

Regulation 1330 Use of School Facilities

Status: ADOPTED

Original Adopted Date: 10/1993

Last Revised Date: 05/15/2024

Application for Use of Facilities

Any person applying for the use of any school facilities or grounds on behalf of any society, group, or organization shall present written authorization from the group or organization to make the application.

Anyone applying to use school facilities shall do so as specified in district procedures and in accordance with law.

Civic Center Use

Subject to district policies and regulations, school facilities and grounds shall be available to citizens and community groups as a civic center for the following purposes: (Education Code 32282, 38131, 51860)

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
4. Child 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 youth that are arranged for and supervised by entities, including religious organizations or churches, and in which youth may participate regardless of religious belief or denomination
7. A community youth center
8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

9. A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization

A **veterans' organization** means the American Legion, Veterans of Foreign Wars, Disabled American Veterans, United Spanish War Veterans, Grand Army of the Republic, or other duly recognized organization of honorably discharged soldiers, sailors, or marines of the United States, or any of their territories. (Military and Veterans Code 1800)

10. Bicycle, scooter, electric bicycle, motorized bicycle, or motorized scooter safety instruction for district students by local law enforcement, public agencies, nonprofit associations, or organizations specified in Education Code 38134
11. Other purposes deemed appropriate by the Governing Board

Restrictions

School facilities or grounds shall not be used for any of the following activities:

1. Any use by an individual or group for the commission of any crime or any act prohibited by law
2. Any use which is inconsistent with the use of school facilities for school purposes or which interferes with the regular conduct of school or school work.
3. Any use which involves the possession, consumption, or sale of drugs or any restricted substances, including tobacco.
4. Any use which involves the possession, consumption, or sale of alcoholic beverages, except for special events approved by the Superintendent or designee pursuant to Business and Professions Code 25608 which are covered by a special event permit pursuant to Division 9 of the Business and Professions Code and which will occur at a time when students are not on the grounds. Any such use of school facilities shall be subject to any limitations that may be necessary to reduce risks to the district and ensure the safety of participants, as determined by the Superintendent or designee. Applicable limitations shall be clearly stated in the facility use agreement to be signed by the user's representative.

The district may exclude certain school facilities from nonschool use for safety or security reasons.

Damage and Liability

Groups, organizations, or persons using school facilities or grounds shall be liable for any property damage caused by the activity. The district may charge the amount necessary to repair the damages and may deny the group further use of school facilities or grounds. (Education Code 38134)

Any group or organization using school facilities or grounds shall be liable for any injuries resulting from its negligence during the use of district facilities or grounds. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk. (Education Code 38134)

Groups or organizations shall provide the district with evidence of insurance against claims arising out of the group's own negligence when using school facilities. (Education Code 38134)

When permitted by law, the Superintendent or designee shall require a hold harmless agreement and indemnification when warranted by the type of activity or the specific facilities being used.

10/93
06/97
11/12/97
08/12/98
02/98
03/04
11/06
05/09/07
08/13
10/10/18

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

5 CCR 14037-14042

Bus. Code 25608

Ed. Code 10900-10914.5

Ed. Code 32280-32289.5

Ed. Code 37220

Ed. Code 38130-38138

Ed. Code 51860

Elec. Code 12283

Gov. Code 54950-54963

M&V Code 1800

Federal

20 USC 7905

40 CFR 141.1-141.723

Management Resources

Attorney General Opinion

Attorney General Opinion

Court Decision

Court Decision

Description

Proportionate direct costs for use of school facilities and grounds

[Alcohol on school property; use in connection with instruction](#)

[Community recreation programs](#)

[School safety plans](#)

[School holidays](#)

[Civic Center Act; use of school property for public purposes](#)

[Time and facilities for bicycle and scooter safety instruction](#)

[Polling places: schools](#)

[The Ralph M. Brown Act](#)

[Definitions](#)

Description

Equal access to public school facilities

Drinking water standards

Description

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

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

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

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

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| Court Decision | Lamb's Chapel v. Center Moriches Union Free School District, (1993) 508 U.S. 384 |
| Court Decision | ACLU v. Board of Education of Los Angeles (1961) 55 Cal .2d 167 |
| Court Decision | Cole v. Richardson, (1972) 405 U.S. 676 |
| Court Decision | Connell v. Higgenbotham, (1971) 403 U.S. 207 |
| CSBA Publication | Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009 |
| CSBA Publication | Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010 |
| Website | CSBA District and County Office of Education Legal Services |
| Website | California Department of Education |
| Website | CSBA |

Cross References

| Code | Description |
|---------|---|
| 0410 | Nondiscrimination In District Programs And Activities |
| 0450 | Comprehensive Safety Plan |
| 0450 | Comprehensive Safety Plan |
| 0470 | COVID-19 Mitigation Plan |
| 1000 | Concepts And Roles |
| 1160 | Political Processes |
| 1230 | School-Connected Organizations |
| 1230 | School-Connected Organizations |
| 1325 | Advertising And Promotion |
| 1330.1 | Joint Use Agreements |
| 1400 | Relations Between Other Governmental Agencies And The Schools |
| 3280 | Sale Or Lease Of District-Owned Real Property |
| 3280 | Sale Or Lease Of District-Owned Real Property |
| 3513.3 | Tobacco-Free Schools |
| 3513.3 | Tobacco-Free Schools |
| 3513.4 | Drug And Alcohol Free Schools |
| 3515.2 | Disruptions |
| 3515.2 | Disruptions |
| 3515.21 | Unmanned Aircraft Systems (Drones) |
| 3516 | Emergencies And Disaster Preparedness Plan |
| 3516 | Emergencies And Disaster Preparedness Plan |
| 3530 | Risk Management/Insurance |
| 3530 | Risk Management/Insurance |
| 4119.25 | Political Activities Of Employees |
| 4119.25 | Political Activities Of Employees |
| 4219.25 | Political Activities Of Employees |
| 4219.25 | Political Activities Of Employees |
| 4319.25 | Political Activities Of Employees |
| 4319.25 | Political Activities Of Employees |
| 5148 | Child Care And Development |
| 5148 | Child Care And Development |
| 5148.2 | Before/After School Programs |
| 5148.2 | Before/After School Programs |
| 5148.3 | Preschool/Early Childhood Education |
| 5148.3 | Preschool/Early Childhood Education |
| 6111 | School Calendar |
| 6115 | Ceremonies And Observances |

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| 6115 | Ceremonies And Observances |
| 6141.2 | Recognition Of Religious Beliefs And Customs |
| 6141.2 | Recognition Of Religious Beliefs And Customs |
| 6145 | Extracurricular And Cocurricular Activities |
| 6145 | Extracurricular And Cocurricular Activities |
| 6145.5 | Student Organizations And Equal Access |
| 6145.5 | Student Organizations And Equal Access |
| 7160 | Charter School Facilities |
| 7160 | Charter School Facilities |
| 9320 | Meetings And Notices |