



**ADMINISTRATIVE PROCEDURE**  
SAN DIEGO UNIFIED SCHOOL DISTRICT

NO: 9205

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CATEGORY: **Community Relations**

EFFECTIVE: **1-29-62**

SUBJECT: **Civic Center Use of Buildings, Grounds, and Equipment**

REVISED: **4-21-06**

**A. PURPOSE AND SCOPE**

1. To outline administrative procedures governing use of school buildings, grounds, and equipment for school-related and nonschool purposes.
2. **Related Procedures:**
  - Extra use of cafeteria facilities ..... 9217
  - Overtime authorization and compensation for classified employees ..... 7426
  - Recreation agreement between City of San Diego and district ..... 9225
  - School clubs, general ..... 6240
  - Security, general ..... 5000
  - Use of district facilities for bingo ..... 9206
  - Use of school sites by Park and Recreation Department  
for National Youth Sports Program ..... 9226
  - Use of turf fields at senior high schools ..... 9229

**B. LEGAL AND POLICY BASIS**

1. **Reference:** Board Policy: D-3000, D-3800, D-5000, E-2300, E-2350, G-1000, G-1001, G-3000, G-4500, G-6000, J-4500, K-4000, K-4010, K-4020, K-4040, K-6500, K-7000; Education Code Sections 38130 and 48930; California Constitution, Article XVI, Section 6.
2. **District Policy.** Organizations, clubs, and associations formed for recreational, educational, political, economic, artistic, or moral purposes are permitted by district policy to use school buildings and grounds. Such use is called “civic center use” and must be subordinate to, and not interfere with, the instructional program or other public school purposes. Civic center use may be on either a free, direct cost recovery, fair rental value, or commercial basis.

**C. GENERAL**

1. **Originating Office.** Suggestions or questions concerning this procedure should be directed to the Acquisition and Asset Management Department, Facilities Management Division, Office of School Site Support.

2. **Scheduling Limitations**

a. **Conflicts with evening programs.** In schools with evening high schools or major evening adult school programs, civic center use (free, noncommercial, or commercial) shall be prohibited Monday through Thursday evening when school is in session. Exceptions are the following:

- (1) Regular day school
- (2) Parent-Teacher Association of the specific school
- (3) Park and Recreation Department for uses under the agreement with the City of San Diego

b. **Availability.** School facilities are to be made available after 5 p.m. on school days when the proposed outside use does not interfere with the district's educational program or the maintenance of the facilities, and on nonschool days when the using organization pays the district's applicable fees. Upon approval of the principal, school facilities may be made available before 5 p.m. on school days, even when school is in session, for groups and activities eligible for free use of facilities (C.3.a.). Upon approval of the Rentals Office, Acquisition and Asset Management Department, facilities may be made available before 5 p.m. on school days after school is out for groups and activities *not* eligible for free use.

3. **Determination of Fees.** Under the Civic Center Act, fees shall be charged in accordance with the board-adopted Civic Center Rate Schedule and procedures for annual revision. The Civic Center Rate Schedule is based on the following categories of activities:

a. **Free use activities** must be scheduled when custodial staffs are on duty; otherwise charges will be levied based on the specific facilities used and length of use. Activities and groups eligible for free use of district property fall into the following categories:

- (1) Associated Student Body (ASB) organizations, school clubs, or groups as defined in Procedure 6240.
- (2) Fund-raising events or meetings for which admission fees charged or contributions solicited are expended for the welfare of district pupils.

- (3) Parent-Teacher Associations.
- (4) School community advisory councils.
- (5) Senior citizens organizations.
- (6) Park and Recreation Department activities supervised at all times by one of its paid employees.
- (7) National Youth Sports programs like Little League, Pop Warner, and Soccer.
- (8) Civic organizations, community councils, civic associations, and neighborhood awareness groups for discussion of community governance issues, community development and redevelopment, governmental services issues, and community recreational issues.
- (9) Organizations whose sole purpose is the provision of free educational programs to all district students and parents.
- (10) Public polling places (based on annual usage fees established by the San Diego County Registrar of Voters).
- (11) School partners with an approved partnership agreement when the activity is noncommercial, does not advertise the business, and is free to the participants.
- (12) Community youth centers for athletic, recreational, music and art, and core curriculum educational activities.
- (13) Regular business meetings of employee-related organizations, such as:
  - (a) Administrators Association.
  - (b) American Federation of Teachers.
  - (c) California School Employees Association.
  - (d) Parent-Teacher Association (PTA).
  - (e) Professional Educators of San Diego.

