

LODI UNIFIED SCHOOL DISTRICT

Policy 1330

Community Relations

Use of School Facilities

The Board of Education believes that school facilities and grounds are a vital community resource which should be used to foster community involvement and development. The Board authorizes the use of school facilities by district residents and community groups for purposes specified in the Civic Center Act, to the extent that such use does not interfere with school activities or other school-related uses.

School-related activities (clubs, class events, etc.) shall have priority in the use of school facilities and grounds. Other uses authorized under the Civic Center Act shall be on a first-come first-serve basis.

As necessary to ensure efficient use of school facilities, the superintendent or designee may, with the Board's approval, enter into an agreement for the joint use of any school facilities or grounds. The Board shall approve any such agreement only if it determines that it is in the best interest of the district and the community.

Subject to prior approval by the Board, the superintendent or designee may grant the use of school facilities on those days on which the school is closed.

For the effective management and control of school facilities and grounds, the Superintendent or designee shall maintain procedures and regulations that:

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
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

There shall be no advertising on school facilities and grounds except as allowed by district policy specified in BP 1325 - Advertising and Promotion

The Board of Education shall adopt a comprehensive schedule of fees to be charged for community use of school facilities and grounds, including, but not limited to, the

multipurpose room(s), playing or athletic field(s), track and field venue(s), tennis court(s), and outdoor basketball court(s). The schedule of fees shall be prepared in accordance with 5 CCR 14037-14041.

Fees

The Board of Education believes that the use of school facilities or grounds should not result in costs to the district. The superintendent or designee shall charge all groups granted the use of school facilities or grounds under the Civic Center Act an amount not exceeding direct costs determined in accordance with 5 CCR 14037-14041.

With exception, The Board of Education authorizes the use of school facilities or grounds without charge by nonprofit organizations, clubs, or associations organized to promote youth and school activities. As specified in Education Code 38134(a), these groups include, but are not limited to, Girl Scouts, Boy Scouts, Camp Fire USA, YMCA, parent-teacher associations, and school-community advisory councils.

Other groups that request the use of school facilities under the Civic Center Act, including nonprofit groups not organized to promote youth and school activities and for-profit groups, shall be charged an amount not to exceeding direct costs determined in accordance with 5 CCR 14037-14041.

Additionally, when any use of school facilities or grounds is for religious services, the district shall charge an amount at least equal to the district's direct costs.

In determining direct costs to be charged for community use of each or each type of, school facilities or grounds, the superintendent or designee shall calculate, in accordance with 5 CCR 14038, the community's proportionate share of the following costs:

1. Capital direct costs calculated in accordance with 5 CCR 14039, including the estimated costs of maintenance, repair, restoration, and refurbishment of non-classroom space school facilities or grounds

However, capital direct costs shall not be charged to organizations retained by the district or school to provide instruction or instructional activities to students during school hours or for classroom-based programs that operate after school hours, including, but not limited to, after-school, tutoring, and child care programs.

2. Operational direct costs calculated in accordance with 5 CCR 14040, including estimated costs of supplies, utilities, janitorial services, other services of district employees and/or contracted workers, and salaries and benefits paid to district employees directly associated with the administration of the Civic Center Act to operate and maintain school facilities and grounds.

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 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.

Expending Funds Collected as Capital Direct Costs

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 References:
- 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
 - 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)

Management Resources:

CSBA Publications

Maximizing Opportunities for Physical Activity Through Joint Use
of Facilities, Policy Brief, February 2010

Building Healthy Communities: A School Leader's Guide to
Collaboration and Community Engagement, 2009

Web Sites

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

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

Policy

adopted: 05/11/67

revised: 11/02/67

revised: 07/05/78 (interim basis)

revised: 09/05/78

revised: 09/07/93

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revised: 05/04/04

revised: 05/03/05 (technical revision)

revised: 09/02/14

revised: 05/19/15

revised: 07/14/15 (technical revision)