

**PUBLIC USE OF DISTRICT 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 the use of school facilities and grounds by community groups for purposes provided for in the Civic Center Act when such use does not interfere with school activities.

All school-sponsored programs and activities (clubs, class events, athletics, etc.) shall be given priority in the use of facilities or grounds under the Civic Center Act. Thereafter, the use of facilities or grounds shall be available to community groups, organizations, and citizens.

The Board shall grant the use of school facilities or grounds without charge to school-sponsored organizations whose activities are directly related to or for the benefit of district schools. School-sponsored activities are those that are organized/advised and supervised by District staff who are being paid by the District for organizing/advising and supervising the activity. Activities sponsored by groups and organizations other than the District are considered to be outside activities, even if the organizer is employed by the District in another capacity.

The Board believes that the use of school facilities or grounds by community groups and organizations should not result in costs to the District. Community groups requesting the use of school facilities or grounds under the Civic Center Act shall be charged at least direct costs. In lieu of direct-cost use, the District may enter into a written agreement with local public agencies or non-profit organizations on a reciprocal basis.

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.

The Superintendent shall develop regulations to ensure facility use is granted according to this and other applicable Board Policies.

**LEGAL REFERENCES****EDUCATION CODE**

10900 - 10914.5      Community Recreation Programs  
38130 - 38138      Civic Center Act: use of school property for public purposes

**COURT DECISIONS**

Lamb's Chapel v. Center Moriches Union Free School District, (1993) 113 S.Ct. 2141  
Cole v. Richardson, (1972) 405 U.S. 676, 92 S.Ct. 1332  
Connell v. Higgenbotham, (1971) 403 U.S. 207, 91 S.Ct. 1772  
ACLU of So. Calif. v. Board of Education of San Diego, (1963) 59 Cal .2d 224  
ACLU of So. Calif. v. Board of Education of Los Angeles, (1963) 59 Cal .2d 203  
ACLU of So. Calif. v. Board of Education of San Diego, (1961) 55 Cal .2d 906  
ACLU of So. Calif. v. Board of Education of Los Angeles, (1961) 55 Cal .2d 167

**ATTORNEY GENERAL OPINIONS**

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

## MANAGEMENT RESOURCES

### CDE LEGAL ADVISORIES

School District Liability and "Hold Harmless" Agreements, LO: 4-89