

Community Relations

USE OF SCHOOL FACILITIES

The Governing Board recognizes that district facilities and grounds are a community resource whose primary purpose is to serve the students and schools of the Westminster School District. The Governing Board assigns the responsibility to manage, direct and control the use of its facilities and grounds to the Superintendent, or designee. The Board authorizes the use of District facilities and/or grounds by the community for purposes provided for in the Civic Center Act, recognizing the vital link between schools and the community when such use does not interfere with the educational purposes of the District, the individual school instructional programs and activities, or other school-related uses.

All school related activities shall be given priority in the use of District facilities and grounds under the Civic Center Act. Thereafter, the use of facilities and grounds shall be on a first-come, first-served basis subject to the approval of the Superintendent or designee. The Superintendent or designee shall follow these guidelines for use of District facilities and/or grounds:

1. Aid, encourage, and assist groups desiring to use District facilities and/or grounds for approved activities authorized under the Civic Center Act which are aligned to the normal purpose, design and function of the facility and/or grounds and designating a person to supervise this task, if necessary.
2. Preserve order in District facilities and on District grounds and protect such facilities and/or grounds.
3. Ensure that the use of District facilities and/or grounds is not inconsistent with their use for educational purposes and does not interfere with the regular conduct of instructional programs at the schools.
4. Determine if activities or events that are normally regulated and/or required to comply with guidelines, rules, regulations and directives of agencies such as the Fire Authority, California Occupational Health and Safety Organization (CalOHSA), or other local law enforcement agencies align to the educational purpose of the District Facility and/or grounds.
5. Ensure that activities/events do not exceed the normal capacity of the facility, parking areas or grounds or create health and safety concerns.
6. Prohibit the use of alcohol and tobacco, in, on, or around District facilities or grounds.
7. Ensure there are no advertising on District facilities and grounds except as allowed by district policy.

The Board shall grant the use of District facilities or grounds without charge to school-related organizations whose activities are directly related to or directly benefit District schools and students.

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The Board believes that District facilities and grounds provide an important link between the District and community. It also believes that the use of facilities should not result in additional costs to the District. The Board has adopted a comprehensive schedule of fees to be charged for community use of District facilities and grounds. Such individuals or groups requesting the use of District facilities and grounds under the Civic Center Act shall be charged an amount not exceeding direct costs as set forth in the fee schedule. Additionally, when any use of District facilities or grounds is for religious services, the district shall charge an amount at least equal to the district's direct costs. Direct cost fees shall not be discounted to any group or organization except when the discount is specifically authorized in the adopted fee schedule. Groups shall be charged fair rental value, as defined in the Civic Center Act when using District facilities or grounds for entertainment or meetings where admission fees are charged or contributions are solicited and the net receipts are not expended for the welfare of the District's students or for charitable purposes.

Any funds collected as capital direct costs shall be deposited into a special fund to be used only for capital maintenance, repair, restoration, and refurbishment of school facilities and grounds.

Legal Reference:

EDUCATION CODE

10900-10914.5 Community recreation programs

32282 School safety plan

38130-38139 Civic Center Act: use of school property for public purposes

BUSINESS AND PROFESSIONS CODE

25608 Alcoholic beverage on school premises

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act

MILITARY AND VETERANS CODE

1800 Definitions

CODE OF REGULATIONS, TITLE 5

14037-14042 Proportionate direct costs for use of school facilities and grounds

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)

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Policy Adopted: August 17, 1995
Revised: September 6, 2001
Revised: August 13, 2009
Revised: April 16, 2015
Revised: September 8, 2016

WESTMINSTER SCHOOL DISTRICT
Westminster, California