

USE OF SCHOOL FACILITIES

The Governing Board recognizes that district facilities are a community resource whose primary purpose is to be used for school programs and activities. The Board authorizes the use of school facilities by community groups for purposes provided for in the Civic Center Act when such use does not interfere with school activities.

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 6145.5 - Student Organizations and Equal Access)

The Board shall grant the use of school facilities without charge (except extra custodial time) to school-related organizations. Other groups requesting the use of school facilities under the Civic Center Act shall be charged at least direct costs.

Fair Rental Value

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 40043)

The district shall charge fair rental value for the temporary use of school facilities for conducting religious services when no other suitable facility exists.

Legal Reference: (see next page)

USE OF SCHOOL FACILITIES (continued)

Legal Reference:

EDUCATION CODE

10900-10916 Community Recreation Programs

40040-40047 Civic Center Act: use of school property for public purposes

HEALTH AND SAFETY CODE

104420 Implementation of tobacco use prevention program

ACLU of So. Calif. v. Board of Education of Los Angeles (1961) 55 Cal 2nd 167

ACLU of So. Calif. v. Board of Education of San Diego (1961) 55 Cal 2nd 906

ACLU of So. Calif. v. Board of Education of Los Angeles (1963) 59 Cal 2nd 203

ACLU of So. Calif. v. Board of Education of San Diego (1963) 59 Cal 2nd 224

Connell v. Higgenbotham (1971) 403 US 207, 91 S.Ct. 1772

Cole v. Richardson (1972) 405 US 676, 92 S.Ct. 1332

Lamb's Chapel v. Center Moriches Union Free School District (1993) 113 S. Ct. 2141

Management Resources:

LEGAL ADVISORY

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