

<b>TITLE: Use of County Office Facilities</b>	
Approved by: <u>                    <i>Rob Gregor</i>                    </u> <i>Rob Gregor, Superintendent of Schools</i>	Series: <b>Community Relations</b> Version: <b>2</b> Effective Date: <b>1/15/2025</b> Previous Policy Date: <b>Unknown</b> Revised By: <b>Committee</b> Policy Number: <b>AR 1330</b>

**Application for Use of Facilities**

Any person applying for the use of any school facilities or grounds on behalf of any society, group, or organization shall present written authorization from the group or organization to make the application.

Anyone applying to use school facilities shall do so as specified in Yuba County Office of Education (YCOE) procedures and in accordance with law.

**Civic Center Use**

Subject to YCOE policies and regulations, school facilities and grounds shall be available to citizens and community groups as a civic center for the following purposes: (Education Code 32282, 38131, 51860)

1. Public, literary, scientific, recreational, educational, or public agency meetings
2. The discussion of matters of general or public interest
3. The conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization
4. Child care programs to provide supervision and activities for children of preschool and elementary school age
5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies
6. Supervised recreational activities, including, but not limited to, sports league activities for youth that are arranged for and supervised by entities, including religious organizations or churches, and in which youth may participate regardless of religious belief or denomination
7. A community youth center

8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare
9. A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization

*A veterans' organization* means the American Legion, Veterans of Foreign Wars, Disabled American Veterans, United Spanish War Veterans, Grand Army of the Republic, or other duly recognized organization of honorably discharged soldiers, sailors, or marines of the United States, or any of their territories. (Military and Veterans Code 1800)

10. Bicycle, scooter, electric bicycle, motorized bicycle, or motorized scooter safety instruction for district students by local law enforcement, public agencies, nonprofit associations, or organizations specified in Education Code 38134
11. Other purposes deemed appropriate by the Superintendent

### **Restrictions**

School facilities or grounds shall not be used for any of the following activities:

1. Any use by an individual or group for the commission of any crime or any act prohibited by law
2. Any use which is inconsistent with the use of school facilities for school purposes or which interferes with the regular conduct of school or school work
3. Any use which involves the possession, consumption, or sale of drugs or any restricted substances, including tobacco
4. Any use which involves the possession, consumption, or sale of alcoholic beverages, except for special events approved by the Superintendent or designee pursuant to Business and Professions Code 25608 which are covered by a special events permit pursuant to Division 9 of the Business and Professions Code and which will occur at a time when students are not on the grounds. Any such use of school facilities shall be subject to any limitations that may be necessary to reduce risks to YCOE and ensure the safety of participants, as determined by the Superintendent or designee. Applicable limitations shall be clearly stated in the facility use agreement to be signed by the user's representative.

YCOE may exclude certain school facilities from non-school use for safety or security reasons.

### **Damage and Liability**

Groups, organizations, or persons using school facilities or grounds shall be liable for any

property damage caused by the activity. YCOE may charge the amount necessary to repair the damages and may deny the group further use of school facilities or grounds. (Education Code 38134)

Any group or organization using school facilities or grounds shall be liable for any injuries resulting from its negligence during the use of YCOE facilities or grounds. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk. (Education Code 38134)

Groups or organizations shall provide YCOE with evidence of insurance against claims arising out of the group's own negligence when using school facilities. (Education Code 38134)

When permitted by law, the Superintendent or designee shall require a hold harmless agreement and indemnification when warranted by the type of activity or the specific facilities being used.

**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
5 CCR 14037-14042	Proportionate direct costs for use of school facilities and grounds
Bus. Code 25608	<a href="#">Alcohol on school property; use in connection with instruction</a>
Ed. Code 10900-10914.5	<a href="#">Community recreation programs</a>
Ed. Code 37220	School holidays
Ed. Code 38130-38138	Civic Center Act, use of school property for public purposes
Elec. Code 12283	Polling places: schools
M&V Code 1800	Definitions
<b>Federal</b>	<b>Description</b>
20 USC 7905	Equal access to public school facilities
40 CFR 141.1-141.723	Drinking water standards
<b>Management Resources</b>	<b>Description</b>
Attorney General Opinion	82 Ops.Cal.Atty.Gen. 90 (1999)
Attorney General Opinion	79 Ops.Cal.Atty.Gen. 248 (1996)
Court Decision	Lamb's Chapel v. Center Moriches Union Free School District, (1993) 508 U.S. 384
Court Decision	Good News Club v. Milford Central School, (2001) 533 U.S. 98
Court Decision	Ellis v. Board of Education, (1945) 27 Cal.2d 322
Court Decision	Connell v. Higgenbotham, (1971) 403 U.S. 207
Court Decision	Cole v. Richardson, (1972) 405 U.S. 676
Court Decision	ACLU v. Board of Education of Los Angeles, (1961) 55 Cal .2d 167

CSBA Publication

Maximizing Opportunities for Physical Activity Through  
Joint Use of Facilities, Policy Brief, February 2010

CSBA Publication

Building Healthy Communities: A School Leader's Guide to  
Collaboration and Community Engagement, 2009