

**USE OF SCHOOL FACILITIES**

The Board of Education 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. 6145.5 - Student Organizations and Equal Access)*

All school-related activities (clubs, class events, etc.) shall be given priority in the use of facilities under the Civic Center Act. Thereafter, the use of facilities shall be on a first-come, first-served basis.

The Board shall grant the use of school facilities 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.

**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 38134)

*Legal Reference:*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

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

Policy  
adopted: April 7, 2004

**ESPARTO UNIFIED SCHOOL DISTRICT**  
Esparto, California