

OAKLAND UNIFIED SCHOOL DISTRICT
Board Policy

BP 1330
Community Relations

Use of District Facilities

District facilities are primarily for school and District-related programs and activities. In order to maintain District facilities for these purposes, and to provide for the safety of District students and employees, District facilities are not open to the public except as permitted by the Board, Board Policies or Administrative Regulations, the Civic Center Act, and all other applicable laws. Other than District students and employees, all persons (such as parents/guardians, vendors, and volunteers) are only permitted onsite at District facilities during school and District-related programs with District authorization, and subject to criminal background checks and tuberculosis testing where applicable.

While the primary purpose of District facilities is for school- and District-related programs and activities, the Governing Board recognizes that such facilities are also a community resource. Thus, the Board authorizes the use of District facilities by groups or persons for purposes provided for in the Civic Center Act to the extent that such use does not endanger students or staff and does not interfere with District- or school-related programs, activities or other uses.

(cf. 6145.5 - Student Organizations and Equal Access) Prioritization

Only ~~All~~ District- and school-related programs and activities (e.g., clubs, class events, staff meetings) shall be ~~permitted given priority~~ in the use of facilities ~~during after school hours, between the hours of 3PM to 6PM. District- and school- related programs and activities shall not be cancelled to accommodate other uses.~~ Thereafter, the use of facilities shall be prioritized as established herein and any associated Administrative Regulations. ~~District- and school- related programs and activities shall not be cancelled to accommodate other uses.~~

After District- and school-related programs and activities, the next priority for District facilities shall be any legally required uses as well as any obligations of the District under any joint use agreements with other local governments.

Consistent with this Policy, the Superintendent may establish additional priorities for or restrictions on the use of District facilities as she deems appropriate and necessary.

Direct Costs

The Board believes that the use of District facilities should not result in costs to the District. The Board shall charge at least direct costs to all groups or persons granted facility use under

the Civic Center Act. Additionally, no charge will be levied against groups or persons whose purpose it is to promote youth and school programs and activities if such programs and activities do not impose additional costs on the District (e.g., overtime, necessitating staff to work outside normal hours).

To the extent permitted by law, other groups or persons requesting the use of District facilities under the Civic Center Act shall be charged at least direct costs.

Fair Rental Value

Groups or persons shall be charged fair rental value when using District facilities 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 ATTORNEY

GENERAL OPINIONS

79 Ops.Cal.Atty.Gen 248 (1996) 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

Management Resources:

CDE LEGAL ADVISORIES

1101.89 School District Liability and "Hold Harmless" Agreements, LO: 4-89 7/14/04; 12/14/22A; [10/22/25A](#)

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