**Kings County Board of Education**

**Board Policy**

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**BP 3180**

Business and Non-instructional Operations

**Use of County Office Facilities**

The purpose of this policy is to establish guidelines for the use of County Office facilities.

1. Permitted Uses of County Office Facilities

The Board directs the Superintendent to make County Office facilities and grounds under its jurisdiction available as a civic center to citizens and community groups for the following purposes, subject to the limitations of statutory and constitutional law and the policies and regulations of the County Office:

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 and/or activities.
4. Childcare 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.
7. A community youth center.
8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, and shall cooperate in furnishing and maintaining such services as it deem necessary to meet community needs.
9. Other purposes deemed appropriate by the Board.
10. Prohibited Uses of County Office Facilities

The Board shall not grant the use of County Office facilities 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 of District facilities or grounds which is inconsistent with their use 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 alcoholic beverages or any restricted substances on school property.
4. Fees for Use of County Office Facilities
5. Fee Schedule (Exhibit 3180): The County Office has established a Facility Use Fee Schedule that reflects the direct costs for the intended use of the facilities. Pursuant to Education Code section 38134, the County Office will charge non-profit organizations an amount not to exceed the County Office’s direct costs for the intended use. Direct costs includes supplies, utilities, custodial services, services of other County Office employees and salaries paid to County Office employees necessitated by the organization’s use of County Office facilities. For-Profit Organizations will be charged pursuant to the established fee schedule.

* The fee schedule shall be reviewed annually with consideration to the consumer price index.
* The facility use fee schedule will be suspended for County Office sponsored activities which include County Office or school district students.

1. Waiver of Fee Schedule: A limited number of uses may receive the waiver of fees. Due to budget constraints, facilities are limited to no fee use based on local agency agreement or Superintendent procedures.

* The nonprofit organizations, clubs and associations, organized to promote youth and school activities that qualify for a waiver include, without limitation, Girl Scouts, Boy Scouts, Camp Fire, 4-H, youth sports groups, parent-teachers’ associations, school/community advisory councils, and governmental agencies or groups outlined in local agency agreements.
* Where a group is eligible for a waiver of the fee schedule and prefers to use County Office facilities at a time when custodial, grounds and food services are not normally available, the County Office may charge for the direct cost of a custodian, grounds personnel and/or food services personnel. The principal or designee shall first ensure the availability of other times during the week when the facility could be provided without charge, and this availability shall be pointed out to the free-use group. The County Office will charge for the direct cost of a security guard for events requiring security.
* Eligible groups may receive up to 24 uses under the fee waiver. The total number of uses for all groups with fee waivers will be limited to no more than 240 uses per year, unless approved by the board.

1. Fair Rental Value for Certain Groups and Organizations: Groups shall be charged fair rental value when using County Office facilities or grounds for entertainment or meetings when admission fees are charged, or contributions are solicited and net receipts are not to be expended for charitable purposes or for the welfare of the County Office's students. Fair rental value means the direct costs to the County Office, plus the amortized costs of the County Office facilities or grounds used for the duration of the activity authorized.
2. Use by a Church or Religious Organization

Subject to the requirements of law and this policy, the purpose of this policy is to permit the use of County Office facilities by outside organizations without regard to their religious or nonreligious nature. It is the policy of the County Office not to become entangled in the nature of the use of County Office facilities by religious organizations provided that such use is in compliance with this policy and the law.

It is to be expressly understood that the Board, in approving the use of County Office facilities for religious services/activities, does not support, condone, endorse, or in any way whatsoever demonstrate any County Office preference for a particular sect, belief, or religion.

Any sign, notice, or other means of announcing a religious service shall be posted only on the day of the service itself, and shall not be posted during school hours.

