

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

Board Policy No. 1001: USE OF SCHOOL FACILITIES AND GROUNDS

A. Use of School Facilities and Grounds

It is the policy of the District to make school facilities and grounds under its jurisdiction available as a civic center to citizens and community groups upon the terms and conditions set forth in this policy and implementing rules and regulations developed by the superintendent.

B. Types of Uses Permitted

1. Public, literary, scientific, educational, musical, cultural, or public agency meetings.
2. The discussion of matters of general or public interest.
3. The conduct of religious services for temporary periods, on a one-time or renewal basis, by any church or religious organization which has no suitable meeting place for the conduct of services. As required by law, religious groups shall be charged at least a direct cost fee.
4. Childcare or daycare programs to provide supervision and activities for children of preschool and elementary school age.
5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies.
6. Supervised recreational activities.
7. A community youth center.
8. A ceremony, patriotic celebration or related educational assembly conducted by a veterans' organization.
9. Other purposes deemed appropriate by the District's governing board.

C. Fees for Use of Facilities

The use fee schedule shall be in compliance with the Civic Center Act (Education Code sections 38130, et seq.) and be set by the Superintendent or designee and reviewed from time to time by the Governing Board. The facility use rates shall be based on the following:

1. All school-affiliated groups such as clubs, class/teams, booster groups, PTA, School Power, and school sponsored events shall be without cost.

2. All nonprofit organizations, clubs or associations including religious entities which use District facilities or grounds for which no admission fees are charged or contributions are solicited and the net receipts are not expended for the welfare of the pupils of the District or for charitable purposes shall be responsible for direct costs related to the use. Direct costs means those costs of supplies, utilities, janitorial services, and services of any other District employees and salaries paid to school district employees necessitated by the organization's use of school facilities and grounds of the District.

3. All uses where admission fees are charged or contributions are solicited and the net receipts are not expended for the welfare of the pupils of the District or for charitable purposes shall pay a fee in an amount equal to the fair rental value which fair rental value shall include direct costs to the District plus the amortized cost of the school facilities or grounds used for the duration of the activity authorized.

D. Rules and Procedures for the Use of School District Facilities and Grounds

The governing board has the exclusive right to manage, direct and control the use of school facilities and grounds. In this respect, the governing board delegates to the Superintendent the responsibility of directing and maintaining application procedures and regulations for the uses of school facilities which regulations shall include but not be limited to the following:

1. Provide for preference in the following order:

- a. School uses (e.g., clubs, class events, teams, or any school sponsored activity).
- b. School support groups (e.g., PTA, boosters groups, foundation activities).
- c. Public agencies under contract with the District (e.g., city joint use agreements).
- d. Nonprofit youth groups within the District open to all within a designated age group who do not have alternative facilities available (e.g., little league, AYSO, etc.)
- e. Nonprofit community recreational/cultural groups.
- f. Private non-school connected classes or educational events if profit-making.
- g. Commercial events.

Within each priority group, local organizations (groups where a majority of the group membership or the facility users live within the boundaries of the District) will be given priority over groups from outside the District.

2. Prohibit uses which interfere with or are inconsistent with the use of the school facilities or grounds for school purposes or interfere with the regular conduct of school work.
3. Provide aid, assistance, and encouragement of any of the activities authorized in this policy.
4. Provide for the preservation of order in school facilities and on school grounds, and protection of school facilities and school grounds including if deemed necessary appointment of a person who shall have charge of the school facilities and grounds for purposes of their preservation and protection.

5. Require that all uses and activities comply with all laws, rules and regulations of federal, state and local jurisdictions and all District and school site policies, rules and regulations, including, but not limited to, such laws and regulations that prohibit acts or uses intended to further any program or movement the purpose of which is to accomplish the overthrow of the government of the United States or of the state by force, violence or other unlawful means; the possession or use of alcoholic beverages, illegal drugs, firearms or smoking on school or District premises or property.

6. Provide that the use of school facilities and grounds shall not be granted for longer than one school year or so often during any year as to afford any person or organization a real or implied monopoly.

7. Provide that any use of school facilities or grounds which involves minors have adequate adult supervision, which means one or more adults, depending on the size of the group, physically present at all times to supervise the use of school facility or grounds.

8. Provide that any permittee using school facilities or grounds be liable for any injuries resulting from the negligence of that group during the use of the facilities or grounds and present adequate and appropriate proof of insurance to cover any and all such risks relating to such negligence.

9. Provide that any activity or use which results in the destruction, loss or damage of school property will result in the permittee's immediately paying the District an amount necessary to replace or repair the property and may result in denial of further use of school facilities and grounds.

10. Provide that school property equipment and apparatuses shall be respected and not be removed or displaced by any person or organization without written permission from the site administrator.

11. Provide that availability of school facilities and grounds shall be determined by the Superintendent or designee taking into account scheduled school uses, other use activities and the need for maintenance and repair.

12. Provide that maximum room capacities may be established and shall be respected as well as all laws, rules and regulations relating to fire and public safety.

13. Provide that no user shall offer gratuities to school personnel and the school personnel not accept gratuities or any form of compensation from a facility user.

14. Provide that all directions given by school personnel including custodial/maintenance workers related to use and operation of mechanical systems and school facilities be respected and obeyed including proper disposal of debris and return of facilities to a condition of cleanliness existing prior to use.

15. Provide limitations on size, location, duration and content of advertising and displays of information which take into account compatibility with the District's mission and values and impact on the community, including the immediate neighborhood.

16. Provide an application and approval process that includes written commitments to comply with this policy and implementing regulations by an authorized representative of the user and provides flexibility with respect to use, cancellation by the District or termination.

17. Provide special rules necessary for unique facilities or grounds such as tennis courts to ensure substantial availability for free public use when not required for school related purposes.

Legal References:

Education Code sections 39872, 40040-40046

Business and Professions Code section 25608

Date Policy Adopted By the Board: January 25, 2000

Date Policy Revised By the Board: September 10, 2002, October 26, 2004, February 13, 2007, October 12, 2010, March 22, 2011