

COMMUNITY RELATIONS

Use Of School Facilities

The Inyo County Board of Education recognizes that County Office of Education facilities and grounds are a community resource whose primary purpose is to be used for school programs and activities. The Board authorizes the use by community groups for purposes provided for in the Civic Center Act when such use does not interfere with school activities.

(cf. 6145.5 – Student Organizations and Equal Access)

All school-related activities (clubs, class events, etc.) shall be given priority in the use of facilities and grounds under the Civic Center Act. Thereafter, the use shall be on a first-come, first-served basis.

Direct Costs

The Board believes that the use of school facilities should not result in costs to the County Office of Education. The Board shall charge at least direct costs of custodial and staff time to groups granted facility use under the Civic Center Act. The Superintendent is authorized to waive direct cost fees in special circumstances.

See Exhibit 1330 (d-f)

Fair Rental Value

Groups shall be charged fair rental value when using school facilities or grounds 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 County Office of Education's students. (Education Code 38134)

See Exhibit 1330 (a-c)

Legal References:

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)

COMMUNITY RELATIONS

Use Of School Facilities

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

BOARD POLICY:

First Reading 11-15-83

Adopted 12-20-83

AMENDED:

First Reading 12-21-93

Adopted 1-18-94

AMENDED:

Adopted 11-18-97

AMENDED:

First Reading/Adoption 4-16-02

AMENDED:

First/Second Reading/Adoption 10-18-2005

AMENDED:

First Reading June 17, 2007

Adopted July 24, 2007

COMMUNITY RELATIONS

Use Of School Facilities

Application for Use of Facilities

The Superintendent or designee shall maintain application procedures and regulations for the use of school facilities which: (Education Code 38133)

1. Encourage and assist groups desiring to use school facilities for approved activities.
2. Preserve order in school buildings and on school grounds, and protect school facilities. If necessary, a person may be designated to supervise this task.
3. Ensure that the use of facilities or grounds is not inconsistent with the use of the school facilities or grounds for school purposes and does not interfere with the regular conduct of school work.

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

Persons or organizations applying for the use of school facilities shall submit a statement of information indicating that the organization upholds the state and federal constitutions and does not intend to use school premises to commit unlawful acts.

See Exhibit 1330 (i)

Civic Center Use

Subject to County Board 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 38131, 38132)

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

COMMUNITY RELATIONS

Use Of School Facilities

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 that are arranged for and supervised by entities, including religious organizations or churches, and in which youths may participate regardless of religious belief or denomination
7. A community youth center (cf. 1020 – Youth Services)
8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare (cf. 3516 – Emergencies and Disaster Preparedness Plan)
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 its territories. (Military and Veterans Code 1800)
10. Other purposes deemed appropriate by the County Board of Education

The Superintendent or designee may grant the use of school facilities on those days on which the public school is closed. (Education Code 37220)

Restrictions

School facilities 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 of school 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 except at the Bernasconi Education Center. (cf. 3513.3 - Tobacco-Free Schools)

The Superintendent or designee may exclude certain school facilities from non-school use for safety or security reasons. The following are not available for use due to safety or security reasons: all offices and reception areas at all sites, the photography and computer labs at the Jill Kinmont Boothe School, and the Infant Center at the Child Care Connection facility.

COMMUNITY RELATIONS

Use Of School Facilities

Damage and Liability

Groups or persons using school facilities shall be liable for any property damages caused by the activity. The Board may charge the amount necessary to repair the damages and may deny the group further use of school facilities. A security deposit in the amount of \$50 for damages and excess cleaning shall be charged per building or room. Said deposit shall be made upon execution of the use of facilities agreement and is refundable.

Any group using school facilities shall be liable for any injuries resulting from its negligence during such use. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk.

Groups other than those that promote youth and school activities shall be required to include the district as additional insured on their liability policies.

As permitted, the Superintendent or designee may require a hold harmless agreement and proof of insurance when warranted by the type of activity or the specific facility being used.

