

# Santa Barbara Unified School District

## Board Policy

BP 1330

### Community Relations

#### USE OF SCHOOL FACILITIES

The Governing Board recognizes that district facilities are a community and authorizes their use 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 shall be given priority in the use of facilities and grounds under the Civic Center Act. Thereafter, the use shall be on a first-come, first-served basis.

“The Governing Board prohibits the use of products containing tobacco and/or nicotine, including, but not limited to, smokeless tobacco, snuff, chew, clove cigarettes, and electronic nicotine delivery systems, such as electronic cigarettes, electronic hookahs, and other vapor emitting devices, with or without nicotine content, that mimic the use of tobacco products any time, in charter school or school district-owned or leased buildings, on school or district property, and in school or district vehicles.

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

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

*(cf. 0450 - Comprehensive School Safety Plan)*

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

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

#### Fees

The Board believes that the use of school facilities or grounds should not result in costs to the district. The Board shall charge at least direct costs to all non-school district groups granted facility use under the Civic Center Act.

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*

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*  
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*  
WEB SITES  
CSBA: <http://www.csba.org>  
California Department of Education: <http://www.cde.ca.gov>

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