

**NEWPORT-MESA UNIFIED SCHOOL DISTRICT  
RULE AND REGULATION**

**USE OF SCHOOL FACILITIES UNDER THE CIVIC CENTER ACT**

**INTRODUCTION**

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 or public interest. The Board of Education may also establish such terms and condition 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 schools are more and more becoming centers where both children and adults may learn and where community groups may meet to serve common needs. It is important that definite rules and regulations be formulated to implement adopted policies relating to the use of school facilities under the Civic Center laws.

These rules and regulations define which groups are eligible to use the school facilities, outline the application procedure, set forth the conditions for use of specific areas, and establish a table of charges for such use. The rules will be defined within the district's administrative regulations.

The fee schedule will be increased on an annual basis by the CPI for the Orange County/Los Angeles area. The fee schedule will be brought back to the Board for review at least every three years.

1. Application Procedure: All facility use outside the normal school day must have approved permits, including school activities. No exceptions.
  - .1 An application for use of facilities may be obtained at any school site, or at the Newport-Mesa Unified School District, Facilities, Maintenance and Operations office, located at 2985 Bear Street, Building E, Costa Mesa, CA 92626.
  - .2 Each site requested requires a separate permit, though multiple dates at a single site may be listed on the same permit. If multiple rooms at a site are requested for multiple dates and/or times, please indicate which rooms correspond to which dates and/or times (example: three dates requested, with use of library on first date, and MPR on other two dates).
  - .3 Please read entire application before submitting.
  - .4 Applications are to be filled out completely. Incomplete applications will be returned.
  - .5 Application times must include set up and clean up time (minimum 15 minutes on each side).
  - .6 Applications by outside groups must be submitted not later than 21 days prior to event, and no earlier than 180 days prior.

- .7 An application is not valid without authorizing signatures from District officials.
- .8 An application is non-transferable to other user groups.
- .9 The user must keep an approved copy of the application available at all times during the event, and it must be presented if requested by a school official.
- .10 Due to the needs of school athletic programs, outside user groups may apply for athletic facilities (gyms, pools, fields) use no earlier than 180 day prior to their season. Outside users may be displaced due to changes in school program calendars.
- .11 Priority of Use – In the priority of use categories below, youth activities conducted for NMUSD students will have preference over adult activities.
  - Regular school programs, including Summer school activities.
  - City-sponsored and/or school-connected youth programs
  - Other local youth activities.
  - City adult programs
  - Other adult programs

## 2. Insurance

- .1 All non-school related applications are subject to Certificate of Liability Insurance and signed endorsement requirements.
- .2 Certificate of Liability Insurance must be in the amount of \$1 million property damage and \$1 million bodily injury. The district at its discretion may require a high level of insurance for some activities.
- .3 On the Certificate, under the *Description of Operations / Locations / Vehicles / Special Items*, the location, the date(s) and the type of activity must be listed.
- .4 A special endorsement from the insurance carrier listing Newport-Mesa Unified School District as additionally insured must be attached to the Certificate of Liability Insurance. This endorsement is a separate page. Listing Newport-Mesa Unified School District at the bottom of the Certificate of Liability Insurance is not sufficient.
- .5 A Hold Harmless Agreement may be requested if the nature of the event requires it.
- .6 All outside companies providing services for a user group must adhere to the same insurance requirements.

## 3. Non-Profit Status – 501(c) 3

- .1 All groups claiming non-profit **501(c) 3** status must be registered with the State of California.

- .2 Paperwork indicating such status must be on file in the Facilities, Maintenance and Operations office.
- .3 Documents must be filed annually if the group has ongoing use.
4. User Groups: User groups fall into four basic categories, and are as follows:
  - .1 School Groups & School Support Groups:
    - a) School Groups or School Support Groups organized to promote NMUSD youth and activities. May include, but is not limited to PTA, PFO, school board associations, school employee associations, school affiliated sports groups (CIF & site clubs), professional educational associations, school advisory councils, Camp Fire Girls, Girl and Boy Scouts, and/or public agencies.
    - b) School Support Groups whose fundraising efforts are directly beneficial to youth or NMUSD activities, such as school athletic or performing arts booster groups.
      - Applications must be submitted and approved for the event prior to use.
      - The District provides insurance for school events, unless the event requires outside service. The outside service must provide the District with their own Certificate of Insurance prior to the event. Youth groups must provide their own insurance as well.
      - No fees will be assessed for use of buildings, although time before or after normal working hours, weekends and holidays may require a custodial fee. Any damage to the property or excessive trash clean up will be billed to the user group.
  - .2 Non-Profit and Community based groups which do not use their proceeds for the benefit of NMUSD students.
    - a) May include, but is not limited to, senior citizens' organizations, other public entities such as Water District and Coastline Community College and enrichment courses for which fees are charged.
      - Applications must be submitted for the event prior to use.
      - Group must have proper insurance on file with the District
      - Fees will be assessed for facility usage. Custodial fees may be charged for time before or after normal working hours, weekends and holidays. Any damage to the property or excessive trash clean up will be billed to the user group.