1. Priority of Users

Applications for use of County Office facilities shall be given preference in the following order:

1. School support groups.
2. Youth community groups such as 4-H & youth sports groups (nonprofit).
3. Public agencies and public affairs groups.
4. Other nonprofit groups.
5. Contracted uses.
6. Others as approved by the Superintendent.
7. Liability for Use of County Office Property   
   Groups or persons using County Office facilities under the provisions of this policy shall be liable for any property damages caused by the activity. The Board shall charge the amount necessary to repair the damages and may deny the group further use of County Office facilities.

**Any group or organization using County Office facilities or grounds shall be liable for any injuries resulting from its negligence during the use of County Office facilities or grounds.  The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk.**

1. Application for Use of Facilities   
   The Superintendent shall maintain application procedures and regulations for the use of County Office facilities. Regulations shall include, but not be limited to:
2. Providing encouragement and assistance for any of the activities listed above.
3. Preserving order in County Office buildings and on grounds, and protecting County Office facilities. If necessary, a person may be designated to supervise this task.
4. Ensuring that the use of facilities or grounds under this policy is not inconsistent with the use of the school facilities or grounds for County Office purposes and does not interfere with the regular conduct of school work.
5. Keeping County Office costs for utilities, maintenance, and janitorial reasonable and providing support to community use that is not excessive to the County Office.

A copy of this Board policy and administrative regulation governing use of County Office facilities shall be issued to all persons or groups requesting use of County Office facilities or grounds.

A copy of the County Office Approved ConfirmationForm must be in the possession of the applicant during the time of use of County Office facilities.

Legal Reference:EDUCATION CODE10900-10914.5 Community recreation programs38130-38138 Civic Center Act: use of school property for public purposesBUSINESS AND PROFESSIONS CODE25608 Alcoholic beverage on school premisesUNITED STATES CODE, TITLE 207905 Equal access to public school facilitiesCOURT DECISIONSGood New Club v. Milford Central School, (2001) 533 U.S. 98Lamb's Chapel v. Center Moriches Union Free School District, (1993) 508 U.S. 384Cole v. Richardson, (1972) 405 U.S. 676Connell v. Higgenbotham, (1971) 403 U.S. 207ACLU of So. Calif. v. Board of Education of Los Angeles, (1961) 55 Cal .2d 167Ellis v. Board of Education, (1945) 27 Cal.2d 322ATTORNEY GENERAL OPINIONS82 Ops.Cal.AttyGen. 90 (1999)79 Ops.Cal.Atty.Gen. 248 (1996)

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| Adopted by Kings County Board of Education: October 7, 2009  Revised by Board: December 10, 2014  Revised by Board: October 15, 2019 |

