

**1330 BR: Use of COE Facilities**

**Status: ADOPTED**

**Original Adopted Date:** 4/10/2025

PCOE facilities are established and operated using public funds. The use regulations developed by the County Superintendent and approved by the County Board permit the reasonable use of the PCOE facilities available for public use.

The County Superintendent shall also grant pursuant to Board Policy 3516 the use of its buildings, grounds and equipment to public agencies, including the American Red Cross, for mass care welfare shelters during disasters and other emergencies affecting the public health and welfare.

Groups shall be charged fair rental value when using County Office 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 County Office or school district students. (Education Code 38134)

When any use of facilities or grounds is for religious services, the County Office shall charge an amount at least equal to the County Office's direct costs. (Education Code 38131, 38134)

When any use of facilities or grounds includes the acquisition, possession, use, sale or consumption of alcoholic beverage, a special use permit from the Department of Alcoholic Beverage Control must be obtained.

#### **User Group Categories**

Group Category I: Placer County School Districts.

Group Category II: Not-for-profit youth related organizations, public agencies, including out of county school districts, religious groups except for religious services, and childcare associated with Group I and II activities.

Group Category III: Commercial Users

#### **User Fees**

User fees may be charged for any estimated operational direct cost such as audio/visual equipment, supplies, utilities, custodial services and salaries and benefits paid to PCOE employees which are necessitated by the use of the facilities and grounds. In some instances, estimated capital direct costs may be included in the fee and charged on a proportional basis for the estimated costs of maintenance, repair, restoration and refurbishment of non-classroom space and grounds. (Education Code 38134; 5 CCR 14039)

Capital direct costs shall not be charged to organizations retained by the County Office to provide instruction or instructional activities to students during school hours or for classroom-based programs that operate after school hours, including, but not limited to, after-school, tutoring, and childcare programs. (5 CCR 14037)

Direct cost fees shall not be discounted to any group or organization except when the discount is specifically authorized in the user fee schedule. (5 CCR 14041)

Any user fees collected as capital direct costs shall be deposited into a special fund to be used only for capital maintenance, repair, restoration, and refurbishment of school facilities and grounds. (5 CCR 14042)

User fees as established by the County Board are listed in Exhibit 1330.

### **Insurance Requirements**

When individuals or groups request use of County Office facilities or grounds, it is important that all reasonable and available protective measures be taken to avoid liability and minimize the County Office property and liability loss potential. Specific requirements for each category appear below.

	<b>RENTAL FEES</b>	<b>INSURANCE REQUIREMENT</b>
<b>CATEGORY I</b>	None	None but agreeing to hold PCOE harmless
<b>CATEGORY II</b>	See Exhibit 1330	Certificate of Insurance in the amount of \$1,000,000, naming PCOE as an additional insured and agreeing to hold PCOE harmless. The policy must also cover sexual molestation.
<b>CATEGORY III</b>	See Exhibit 1330	Certificate of Insurance in the amount of \$1,000,000 naming PCOE as an additional insured and agreeing to hold PCOE harmless. The policy must also cover sexual molestation.

### **Scheduling Use**

Requests for use of the County Office facilities shall be made in advance and in writing or digitally on forms provided by the County Office. All conditions, including insurance certificates, hold-harmless agreements, special event permits, statement of information, and payment of fees etc., must be completed prior to receiving confirmation of permission to use facilities. If approved, a completed copy of the application shall be provided to the applicant.

### **General Guidelines for the Use of PCOE Buildings and Grounds**

1. The Superintendent Designee shall be responsible for the coordination and interpretation of the policies and regulations regarding the use of the County Office facilities. In addition, the Designee shall determine fees to be charged, where applicable.
2. No activity will be permitted which is in violation of local, state, or federal law. The application and if applicable, the certificate of insurance, any special permit, and the payment of any fees, must be received by PCOE at least 48 hours prior to date of use. These forms shall be obtained from the receptionist at 360 Nevada Street, Auburn.
3. PCOE must be notified of cancellation of a scheduled meeting at least twenty-four (24) hours in advance of the scheduled meeting date. If notice is not received, the requestor will be charged a \$50 cancellation fee.
4. No individual group or organization may use PCOE property for purposes that discriminate on the basis of actual or perceived sex, sexual orientation, gender, gender identity or expression, genetic information, ethnicity, ethnic group identification, race, ancestry, nationality, national origin, religious creed, color, or mental or physical disability or age, marital or parental status, military or veteran's status, or on the perception of one or more of such characteristics, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics.
5. All youth organizations or groups seeking use of County Office facilities must have sponsorship and supervision by an individual at least twenty-one (21) years of age unless otherwise approved by the Designee. Facilities shall not be opened for use unless this requirement is met.

