

**USE OF SCHOOL FACILITIES**

The Board of Trustees recognizes that district facilities and grounds are a community resource whose primary purpose is to be used for school programs and activities. The Board authorizes their use by community groups for purposes provided for in the Civic Center Act when such use does not interfere with school activities.

All school-related activities shall be given priority in the use of facilities and grounds under the Civic Center Act.

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

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

The Board authorizes the use of school facilities or grounds without charge by nonprofit organizations, clubs, or associations organized to promote youth and school activities provided such organizations do not charge any fees to participants. Such use shall not result in any additional expense to the district. In accordance with Education Code 38134(a), these groups include, but are not limited to, Girl Scouts, Boy Scouts, Camp Fire, Inc., parent-teacher associations, and school-community advisory councils. Other groups, including nonprofit groups not organized to promote youth and school activities, nonprofit groups organized to promote youth and school activities and who charge participation fees, and for-profit groups, shall be charged at least direct costs.

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. Fair rental value are fees assessed to organizations which consist of direct costs plus the amortized costs of the school facilities or grounds used for the duration of the activity authorized.

## USE OF SCHOOL FACILITIES (continued)

*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

1800 *Definitions*

UNITED STATES CODE, TITLE 20

7905 *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 of Los Angeles*, (1961) 55 Cal.2d 167

*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)