of Cypress School District facilities. Payment of all fees shall be made to:

Cypress School District
Attention: Maintenance/Operations
5851 Newman St.
Cypress, CA 90630

The district will send past due notices for all unpaid invoices; however, thirty (30) days after notification of an unpaid invoice, the unpaid amount will be sent to an outside collection agency. Future use of facilities may be denied based on unpaid invoices.

CANCELLATIONS

Cancellation of the scheduled use of a school site must be provided in writing to the school principal no later than 48 hours prior to the scheduled use. If the school site is not in session, the written cancellation notice should be provided directly to the Maintenance/Operations department. Cancellation of the scheduled use of a district office facility must be provided in writing to the Maintenance/Operations department.

In the event a required cancellation notification is not made, any costs incurred by the district will be due and payable. An example of such a cost would be payment to a custodian for reporting to the school when s/he would not otherwise have had to do so. There is a 3-hour minimum charge required in accordance with the district's collective bargaining agreement.

CYPRESS SCHOOL DISTRICT USE OF FACILITIES SCHEDULE OF FEES

(All rates are hourly unless noted)

	GROUP A	GROUP B	GROUP C
	Nonprofit Student or School Groups	Nonprofit or Profit for Welfare of Pupils or Charity	Nonprofit or Profit Nonresident & Commercial
	No Fee during normal school hours Direct Costs for District Personnel After Hours/Weekends	Direct Costs Regardless of Time of Use	Fair Rental Regardless of Time of Use
FACILITY FEES			
Multipurpose Room Weekend/evening use requires custodian	\$0	\$74	\$129
Classroom (Regular) Weekend/evening use requires custodian	\$0	\$54	\$75
Parking Lot	\$0	\$77/day	\$142/day
Restrooms Requires custodian	\$0	\$23	\$40
Kitchen (Storage Only)	\$0	\$18	\$34
Kitchen (Full Use) Requires permission of Food Services and paid District personnel	\$0	\$44	\$98
Fields/Grass Areas Weekend/evening use requires custodian	\$0	\$42	\$84
Education Center (District Office)	\$0	\$73	\$131
Filming Companies			
Set-Up (Prep)			\$1,704/day
Filming			\$3,395/day
Take-Down (Strike)			\$1,704/day
Parking Lot			\$500/day
PERSONNEL COSTS			
Custodial	\$50	\$50	\$50
Audio Visual Tech (Support)	\$44	\$44	\$44
Food Service Personnel	\$44	\$44	\$44

Fees may be adjusted to reflect actual direct costs of operation of Cypress School District including increases in the cost of utilities. All groups are subject to custodial services at Cypress School District's discretion.

SECTION 6 – CONTACT INFORMATION

Rental/Date Availability	School Sites: Administrative Assistant/Principal District Office: Secretary, Maintenance/Operations Fields: Cypress Recreation & Community Services	School Office (714) 220-6952 (714) 229-6675
Insurance Questions	Secretary, Maintenance/Operations	(714) 220-6952
Nonprofit Documentation	Secretary, Maintenance/Operations	(714) 220-6952
Fees	Director, Maintenance/Operations Secretary, Maintenance/Operations	(714) 220-6951 (714) 220-6952
Invoicing	Secretary, Maintenance/Operations Business Services	(714) 220-6952 (714) 220-6940

SCHOOL SITES		
Arnold	9281 Denni Street Cypress, CA 90630	P (714) 220-6965 F (714) 220-6968
King	8710 Moody Street Cypress, CA 90630	P (714) 220-6980 F (714) 200-6983
Landell	9739 Denni Street Cypress, CA 90630	P (714) 220-6960 F (714) 220-7720
Luther	4631 La Palma Avenue La Palma, CA 90623	P (714) 220-6918 F (714) 229-7738
Morris	9952 Graham Street Cypress, CA 90630	P (714) 220-6995 F (714) 821-9412
Vessels	5900 Cathy Avenue Cypress, CA 90630	P (714) 220-6990 F (714) 220-6993
CLOSED SCHOOL SITES		
Cawthon	4545 Myra Avenue Cypress, CA 90630	<i>Requests for use of these closed school sites should be submitted to Maintenance/Operations</i>
Damron	5400 Myra Avenue Cypress, CA 90630	
Swain	5851 Newman Street Cypress, CA 90630	
DISTRICT OFFICE		
Maintenance/Operations, Transportation, and Technology	5851 Newman Street Cypress, CA 90630	P (714) 220-6952
Business Services	5816 Corporate Avenue Cypress, CA 90630	P (714) 220-6940 F (714) 828-4821
CITY OF CYPRESS		
Cypress Recreation & Community Services	5700 Orange Avenue Cypress, CA 90630	P (714) 229-6780 F (714) 229-6798