- (f) San Diego City Schools Peace Officer's Association.
- (g) San Diego Educational Support Personnel—National Education Association.
- (h) San Diego Federation of Teachers.
- (i) San Diego Education Association.
- (j) Other employee organizations approved by the Facilities Management, Office of School Site Support.

**Note:** All groups categorized as free users will be charged the current fair rental rate for any event for which admission is charged or donations are solicited.

- (14) Boy Scouts, Girl Scouts, Good News Clubs and similar youth groups. Each child in attendance at these meetings or functions must have written parental permission to attend. The written permission form must describe the purpose of the meeting or function and the activities to be conducted. These permission forms must be kept at the meeting or function and must be available for review by District personnel. Failure to comply with these permission slip requirements may result in loss of meeting privileges.
- b. **Direct cost recovery use** applies to groups that are not authorized “free use” and whose purposes are not in conflict with the educational programs or goals of the district. These groups may use the “direct cost recovery use” fee schedule adopted by the Board of Education provided no admission or donation is charged or solicited for the activity.
- c. **Fair rental value use** applies to groups that use school facilities or grounds for entertainment, meetings, or classes for which admission is charged or contributions are solicited and the net receipts are not expended for charitable purposes or for the welfare of district students. Facilities requested by churches for conduct of services are included in the “fair rental value” use category. “Fair rental value” includes direct costs plus the amortized costs of the facilities or grounds used for the duration of the activity. Amortized costs are computed on replacement costs per square foot over 40 years based on hours of use per year.

- d. **Commercial use** applies to users who do not qualify for free use, direct cost recovery, or fair rental rates. These groups are charged commercial rates. Generally, commercial use includes meetings conducted by commercial businesses, entertainment events for which admission is charged and whose proceeds do not benefit students of the district, activities of private individuals or companies without tax-exempt certificates, and other similar uses.

4. **Limitations on Use of Facilities**

- a. **Use of rooms and areas.** Nonschool groups generally are restricted to use of the following facilities:
  - (1) Classrooms
  - (2) Assembly rooms and auditoriums
  - (3) Gymnasiums
  - (4) Dining rooms and cafeteria kitchens
  - (5) Playgrounds, athletic fields, parking areas
- b. **Use of equipment/furniture.** Nonschool groups are not authorized to use school audiovisual or instructional equipment; they may use housekeeping furniture such as chairs and tables. State law forbids lending or removing furniture, equipment, and other items from the premises.

5. **Security.** Civic center users are required to ensure reasonable levels of security to protect district property. The level and type of security can vary depending upon the event, and the user bears the responsibility to hold the district harmless for their activities. However, events or activities of an unusual size or nature may require School Police Services personnel to monitor adjacent or nearby district property. Therefore, the School Police Services Department should be notified of any civic center application that may draw a very large crowd or may be controversial in nature.

6. **Unauthorized uses of district property** include the following:

- a. **Aiding any religious purpose** or denominational doctrine or instruction.

**Exception:** Temporary use may be granted for the conduct of religious services or classes, upon such terms and conditions as the Board of Education deems proper, including payment of fair rental rates.

