

## USE OF SCHOOL FACILITIES

### Community Relations

The SAEL Governing Board believes that school facilities and grounds are a vital community resource which should be used to foster community involvement and development. Therefore, 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.

SAEL shall give priority to school-related activities in the use of school facilities and grounds. Other uses authorized under the Civic Center Act shall be on a first-come, first-served basis.

For the effective management and control of school facilities and grounds, SAEL shall maintain procedures and regulations that: (*Education Code 38133*)

1. Aid, encourage, and assist groups desiring to use school facilities for approved activities
2. Preserve order in school facilities 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

SAEL may grant the use of school facilities or grounds on those days on which SAEL is closed. (*Education Code 37220*)

There shall be no advertising on school facilities and grounds except as allowed by SAEL policy.

As necessary to ensure efficient use of school facilities, SAEL 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 to SAEL and the community.

### Fees

The Board 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), kitchen, playing or athletic field(s), and outdoor basketball court(s). The schedule of fees shall be prepared in accordance with 5 CCR 14037-14041. (*5 CCR 14041*)

The Board shall grant the use of school facilities or grounds without charge to school-related organizations whose activities are directly related to or for the benefit of SAEL. All other groups requesting the use of school facilities under the Civic Center Act shall be charged an amount not exceeding direct costs determined in accordance with 5 CCR 14037-14041.

*Non-profit organizations which seek to use school facilities on a regular, continuous and long-term basis may apply for a facility use rate differential. SAEL will review the location, timing and duration of the proposed use to determine incremental operational costs, if any, resulting from such use.*

Additionally, when any use of school facilities or grounds is for religious services, SAEL shall charge an amount at least equal to normal, direct costs. (*Education Code 38134*)

In determining direct costs to be charged for community use of each, or each type of, school facility or grounds, SAEL shall calculate, in accordance with 5 CCR 14038, the community's proportionate share of the following costs: (*Education Code 38134; 5 CCR 14038-14041*)

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. (*5 CCR 14037*)

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 BP 1330(c) 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. (*5 CCR 14041*)

\* Groups shall be charged **fair rental** rate 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*)

### **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. (*5 CCR 14042*)

### SAEL Fee Schedule for Use of Facilities

Facility	Direct Cost Rate Per Hour	Fair Rental Rate Per Hour
Classroom	\$12.00	\$12.00
Auditorium (No Kitchen)	\$35.00	\$60.00
Non-Commercial Kitchen	\$25.00	\$55.00
Basketball Courts	\$5.00/Court	\$5.00/Court
Other Fields	\$10.00	\$30.00
<b>Daily / Weekly Rates</b>		
Auditorium <b>Daily</b> Rate (w/Kitchen)	\$450.00	\$800.00
Auditorium <b>Weekly</b> Rate (w/Kitchen)	\$2,100.00	\$3,360.00
<b>Additional Fees May Apply</b>		
Custodial / Maintenance / Grounds*	\$50.00/hr	\$50.00/hr
Dance Floor / Equipment / Specialty Svcs*	TBD	TBD

\* Minimum charge of two (2) hours on Weekdays and four (4) hours on Weekends.

Legal Reference: (see next page)

## 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*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>*

Sierra Academy of Expeditionary Learning Board Policy adopted: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_,  
Grass Valley, CA. (date)