

Community Relations

Use Of School Facilities

The Board of Education believes that school facilities and grounds are a vital community resource which should be used to foster community involvement and development. Therefore, the Board authorizes the use of school facilities by district residents and community groups for purposes specified in the Civic Center Act to the extent that such use does not interfere with school activities or other school-related uses.

(cf. 6145.5 - Student Organizations and Equal Access)

School-related activities shall have priority in the use of school facilities and grounds. Other uses authorized under the Civic Center Act shall be on a first-come, first-served basis after the application has been submitted and approved.

As necessary to ensure efficient use of school facilities, the Superintendent or designee may, with the Board's approval, enter into a partnership agreement for the joint use of any school facilities or grounds. The Board shall approve any such agreement only if it determines that the group shares the District's educational mission and the agreement is in the best interest of the students, the district, and the community.

(cf. 1330.1 - Joint Use Agreements)

The Superintendent or designee may grant the use of school facilities on those days on which the school is closed. (Education Code 37220)

(cf. 6115 - Ceremonies and Observances)

For the effective management, safety and control of school facilities and grounds, the Superintendent or designee shall maintain procedures and regulations that: (Education Code 38133)

1. Aid, encourage and assist groups desiring to use school facilities for approved activities.
2. Preserve order in school buildings and on school grounds and protect school facilities, designating a person to supervise this task, if necessary.

(cf. 0450 - Comprehensive School Safety Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

3. Ensure that the use of school facilities or grounds is not inconsistent with their use for school purposes and does not interfere with the regular conduct of school work.

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There shall be no advertising on school facilities and grounds except as allowed by district policy specified in BP 1325 - Advertising and Promotion.

(cf. 1325 - Advertising and Promotion)

The Board of Education reserves the right to refuse to permit the use of its equipment or the services of District employees for reasons based upon the needs of the District.

## Fees

The Board shall grant the use of school facilities or grounds without charge to school-related organizations whose activities are directly related to or for the benefit of district schools. All other groups requesting the use of school facilities under the Civic Center Act shall be charged an amount not to exceed direct costs (see Exhibit 1330 – Class II and III). However, if the use of school facilities or grounds is for religious services, the group shall be charged an amount that equals or exceeds direct costs determined in accordance with Education Code 38134.

*The Board believes that the use of school facilities or grounds outside of Class I uses should not result in costs to the district. Therefore, all groups, including school-related organizations requesting the use of school facilities or grounds will be charged for district personnel required to work during the approved facility use.*

In determining direct costs to be charged for community use of school facilities or grounds, including, but not limited to, playing or athletic fields, track and field venues, tennis courts, and outdoor basketball courts, the Superintendent or designee shall include a proportionate share of the costs of the following: (Education Code 38134)

1. Supplies, utilities, janitorial services, other services of district employees, and salaries of district employees directly associated with operation and maintenance of the school facilities or grounds involved
2. Maintenance, repair, restoration, and refurbishment of the school facilities or grounds

However, for classroom-based programs that operate after school hours, including, but not limited to, after-school, tutoring, and child care programs, direct costs to be charged shall not include the cost of maintenance, repair, restoration, or refurbishment of the school facilities or grounds. (Education Code 38134)

(cf. 5148 - Child Care and Development) (cf. 5148.2 - Before/After School Programs)

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Groups shall be charged fair rental value when using school facilities or grounds for entertainment or meetings where admission is charged or contributions solicited and net receipts are not to be expended for charitable purposes or for the welfare of the district's students – see Class III on Exhibit 1330. "Fair Rental Value" means the direct costs to the District, plus the amortized costs of the school facilities or grounds used for the duration of the activity authorized. (Education Code 38134)

A schedule of fees for the use of school facilities shall be established by action of the Board of Education (See Exhibit 1330). The schedule of fees is subject to change at the discretion of the Board. Fees may be changed administratively to reflect substantial increases imposed by utility companies or other significant increases.

A \$20.00 non-refundable facility use processing fee shall be assessed for all Direct Cost and Fair Rental facility use applications. A \$10.00 non-refundable facility use processing fee shall be assessed for facility use applications to hang banners on district fence lines.

Legal Reference:Education Code

10900-10914.5	Community recreation programs
32282	School safety plan
37220	School holidays
38130-38138	Civic Center Act, use of school property for public purposes

Business and Professions Code

25608 Alcoholic beverage on school premises

Military and Veterans Code

Definitions

United States Code, Title 20

Equal access to public school facilities

Court Decisions

Good News Club v. Milford Central School, (2001) 533 U.S. 98

Lamb's Chapel v. Center Moriches Union Free School District, (1993) 508 U.S. 384

Cole v. Richardson, (1972) 405 U.S. 676

Connell v. Higgenbotham, (1971) 403 U.S. 207

ACLU v. Board of Education, (1945) 27 Cal.2d 322

Ellis v. Board of Education, (1945) 27 Cal.2d 322

Attorney General Opinions

82 Ops.Cal.Atty.Gen. 90 (1999)

79 Ops.Cal.Atty.Gen. 248 (1996)

Lompoc Unified School District

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