

Community Relations

USE OF DISTRICT 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 or District activities.

(cf. 6145.5 - Organizations/Associations)

Every public school facility in this District is a civic center, and the Governing Board shall make each such facility available to qualifying organizations, subject to such regulations as the Board may determine. It is the intention of the Board that the District shall comply with the intent, requirements, limitations, and restrictions of the Civic Center Act. All school- and District-related activities shall be given priority in the use of facilities and grounds under the Civic Center Act. Thereafter, use shall be on a first-come, first-served basis. The District will assess fees for use of facilities pursuant to the requirements of the Education Code.

The Superintendent/designee shall maintain procedures and regulations for the use of District facilities and grounds that: (Education Code 38133)

1. Aid, encourage, and assist groups desiring to use District facilities for approved activities.
2. Preserve order in District buildings and on District grounds and protect District facilities, designating a person to supervise this task if necessary.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3516 - Emergency Procedures Plan)

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

Fees

The Governing Board authorizes the use of District facilities or grounds when an alternative location is not available to nonprofit organizations organized to promote youth and school services. At the Board's discretion, this may include on-site child care services. 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, District, or community advisory

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USE OF DISTRICT FACILITIES (continued)

councils. Other groups, including nonprofit groups not organized to promote youth and school activities or for-profit groups that request the use of District facilities under the Civic Center Act, shall be charged at least direct costs.

Groups shall be charged fair rental value when using District 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 beverages 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

WEBSITES

California School Boards Association: www.csba.org

California Department of Education: www.cde.ca.gov

Policy

Adopted: 11/13/90

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CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Chula Vista, California