6. No furniture or equipment may be moved unless requested on the application and approval has been granted by the Designee.
7. The fact that a group is given permission to use County Office facilities does not constitute endorsement by the County Office of the policies or beliefs of the group.
8. Tobacco use in any form, including smokeless nicotine delivery systems, is prohibited at all times, including weekends and evenings on all property owned or operated by the County Office. This prohibition includes, but is not limited to, all buildings, parking lots, vehicles parked in parking lots, athletic fields and patio areas.
9. Possession or consumption of drugs in an unlawful manner is prohibited on County Office property.
10. Possession or consumption of alcohol is prohibited on County Office property. However, the County Superintendent or Designee may approve the use of County Office facilities or grounds for special events that may involve the acquisition, possession, use, sale, or consumption of alcoholic beverages, when the event is covered by a special event permit issued pursuant to Division 9 of the Business and Professions Code. The event shall be held at a time when students are generally not on the grounds of the County Office. Any such use shall be subject to any limitations that may be necessary to reduce risks to the County Office and ensure the safety of the participants. In addition to the insurance requirements for Category II and III users, any person or group who has obtained a special events permit shall also obtain a sale and service liability policy endorsement if alcohol will be sold or a no-host liquor license if alcohol will be provided at no cost.
11. No part of the buildings may be entered or used which are not specifically listed on the approved application.
12. The individual signing the Application for Use of Facilities shall, as a condition of use, agree to be held financially responsible in the event of loss or damage to PCOE property caused by the user. When an organization, group or other entity will be the user of County Office facilities or grounds, an authorized individual may sign on behalf of the organization, group or other entity.
13. Any person applying for the use of property on behalf of any group shall be a member of such applicant group and, unless he/she is an officer of such group, must present written authorization to represent the group.
14. Organizations shall be responsible for the control and supervision of all persons in attendance during the use of County Office facilities. The County Office shall require security as a condition of use whenever it is deemed to be in the County Office's best interest.
15. Groups using County Office facilities shall be responsible for the condition in which they leave the facilities. Any abuse or misuse of facilities shall be reported immediately to the Designee. If appropriate, a charge for damage or loss of County Office property will be established by the Designee. Failure to pay immediately for any damage or for any charge including a cancellation fee shall be grounds for denial of future facility requests. Any abuse or misuse of County Office facilities may be grounds for denying future facility requests.
16. No structure, electrical modifications or mechanical apparatus may be erected or installed on County Office property without specific written approval by the County Office representative approving the Application for Use of Facilities. Organizations granted the use of County Office facilities shall assume full responsibility for compliance with all applicable federal, state and local fire, health, and safety laws and regulations.
17. All draperies, hangings, curtains, drops and all decorative materials used with or upon the County Office

buildings and grounds shall be made or treated with a flame- retardant process approved by the State Fire Marshall.

18. Any materials which might leave marks or holes on the walls including masking tape, pushpins, nails, and staples are strictly prohibited.
19. The County Superintendent shall have the right to revoke permission for use of a County Office facility at any time when it is deemed in the best interest of the County Office.
20. With prior approval, refrigerators, freezers, icemakers and coffee brewing equipment may be used by the groups using the facility but they must provide their own coffee, coffee related products such as sugar, cream, stirrers and all paper products. Cooking is strictly prohibited.
21. All activities on the exterior grounds of PCOE's facilities shall conclude thirty (30) minutes prior to sundown unless otherwise approved by the Designee.

#### **Damage and Liability**

Groups or organizations using County Office facilities or grounds shall be liable for any property damage caused by the use. The County Office may charge the amount necessary to repair the damage and may deny the group further use of its facilities or grounds. (Education Code 38134)

Any group or organization using County Office facilities or grounds shall be liable for any injuries resulting from the group's 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. (Education Code 38134)

Groups or organizations in Group Categories II and III shall provide the County Office with evidence of insurance against claims arising out of the group's negligence when using County Office facilities or grounds. (Education Code 38134)

Adopted: August 14, 2008

Revised: October 9, 2014

Revised: February 11, 2016

Revised: April 10, 2025