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| |  |  | | --- | --- | |  |  |   **KINGS COUNTY OFFICE OF EDUCATION**  **AR 3180**  Business and Non-instructional *Operations*  **Use of County Office Facilities**  Approval of Use  An organization must complete the Organizational Information Form for application for use and be approved by the board for contracted use of the facilities. A facility use agreement and certificate of insurance must be fully executed with the organization before application for use may be submitted.  Facility Training and Walk-Thru  Organizational leaders responsible for the facility must be trained on the proper use of the facilities, lock-up procedures, and organizational responsibility for the facilities.  Request for Use of County Office Facilities  The facility request process may be made no earlier than 60 days before, but no later than ten (10) working days prior to the first date a County Office facility is being requested. Applications are available with the Kings County Office of Education Receptionist located at 1144 W. Lacey Blvd., Hanford, CA. The completed application should be returned to the Receptionist for approval. If the facility is available, it will be processed at the County Office level, with confirmation sent to the applicant.  Application may be made for regular monthly meetings by groups approved by the Kings County Office of Education. The application may be made no earlier than May 1st for the upcoming fiscal year. Groups approved shall be allowed no more than two regular monthly uses of County Office facilities.  Any uses of facilities that exceed two uses per month or extend for more than one year for any group or organization, must be approved by the Kings County Office of Education.  Certificate of Insurance and Indemnity  All applicants must include a certificate of insurance for $1,000,000 listing the County Office and its Board and members thereof, officers, employees and agents as additional insureds. The applicant shall hold the County Office and its Board and members thereof, officers, employees and agents, harmless during the rental period.  Cancellation Procedures  A written notice of cancellation must be received by the Receptionist at least seven (7) days before the event. If not, a cancellation fee of $50.00 plus any County Office expenses will be charged.  Billing  Set-up and clean-up time will be added to the actual activity time. A bill will be sent from the Business Department after an event. Payment is due within thirty (30) days of issuance. Any group that does not timely pay their invoices will be restricted from using the facility until all invoices are paid.  Lost Key Fee  A lost key fee of $100 or $25 for lost key card will be invoiced to any organization that does not return key or key card by specified date.  County Office Personnel on Duty  If a County Office employee must be on duty while a County Office facility is utilized under this policy, then custodial, food service, IT staff, and grounds personnel will be paid on an overtime basis beyond regular school hours or if they are required to provide services beyond their normal work schedules.  Prohibited Activities  The following activities are prohibited on County Office grounds unless prior written authorization has been obtained: animals, motorized vehicles or cycles, skateboards, go-carts, rockets, powered airplane models and golf practice.  Alcohol and Controlled Substances  To possess, use, or be under the influence of any controlled substance as defined in Health and Safety Code section 11053, an alcoholic beverage, or an intoxicant of any kind is prohibited in all County Office facilities and on County Office property.  Tobacco  The use of tobacco or any tobacco product is prohibited in all County Office facilities and on all County Office property.  Food or Drink  No food or drink shall be consumed in any County Office conference rooms or meeting rooms.  Clean Up  All County Office facilities must be left as found. Chairs and tables must be replaced, all floors left free of debris, and all trash must be taken out to the dumpster. Failure to do so will result in additional costs.  A copy of these rules and regulations along with a copy of the approved Facility Use Request form must be in the possession of the applicant during the time of use of County Office facilities.  *Education Code Sections,* [*10900 et. seq.*](http://www.leginfo.ca.gov/cgi-bin/displaycode?section=edc&group=10001-11000&file=10900-10914.5)*,* [*38130 et. seq.*](http://www.leginfo.ca.gov/cgi-bin/displaycode?section=edc&group=38001-39000&file=38130-38139) |

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Adopted: October 7, 2009

Revised: December 10, 2014

Revised: October 15, 2019\_\_\_\_\_\_\_\_

Kings County Board of Education

Exhibit 3180-Use of School Facilities by Community

**Kings County Office of Education**

**Facility Use Fees**

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| --- | --- | --- | --- |
| Room | Fee Waiver | Non-profit Rate | For-Profit Rate |
| ***Lemoore Service Center*** |  |  |  |
| Room 305, 306, 309 or 318 | $0 | $10 | $25 |
| Conference Rooms | $0 | $10 | $25 |
|  |  |  |  |
| Round Building Meeting Room | $0 | $10 | $25 |
| Greenfield Meeting Room | $0 | $10 | $25 |
| Highland Center | $0 | $35 | $70 |
|  |  |  |  |

**\* Fee is waived only if use is during regular work hours and staff can be scheduled. If use after hours or additional staff required, then no waiver of fee.**

Rates are per hour. All rates exclude custodial or supervision staff, if needed.

Additional cost for excessive set-up, custodial, and security if necessary.

**Kings County Office of Education**

**ORGANIZATIONAL INFORMATION FORM**

**for Potential Facility Use Agreement**

|  |  |  |
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| **PARTIES TO THE AGREEMENT** | | |
| Name of Organization: | Mailing address: | |
| \*Primary contact person: | \*Secondary contact person: | |
| Phone Number:  FAX Number:  e-mail: | Phone Number:  FAX Number:  e-mail: | |
| Describe the organization, including if it is community, youth, or non-profit: | | |
| How would the facility be used: | | |
| Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Title:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | |
| **KCOE APPROVAL** | |

Approval Date: \_\_\_\_\_\_\_\_\_\_\_\_ Denial Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Reason for Denial: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Notice to Organization: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\*Only contact person(s) listed above will be allowed to check out a key/keycard on the behalf of the organization. If the contact for the organization changes an updated contact form must be completed and filed with KCOE.