- .3 For-Profit groups that support the District mission statement but include open enrollment to all students in or out of the District.
- a) Youth programs whether they are 501(c)3 or not, must have at least 70% of participants reside within the District boundaries. Rosters with names, addresses and phone numbers must be submitted with applications.
  - b) For profit organizations which charge fees and do not expend their proceeds for the benefit of NMUSD students i.e. Club Sports and Science Club.
  - c) May include, but not limited to, homeowners associations, for-profit organizations, or other restricted uses not open to the general public, and religious services.
    - Applications must be submitted and approved for the event prior to use.
    - Group must have proper Certificate of Insurance on file with the District.
    - Fees will be assessed for facility usage. Custodial fees may be charged for time before or after normal working hours, weekends and holidays. Any damage to the property or excessive trash clean up will be billed to the user group.
- .4 For-Profit Groups - All groups that do not fall in categories above.

- a) Adult programs whether they are 501(c)3 or not, must have at least 70% of participants reside within the District boundaries. Rosters with names, addresses and phone numbers must be submitted with applications. All other adult program's fees shall be based on the For Profit fee schedule.
  - Applications must be submitted and approved for the event prior to use.
  - Group must have proper Certificate of Insurance on file with the District.
  - Fees will be assessed for facility usage. Custodial fees may be charged for time before or after normal working hours, weekends and holidays. Any damage to the property or excessive trash clean up will be billed to the user group.

5. General Guidelines for Facilities Use - Including facilities that fall under the Joint Usage Agreement between the cities of Costa Mesa and Newport Beach, the following rules / requirements shall apply.
  - .1 See specific sections for more information.
  - .2 School events have priority. Site specific Joint Use Agreements may alter priority assignments, specifically at the pools.
  - .3 Facilities will be closed on District holidays unless other arrangements have been made with the Facilities office. Groups using facilities during holidays will be billed for custodial charges and any other fees as appropriate.
  - .4 With the exception of pools, gyms, fields, and theaters, use is limited to between the hours of 8:00 a.m. and 10:00 p.m. Sunday through Thursday, and 9:00 a.m. to 11:00 p.m. Friday and Saturday. Special requests for extended time must be submitted in writing, and will be considered on a case by case basis.
  - .5 User groups are not permitted to enter the facilities before their start time, and may not remain in the facilities past their end time.
  - .6 California Vehicle Codes are enforced at all times. Dangerous driving or parking which blocks staff or restricts emergency access will result in a revoked permit.
  - .7 Parking is restricted to designated areas. Parking is not permitted on the blacktop playgrounds, fields, or other areas. Vehicles may be cited for infringements.
  - .8 Alcohol, tobacco, firearms, fireworks, hay and animals are not permitted on District property at any time.
  - .9 User groups are responsible for placing trash into their proper receptacles. Clean up of excessive trash left behind will be billed to the user groups.
  - .10 Invoices are due and payable before the event. Future use is contingent upon prompt payment.
  - .11 Facilities are to be left in the same condition as they were found. Please place chairs and tables in their original configurations.
  - .12 Facilities shall not be used for purposes of advancing any doctrine or theory subversive under the Constitution of the United States.
  - .13 No gambling of any kind shall be conducted on, or in, District facilities.

- .14 In accordance with the District's Civility Policy #7325, user groups shall ensure that no profane language or other disorderly or unseemly conduct is allowed.
  - .15 Fees are charged for a three hour minimum.
  - .16 Failure to comply by rules and regulations may result in suspension of use of privileges for up to a maximum of one (1) year.
  - .17 Any repairs required due to damage caused during facilities use will be billed to the user group and the group may be suspended from future use of facilities.
  - .18 Outside user groups may not be on school premises at any time during school hours.
  - .19 If a school site is hosting a tournament, play, etc., from outside user groups, the school site will be responsible for all costs incurred.
  - .20 City, State and Federal laws will be enforced on District property.
6. Building Use Requirements / Rules - Including facilities that fall under the Joint Usage Agreement with the cities of Costa Mesa and Newport Beach, the following requirements / rules apply.
- .1 Rooms are to be left in the same condition as they were found. Please place tables and chairs in their original configurations.
  - .2 Please turn off all lights and equipment used.
  - .3 Please remove any and all decorations put up during use.
  - .4 Any repairs required due to damage caused during facilities use will be billed to the user group and the group may be suspended from future use of facilities.
  - .5 Use of kitchens requires staff from Nutrition Services to be present. Outside caterers may not use cafeterias or kitchens, or any of the equipment for the serving of meals to groups. Accordingly, user is responsible for payment of fees for services rendered.
  - .6 The following buildings are not available for use by outside groups: computer labs, administration building, science buildings, dark rooms, home economics rooms and industrial arts. Use of computers in classrooms is prohibited as well.
  - .7 Building use at Estancia High School carries a higher charge due to the design of the air conditioning system.