ADMINISTRATIVE REGULATION:

First Reading 12-21-93

Adopted 1-18-94

AMENDED:

First Reading 4-16-02

Adopted 5-21-02

AMENDED:

First/Second Reading/Adoption 10-18-2005

AMENDED:

First Reading June 17, 2007

Adopted July 24, 2007

Revised February 8, 2011

COMMUNITY RELATIONS

Use Of School Facilities

INYO COUNTY OFFICE OF EDUCATION

Fair Rental Rates

Bernasconi Education Center

Big Pine, California

| | |
|--|--|
| Small Cabins – Sleeps 6-8 (Willow, Birch, Apple Ranch) | \$150 per day |
| Large Cabins – Sleeps up to 12 (Sage, Pinyon, Wild Rose) | \$200 per day |
| Dorm Cabins – Sleeps up to 38 (Bristlecone, Ponderosa) | \$300 per day for one cabin \$200 per day for 2 nd cabin |

Group minimum size is 20

Price includes:

- Cabins are heated, air-conditioned, clean and cozy
- Access to full restaurant style kitchen facility
- Glacier Hall cafeteria seats up to 100
- Interior and exterior toilet and shower facilities
- Two conference rooms available with seating for 30 in each
- Amphitheatre/campfire area
- Softball field, basketball and volleyball courts, and horseshoes
- Youth jungle-gym area
- Hiking trails with gorgeous scenic vistas

COMMUNITY RELATIONS

Use Of School Facilities

INYO COUNTY OFFICE OF EDUCATION

Fair Rental Rates

Jill Kinmont Boothe School

Bishop, California

Multi-use Room and Restrooms

\$150 per day

Maximum Occupancy in Multi-Use Room: 92

Multi-use Room, Kitchen, and Restrooms

\$200 per day

Maximum Occupancy in Multi-Use Room: 92

Classrooms

\$100 per room per day

Maximum Occupancy: 50 per classroom

Field

\$50 per day

COMMUNITY RELATIONS

Use Of School Facilities

INYO COUNTY OFFICE OF EDUCATION

Fair Rental Rates

ICOE Conference Center
Bishop, California

Conference Room
\$100 per day
Maximum Occupancy: **38**

Inyo County Office of Education
Independence, California

Conference Room
\$100 per day
Maximum Occupancy: 38

- Telephone usage is not permitted.
- A security deposit in the amount of \$50 for damages and excess cleaning shall be charged per building or room. Said deposit shall be made upon execution of the use of facilities agreement and is refundable.
- User must carry own liability insurance in the amount of \$1,000,000, and the Inyo County Office of Education is to be named as an additional insured to the amount of \$1,000,000. User agrees to protect, indemnify, and hold county office harmless from any and all damages or liabilities, including attorney's fees, arising out of or in connection with user's activities on the premises.
- The following are not available for use due to safety or security reasons: all offices and reception areas at all sites, the photography and computer labs at the Jill Kinmont Boothe School, and the Infant Center at the Child Care Connection facility.

COMMUNITY RELATIONS

Use Of School Facilities

INYO COUNTY OFFICE OF EDUCATION

Direct Costs

Bernasconi Education Center

Big Pine, California

Dormitory Rate per Building

\$52.09 per regular work day*

\$83.74 per non-work day**

Maximum Occupancy (new dorms): 12

Maximum Occupancy (old dorms): 40

Conference Room

\$52.09 per regular work day*

\$83.74 per non-work day**

Maximum Occupancy: 50

Bath/Shower Facility

\$66.12 per regular work day***

\$108.32 per non-work day****

Kitchen/Cafeteria Facility

\$94.18 per regular or work day*****

\$157.48 per non-work day*****

Maximum Occupancy: 68

*CLHRLY Range 20, Step 5 regular rate including benefits x 1.5 hours +\$10 supplies

