

**USE OF SCHOOL FACILITIES**

The Governing Board recognizes that district facilities and grounds are a community resource and authorizes their use by community groups for purposes provided for in the Civic Center Act when such use does not interfere with school activities.

*(cf. 6145.5 - Student Organizations and Equal Access)*

All school-related activities shall be given priority in the use of facilities and grounds under the Civic Center Act. Thereafter, the use shall be on a first-come, first-served basis.

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

**Fees**

The Board believes that the use of school facilities or grounds should not result in costs to the district. The Board shall charge at least direct costs to all groups granted facility use under the Civic Center Act.

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. 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 or for-profit groups that request the use of school facilities under the Civic Center Act, shall be charged at least direct costs.

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. Other groups requesting the use of school facilities under the Civic Center Act shall be charged at least direct costs.

## **USE OF SCHOOL FACILITIES (Continued)**

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. (Education Code 38134)

*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)*

*Management Resources:*

*CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES*

*1101.89 School District Liability and "Hold Harmless" Agreements, LO: 4-89*

*WEB SITES*

*CSBA: <http://www.csba.org>*

*California Department of Education: <http://www.cde.ca.gov>*

Policy  
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**VACAVILLE UNIFIED SCHOOL DISTRICT**  
Vacaville, California