

Castro Valley USD

Administrative Regulation

Use Of School Facilities

AR 1330

Community Relations

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.

Persons or organizations applying for the use of school facilities or grounds shall submit a facilities use statement indicating that they uphold the state and federal constitutions and do not intend to use school premises or facilities to commit unlawful acts.

Civic Center Use

Subject to district 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)

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

(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)
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 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

(cf. 0450 - Comprehensive Safety Plan)

(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 their territories. (Military and Veterans Code 1800)

10. Other purposes deemed appropriate by the Board of Education

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

(cf. 3513.3 - Tobacco-Free Schools)

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. The District may allow the possession, sale or consumption of alcoholic beverages in connection with a special event on the Castro Valley Center for the Arts (CFA) and the Adobe Art Center properties only if the event organizer complies with the following conditions.

For each such event, the District shall designate a single individual who shall be responsible for compliance with this policy ("Designee").

1. Board of Education Approval

a. The "special event" must be approved by the Board of Education of the District.

"Special event" is defined as follows: a festival, show, private party, concert, theatrical production, or other event held on the premises of the District and for which the principal

attendees are members of the general public or invited guests and not students of the District.

2. Required Permits Shall Be Obtained

- a. A temporary Alcohol Bureau of Control (ABC) license must be obtained for the event as required by law and provided to the district at least fourteen (14) days prior to the event.
- b. Some counties or cities require a separate permit or approval for special events when alcohol will be served. The Designee shall contact the local agency where the event is to be held to determine if such a permit is required for the event and, if so, such a permit shall be obtained.

3. District Rules for Special Events When Alcohol is Served

- a. The designee shall provide for the proper supervision of the event and shall ensure that the terms of this policy and any issued permit are followed.
- b. Private security shall be required for the event.
- c. No one under the age of 21 shall be present at the event.
- d. All servers of alcohol at the event shall be informed of the terms of any permit and this policy. All such servers shall be at least 21 years of age and supervised by a licensed bartender.
- e. No alcohol shall be furnished to any individual under the age of 21. The server shall request bona fide photo identification from a guest seeking alcohol whenever there is any question as to whether the individual seeking alcohol is not age 21 or older.
- f. No alcohol shall be furnished to an obviously intoxicated person or to a habitual or common drunkard as prohibited by Business and Professions Code section 25602.
- g. The service of alcohol shall be limited to one drink per person at any one time.
- h. Drinks shall be served in containers no larger than 12 ounces.
- i. No alcohol shall be consumed in a parking lot, sidewalk or street.
- j. Non-alcoholic beverages shall be available for consumption at the event. Where practicable, free water shall be provided for consumption.
- k. Where practicable, food shall be available for consumption at the event.
- l. No attendee shall be allowed to bring their own alcoholic beverages to the event.
- m. Servers of alcohol shall not also consume alcohol at the event.
- n. The service of alcohol shall cease at least one hour prior to the end of the event.

o. Provide the district with a certificate of insurance with an endorsement naming the district as an additional named insured against claims arising out of the group's acts or omissions prior to using school facilities.

Any such use of school facilities shall be subject to any limitations that may be necessary to reduce risks to the district 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.

The district may exclude certain school facilities from nonschool 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. The district 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 district 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 the district with evidence of insurance against claims arising out of the group's own negligence when using school facilities. (Education Code 38134)

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

(cf. 3515.21 - Unmanned Aircraft Systems (Drones))

Regulation CASTRO VALLEY UNIFIED SCHOOL DISTRICT
approved: November 13, 2018 Castro Valley, California