- b. **Use of school facilities** by any organization, group, or individual that illegally discriminates on the basis of race, religion, creed, color, marital status, veteran status, sex, sexual orientation, national or ethnic origin, age, or disability.
  - c. **Uses that could result in picketing**, rioting, disturbing the peace, or damage to property.
  - d. **Sale of foodstuffs** in competition with, or interfering with, school cafeteria operations.
  - e. **A meeting of any group** whose purpose is to overthrow the government of the United States or that of the State of California.
  - f. **Other uses prohibited** by law.
7. **Responsibility of Site Principal.** The principal assigned to a site (day or evening) has full responsibility at all times for approving or rejecting requested use of facilities and for supervision and management of district property, whether used for school purposes or by nonschool groups for civic center purposes. If a principal must be absent, he/she may assign a custodian or other person to take full charge of all property being used by a school-related or nonschool group.
- a. **Municipal ordinances** relating to public gatherings must be enforced.
  - b. **Principal-approved use during normal school hours** by faculty or any group approved for free use need not be coordinated with the Rentals Office.
  - c. **Principal-approved use of auditoriums** after school hours for purposes directly connected with the school program shall be communicated to the Rentals Office to prevent duplicate scheduling.
  - d. **School-related groups** (such as the PTA) using facilities after school hours must secure permits for use from the Rentals Office.
8. **Special Uses of District Facilities.** Rates for unusual uses shall be determined by the Acquisition and Asset Management Department using the “civic center” rate schedule as a guide.

9. **Request for Determining Tax-Exempt Status.** A letter or tax-exemption certificate issued by the Internal Revenue Service pursuant to Section 501 of the U.S. Revenue and Taxation Code, or an exemption issued by an agency of the state, shall be required to demonstrate tax-exempt status.
10. **Use of Promoters for Fund-Raising Events.** The following requirements apply to commercial firms conducting an activity on district property for profit, a portion of which benefits the district and/or its students:
  - a. **Promoter must obtain a permit** from the Rentals Office and pay an administrative fee of \$100.
  - b. **Promoter must obtain a letter** from the school or booster group indicating that an agreement has been reached between the promoter and the school/booster group regarding a satisfactory percentage of the activity's profits to be donated for the benefit of the district and/or its students. The percentage to be donated should be stated. The promoter must submit this letter to the Rentals Office. When such evidence has been provided, the promoter will not be charged for the use of the facility, except as noted in C.10.c.
  - c. **Promoter must pay** the following costs:
    - (1) Any cost incurred by the district as a result of the activity including, but not limited to, custodial overtime, extra custodians, utilities, cleanup, and repairs not done by the promoter.
    - (2) A refundable damage/cleaning deposit, the amount of which is to be determined by the extent of district facilities utilized and nature of use.
    - (3) The commercial rate, specified in the "civic center" rate schedule, when admission fees or contributions are not expended for the welfare of the district and/or its students, or for charitable purposes, and a promoter or paid entertainer participates in the proceeds.
  - d. **Promoter must provide evidence of liability insurance** in the amount specified by the district.

## **D. IMPLEMENTATION**

1. **Request to Use Facilities.** All requests at a site should be directed to the principal.
  - a. **Principal**
    - (1) Use before 5 p.m. on days that school is in session for school purposes or by groups approved for free use: Approves or rejects requested use; need not coordinate with the Rentals Office. If kitchen is to be used, follows Procedure 9217.
    - (2) Use before 5 p.m. after school is out by groups not approved for free use or use after 5 p.m. on days when school is in session and any time on days when school is not in session by all groups: Directs requests to the Rentals Office (inquiries may be made by telephone).
  - b. **Rentals Office**
    - (1) Prepares permit and gives copy to requester; routes copy to principal and retains copy.
    - (2) If use of kitchen or serving facilities is involved, directs requester to the Food Services Department, Business Operations Division, Office of School Site Support (Procedure 9217).
  - c. **Principal**, upon receiving copy of permit from the Rentals Office, designates custodian or other person, if necessary, to supervise building and to open and secure school property before and after meeting.
2. **Cancellation of Use.** Cancellation of scheduled use for after school hours must be reported to the Rentals Office as soon as possible (preferably seven days in advance) in order to cancel employment of custodians or other employees and to release the facility for other use.

## **E. FORMS AND AUXILIARY REFERENCES** (Available from the Rentals Office)

1. Rental Request Form
2. Application and Permit for Use of School Property
3. Civic Center Use Rules and Regulations

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**F. REPORTS AND RECORDS**

**G. APPROVED BY**

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