- .8 Groups using the auditoriums or stages may not disturb, move, or change any of the existing equipment except with the permission of the school administrator or the Facilities office and must be done under the supervision of the appointed school custodian who is in charge of the facility.
  - .9 Please contact the Facilities, Maintenance and Operations office for any requests for site alterations or improvements.
  - .10 Custodial fees may be charged for the entire time that a user group is occupying a building.
7. Field Use Requirements / Rules – Including facilities that fall under the Joint Usage Agreement with the cities of Costa Mesa and Newport Beach, the following requirements / rules apply.
- .1 School events have priority.
  - .2 Do not attempt to manually bleed sprinkler lines or adjust the watering schedule. Any broken pipes or sprinkler heads caused by a user group will be billed to the user.
  - .3 Burning lines into the fields are not permitted.
  - .4 Please indicate how fields will be utilized, including dimension and number of areas to be used.
  - .5 Playing on wet fields is not permitted. User groups will be billed for any damage to fields. Please contact the mudlines for the cities of Costa Mesa (714) 424-5041 and Newport Beach (949) 644-3211 x 1758.
  - .6 Spraying of pesticides is not permitted. If pest problems are present, please notify the Facilities, Maintenance and Operations office at 714) 424-7530.
  - .7 Please notify the district immediately of any hazardous conditions found on the fields 714) 424-7530.
  - .8 Placement and delivery of trash bins and portable toilets must be coordinated with the District.
  - .9 Use that exceeds one hour requires that restrooms be opened, unless prior arrangements have been made for the placement of a portable toilet. Do not use fields as restrooms.
  - .10 Field closures will be scheduled by the district; user groups must schedule activities accordingly.
  - .11 At the conclusion of games, practices, and activities, user groups must leave quickly, quietly and leave the facility clean and clear of debris.

- .12 Two activities may not occur at the same facility unless separate fields are available.
  - .13 No permanent structures may be erected or assembled on the fields.
  - .14 Elementary aged youth activities may not occur in the same areas as middle and high school aged youth activities.
  - .15 Amplified sound is not permitted.
  - .16 Portable lights are not permitted.
  - .17 Metal cleats are not permitted
  - .18 Please contact the Facilities Office at 714-424-7530, or visit the Maintenance and Operations section of the NMUSD website ([www.nmusd.us](http://www.nmusd.us)) with any requests for site alterations or improvements, such a fences, dugouts, etc.
8. Pool Use Requirements / Rules
- .1 Please observe all rules and regulations posted inside the pool area.
  - .2 The district does not provide lifeguards; it is the responsibility of the user group to obtain a certified lifeguard.
  - .3 Glass is not allowed within the pool area at any time.
9. Youth Sports Group Requirements / Rules
- .1 School events have priority. In-season, non-school team sports have secondary priority.
  - .2 Youth sports groups must abide by the facility and field use requirements.
  - .3 Youth sports groups must provide a game schedule at the beginning of their season.
  - .4 Youth sports must have adult supervision at all times.
  - .5 Coaches may not receive pay through participant fees.
10. Loss of Facilities Use Privileges – Users shall be assessed penalties by the permitting agency. Facility users permitted by a City under a Joint Use Agreement will be subject to the individual City’s penalty process.
- .1 Infractions of the rules may result in loss of use of school facilities.
  - .2 Loss of privileges may result in a loss of an individual use or loss of use privileges for up to one year.

- .3 If an individual applied for the use of facilities for an organization the loss of use is for the entire organization not the individual that applied for the use.
- .4 If a user has been notified by the district of loss of facilities use privileges, they may appeal the decision through the following appeal process:
- a) Notify the Facilities, Maintenance, and Operations Office in writing of the users desire to have a hearing held on their behalf. Include copies of all pertinent documents about the facilities use and the letter indicating the loss of facilities use. Request should be submitted within thirty days of the user's notification of loss of use.
  - b) The hearing panel will consist of the following district staff: Director of Maintenance and Operations or designee, Director of Student Services or designee, and Principal of the school site where the use occurred or their designee.

FMO shared.Permit Folder.7410 FINAL Rule & Reg Fac Use Requirements  
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