** CLHRLY Range 20, Step 5 double time rate including benefits x 1.5 hours +\$10 supplies

*** CLHRLY Range 20, Step 5 regular rate including benefits x 2 hours +\$10 supplies

**** CLHRLY Range 20, Step 5 double time rate including benefits x 2 hours +\$10 supplies

***** CLHRLY Range 20, Step 5 regular rate including benefits x 3 hours +\$10 supplies

***** CLHRLY Range 20, Step 5 double time rate including benefits x 3 hours +\$10 supplies

COMMUNITY RELATIONS

Use Of School Facilities

INYO COUNTY OFFICE OF EDUCATION

Direct Costs

Jill Kinmont Boothe School
Bishop, California

Multi-use Room and Restrooms

\$66.12 per regular work day***

\$108.32 per non-work day****

Maximum Occupancy in Multi-Use Room: 92

Multi-use Room, Kitchen, and Restrooms

\$94.18 per regular ~~work day~~ ~~or non-work day~~*****

\$157.48 per non-work day

Maximum Occupancy in Multi-Use Room: 92

Classroom Rate per Room

\$52.09 per regular work day*

\$83.74 per non-work day**

Maximum Occupancy: 50 per classroom

* CLHRLY Range 20, Step 5 regular rate including benefits x 1.5 hours +\$10 supplies

** CLHRLY Range 20, Step 5 double time rate including benefits x 1.5 hours +\$10 supplies

*** CLHRLY Range 20, Step 5 regular rate including benefits x 2 hours +\$10 supplies

**** CLHRLY Range 20, Step 5 double time rate including benefits x 2 hours +\$10 supplies

***** CLHRLY Range 20, Step 5 regular rate including benefits x 3 hours +\$10 supplies

***** CLHRLY Range 20, Step 5 double time rate including benefits x 3 hours +\$10 supplies

COMMUNITY RELATIONS

Use Of School Facilities

INYO COUNTY OFFICE OF EDUCATION

Direct Costs

ICOE Conference Center
Bishop, California

Conference Room
\$52.09 per regular work day*
\$83.74 per non-work day**
Maximum Occupancy: **38**

Inyo County Office of Education
Independence, California

Conference Room
\$52.09 per regular work day*
\$83.74 per non-work day**
Maximum Occupancy: 38

* CLHRLY Range 20, Step 5 regular rate including benefits x 1.5 hours +\$10 supplies

** CLHRLY Range 20, Step 5 double time rate including benefits x 1.5 hours +\$10 supplies

- Telephone usage is not permitted.
- A security deposit in the amount of \$50 for damages and excess cleaning shall be charged per building or room. Said deposit shall be made upon execution of the use of facilities agreement and is refundable.
- User must carry own liability insurance in the amount of \$1,000,000, and the Inyo County Office of Education is to be named as an additional insured to the amount of \$1,000,000. User agrees to protect, indemnify, and hold county office harmless from any and all damages or liabilities, including attorney's fees, arising out of or in connection with user's activities on the premises.
- The Inyo County Office of Education reserves the right to waive direct cost fees as deemed appropriate by the Superintendent or designee.
- The following are not available for use due to safety or security reasons: all offices and reception areas at all sites, the photography and computer labs at the Jill Kinmont Boothe School, and the Infant Center at the Child Care Connection facility.
- Direct Cost Maintenance

COMMUNITY RELATIONS

INYO COUNTY OFFICE OF EDUCATION

Application for Use of School Property

Application is hereby made for the use of the following property:

Applicant recognizes that use may be rescinded at any time for county/school use.

Circle One: Facility Grounds/Fields

Property Requested: _____

Date(s) of Use: _____

Day(s) of the Week: _____

Hours: _____

Purpose: _____

Anticipated Number of Participants: _____ and Attendance: _____

Will there be solicitation for funds or a charge for admission? _____

If so, for what purpose will the net proceeds be used? _____

(NOTE: Fair rental value, which includes direct costs plus the amortized costs of the facilities or groups, must be charged to any group that charges admission fees or solicits contributions unless the net receipts are expended for the welfare of pupils or for charitable purposes.)

