



# Huntington Beach Union High School District Board Policies and Administrative Regulations

BP 1330  
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## Community Relations

### Use of School Facilities

The 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.

School-related activities 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-served 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 schools are closed. (Education Code 37220)

For the effective management and control of school facilities and grounds, the Superintendent or designee 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 (cf. 0450 – Comprehensive School Safety 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

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

### Fees

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 district schools. All other groups requesting the use of school facilities under the Civic Center Act shall be charged

an amount not to exceed the direct costs determined in accordance with Education Code 38134. If the use of school facilities or grounds is for religious services, the group shall be charged an amount that equals or exceeds direct costs determined in accordance with Education Code 38134.

Direct costs to be charged for community use of each, or each type of, school facility or grounds shall be calculated in accordance with 5 CCR 14038 and may reflect the community's proportionate share of the following costs: (Education Code 38134; 5 CCR 14038-14041) Pursuant to the Education Code, the District is permitted to charge direct costs to all organizations, groups, or individuals who utilize District facilities pursuant to this Board Policy including non-profit and for-profit organizations.

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
2. Operational direct costs calculated in accordance with 5 CCR 14040, including estimated costs of supplies, utilities, janitorial services, other services performed by 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. (5 CCR 14041) However, for classroom-based programs that operate after school hours, including, but not limited to, after-school, tutoring, and child care programs, direct costs to be charged shall not include the cost of maintenance, repair, restoration, or refurbishment of the school facilities or grounds. (Education Code 38134) A program is considered "classroom-based" only if participants spend at least 50 percent of operational hours in a classroom. (5 CCR 14037)

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)

#### 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)

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  
ELECTIONS CODE  
12283 Polling places: schools  
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: 1-13-87  
Revised: 8-09-88  
12-12-95  
3-11-97  
11-10-09  
12-10-13  
11-19-19  
6-24-25