

1 **USE OF PUBLIC SCHOOLS BY COMMUNITY**

2 **ORGANIZATIONS**

3 2008 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Gregory H. Hughes**

6 Senate Sponsor: Howard A. Stephenson

7 Cosponsors: Eric K. Hutchings Paul Ray

8

9 **LONG TITLE**

10 **General Description:**

11 This bill modifies provisions of the State System of Public Education code relating to the
12 use of public school buildings and grounds as a civic center.

13 **Highlighted Provisions:**

14 This bill:

- 15 ▶ provides definitions;
- 16 ▶ requires all public school buildings and grounds to be made available as a civic
17 center to district residents for supervised recreational activities and meetings;
- 18 ▶ provides that a local school board may not refuse the use of a civic center, for other
19 than school purposes, unless it determines that the use interferes with a school
20 function or purpose;
- 21 ▶ requires a local school board to ensure that school administrators are trained about
22 and properly implement certain provisions; and
- 23 ▶ makes technical corrections.

24 **Monies Appropriated in this Bill:**

25 None

26 **Other Special Clauses:**

27 None

28 **Utah Code Sections Affected:**

29 AMENDS:

30 53A-3-413, as enacted by Laws of Utah 1988, Chapter 2

31 53A-3-414, as last amended by Laws of Utah 1999, Chapter 21



33 *Be it enacted by the Legislature of the state of Utah:*

34 Section 1. Section 53A-3-413 is amended to read:

35 **53A-3-413. Use of public school buildings and grounds as civic centers.**

36 (1) As used in this section, "civic center" means a public school building or ground that
37 is established and maintained as a limited public forum to district residents for supervised
38 recreational activities and meetings.

39 [~~(1) AH~~] (2) Except as provided in Subsection (3), all public school buildings and
40 grounds [are] shall be civic centers [and may be used by district residents for supervised
41 recreational activities and meetings].

42 [~~(2)~~] (3) Use of school property for civic center purposes may not interfere with [any] a
43 school function or purpose.

44 Section 2. Section 53A-3-414 is amended to read:

45 **53A-3-414. Local school boards' responsibility for school buildings and grounds**
46 **when used as civic centers.**

47 (1) As used in this section, "civic center" has the same meaning as provided in Section
48 53A-3-413.

49 (2) A local school board [has the following powers]:

50 [~~(1)~~] (a) [It manages, directs, and controls] shall manage, direct, and control civic
51 centers under this chapter[-];

52 [~~(2) It adopts rules~~] (b) shall adopt policies for the use of [these] civic centers[-];

53 [~~(3) It~~] (c) may charge a reasonable fee for the use of school facilities as a civic center
54 so that the district incurs no expense for that use[-];

55 [~~(4) It~~] (d) may appoint a special functions officer under Section 53-13-105 to have
56 charge of the grounds and protect school property when used for civic center purposes[-];

57 [~~(5) It may refuse~~] (e) shall allow the use of a civic center, for other than school

58 purposes, [if] unless it determines that the use [~~inadvisable.~~] interferes with a school function or
59 purpose; and
60 (f) shall ensure that school administrators are trained about and properly implement the
61 provisions of this section and Section 53A-3-413.