**Kings County Office of Education**

**FACILITY USE FORM**

**Name of Organization**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Contact person: Phone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of Application: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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| --- | --- | --- | --- | --- | --- |
| Requested Date(s) | Hours of Use | Estimated Attendance | KCOE Facility | KCOE  Approval | Fee |
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Directions: This form is used for reservation of specific dates and times of KCOE facilities, a certificate of insurance must be included with form. An Organizational Information Form must already be on file. Complete the first four columns. All groups are responsible for specific room set-up. No food or drink shall be consumed in any County Office conference rooms or meeting rooms.

Fees may be waived based on the group and the number of waivers given in a particular month. The application process should be started as early as possible, The facility request process may be made no earlier than 60 days before, but no later than ten (10) working days prior to the first date a County Office facility is being requested. The Receptionist must receive a written notice of cancellation at least seven (7) daysbefore the event. If not, a cancellation fee of $50.00 plus any County Office expenses will be charged.

I understand that this request must be approved and not conflict with other meetings. KCOE will contact the organization regarding the facility request and approval. The Receptionist at 1144 W. Lacey Blvd., Hanford distributes all key and alarm codes.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

KCOE use only

Date Received \_\_\_\_\_\_\_\_\_

🞎 Organizational Info Form 🞎 Facility Use Form 🞎 Certificate of Insurance

Date Notified: \_\_\_­­­\_\_\_\_\_\_\_\_\_\_ Date Confirmed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notes:

To: Community Service Group

Re: Use of KCOE Lemoore Service Center Conference Rooms

The Kings County Office of Education, under the guidance of the Kings County Superintendent of Schools, is pleased to provide conference room space for community and youth based groups in Kings County. Under a special agreement with the City of Lemoore, Community Groups (as defined in the agreement) may use the facility without charge.

There are rules and requirements for the use of the facilities. The process for facility use is as follows:

1. Organizational Information Form
   1. Name and description of organization
   2. Contact name and info
   3. Organizational determination by the Kings County Office of Education
2. Facility Use Form
   1. Room Reservation must be sent to the Receptionist for specific reservations
   2. Proof of security for large or late night events
   3. Receptionist will confirm your reservation
   4. Certificate of Insurance must be included
3. Facility Checklist
   1. After receiving a fully executed agreement and certificate of insurance, a walk-thru of the facility will be scheduled
   2. Completed and signed Facility Checklist

This process can take from two to four weeks. If during the process you have a question, please contact Jamie Dial at 589-7091 or e-mail at [jamie.dial@kingscoe.org](mailto:jamie.dial@kingscoe.org).

**Lemoore Service Center**

**Facility Checklist**

Initials

* Provided Space \_\_\_\_\_
* Includes restroom space and restroom supplies
* Filtered water in conference rooms
* Walk-Through \_\_\_\_\_
* Opening of Conference Center Building
* Conference Center Set-Up
* Restrooms
* Closing and securing of Conference Center Building
* Prohibited Activities \_\_\_\_\_
* No smoking, no use of alcohol, no drugs
* Smoking or use of any tobacco product in any building or on property
* Illegal activities
* Physical fitness or sports classes
* Using markers on video display boards
* Rough housing
* Tagging or marking any surface or equipment
* Taking of any equipment or supply from the buildings
* Use of food or drink in the conference center
* Responsibility of Groups \_\_\_\_\_
* At start of meetings, remind group of facility rules & grant of use by KCOE
* Picking up all trash and putting in the proper receptacles
* Room set-up is responsibility of organization
* Cost of damage to any surface or equipment
* Proper lock up and securing of facility

I have reviewed and completed the walk-through of the facility. I will train all participants on the rules of the facility. My organization is responsible for any damage made by any party of my group while the facility is used by our organization.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Organization Name