ACKNOWLEDGEMENT:

We, the undersigned have received a copy of the 'Rules and Regulations' and hereby agree to abide by and enforce all rules and regulations pertaining to the use of school facilities established by the Board of Trustees of the Inyo County Office of Education, and to save harmless said county office from any and all claims of liability from the use or damage of such facilities.

COMMUNITY RELATIONS

Use Of School Facilities

_____ Our organization does possess public liability insurance.

We understand that our organization shall be liable for any injuries or damage arising out of conduct of our meeting or event while using County Office facilities and we agree to furnish proof of public liability insurance to cover that risk, naming the Inyo County Office of Education as an additional insured, in the amount \$1,000,000.

_____ Our organization does not possess public liability insurance.

Name of Organization _____

By _____ Position _____

Address _____ Phone _____

Signature _____ Date _____

Office Use:

Circle one: Fair Rental Direct Cost

Total Cost: _____

Security Deposit: _____

Amount Due
Prior to Use: _____

Key issued: Yes Key # _____ No

Date key returned: _____ Deposit returned: Yes Date: _____ No

Reasons _____

COMMUNITY RELATIONS

Use Of School Facilities

INYO COUNTY OFFICE OF EDUCATION

STATEMENT OF INFORMATION

The undersigned, as duly authorized representative for _____, states that, to the best of his/her knowledge, the school property for use of which application is hereby made will not be used for the commission of any crime or any act which is prohibited by law.

The undersigned further declares that _____, the organization on whose behalf he/she is applying for the use of school property, upholds and defends the Constitutions of the United States and the State of California.

This statement is made under penalty of perjury, per Education Code Section 40057.

Signed: _____

Organization if applicable: _____

Date: _____

FOR COUNTY OFFICE USE ONLY:

Approval: _____
Superintendent or Designee

COMMUNITY RELATIONS

Use Of School Facilities

INYO COUNTY OFFICE OF EDUCATION

RULES AND REGULATIONS

Reserved Weeks: The following weeks shall be reserved for school use only:

1. The first and last weeks of school and each grading period
2. The last week prior to Winter Holidays
3. Public Schools Week

Precedence of School Functions:

School functions shall take precedence over previously scheduled meetings or outside organizations. In such cases, the organizations shall be so notified by the Superintendent or designee. Organizations realize they may be bumped from facility use and the use permit rescinded based on school/county needs.

Operation of School Equipment:

Specialized equipment such as movie projectors, etc. owned by the County Office shall be approved for use only when a professional employee trained in the operation of such equipment is available.

Employee Organizations:

Employee organizations shall have the right of access at reasonable times to areas in which employees work, the right to use institutional bulletin boards, mailboxes, and other means of communication, subject to reasonable regulation, and the right to use institutional facilities at reasonable times for the purpose of meetings concerned with the exercise of the rights guaranteed by their organizations.

Denial of Use:

Organizations not specifically authorized to use community facilities per Education Code Section 40018 that are apparently requesting the facilities in order to provide functions and/or services that would financially benefit individuals or an organization through the charging of admissions, fees, membership fees, etc., will be denied usage of school facilities. Organizations not complying with school rules, defacing or damaging the facilities, and/or not maintaining adequate control, will be denied further use of school facilities.

COMMUNITY RELATIONS

Use Of School Facilities

- A. Religious Organizations
The Board reserves the right to approve temporary (i.e. 3 months or less) use of school facilities by a religious organization if, because of natural disaster (i.e. fire, flood, explosion, etc.) an organized religious group is temporarily without facilities.
- B. Any fees charged for use of facilities are due and payable in advance.

EXHIBIT:

First Reading 4-16-02

Adopted 5-21-02

AMENDED:

First/Second Reading/Adoption 10-18-2005

AMENDED:

First Reading June 17, 2007

Adopted July 24, 2007

AMENDED: August 21, 2007

AMENDED: June 8, 2011