

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS  
FRESNO COUNTY BOARD OF EDUCATION**Community Relations**  
**USE OF FACILITIES**

The County Superintendent and County Board recognize that facilities and grounds are a community resource and authorize their use by residents and community groups for purposes provided for in the Civic Center Act when such use does not interfere with activities or other school-related uses of the County Superintendent or County Board.

Activities and other school-related uses of the County Superintendent shall be given priority in the use of facilities and grounds owned by the County Board or leased by the County Superintendent. Other uses authorized under the Civic Center Act shall be on a first-come, first-served basis.

The County Superintendent or designee shall maintain procedures and regulations that:

1. Aid, encourage, and assist groups desiring to use school facilities for approved activities.
2. Preserve order in school facilities and on school grounds, and protect school facilities and grounds, designating a person to supervise this task, if necessary.
3. Ensure that the use of school facilities or grounds is not inconsistent with their use for school purposes and does not interfere with the regular conduct of school work.

The County Superintendent or designee may grant the use of school facilities or grounds on those days on which County Superintendent-operated schools are closed.

There shall be no advertising on school facilities and grounds except as allowed by County Superintendent and County Board Policy 1325 – Advertising and Promotion.

As necessary to ensure efficient use of school facilities and grounds, the County Superintendent or designee may enter into an agreement for the joint use of any school facilities or grounds in accordance with County Superintendent and County Board policy and County Superintendent administrative regulation.

**Fees**

The County Superintendent or designee shall prepare a schedule of fees to be charged for community use of school facilities and grounds that are leased by the County Superintendent. The County Board delegates to and authorize the County Superintendent or designee to prepare a schedule of fees to be charged for community use of school facilities and grounds that are owned by the County Board.

The County Superintendent or designee may grant the use of school facilities or grounds owned by the County Board or leased by the County Superintendent, without charge, to school-related organizations whose activities are directly related to or for the benefit of County Superintendent-operated schools. Other groups requesting the use of school facilities or grounds under the Civic Center Act shall be charged an amount not exceeding direct costs as set forth in the

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schedule of fees prepared by the County Superintendent or designee.

Additionally, when any use of school facilities or grounds is for religious services, there shall be a charge in an amount at least equal to the direct costs.

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 Fresno County students or programs.

**Calculating Direct Costs**

Direct costs to be charged for community use of each, or each type of, school facility or grounds may reflect the community's proportionate share of the following costs:

1. Capital direct costs, including the estimated costs of maintenance, repair, restoration, and refurbishment of non-classroom space school facilities or grounds.
2. Operational direct costs, including estimated costs of supplies, utilities, janitorial services, other services performed by County Superintendent employees and/or contracted workers, and salaries and benefits paid to County Superintendent employees directly associated with the operation and maintenance of school facilities and grounds.

Direct cost fees shall not be discounted to any group or organization except when the discount is specifically authorized in the adopted fee schedule.

**Expending Funds Collected as Capital Direct Costs**

Any funds 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.

**Use of School Facility as Polling Place**

The County Superintendent may authorize the use of school buildings owned by the County Board or leased by the County Superintendent and located on a school site operated by the County Superintendent as polling places on any election day, and may authorize the use of school buildings, without cost, for the storage of voting machines and other voting-tabulating devices. However, if a city or county elections official specifically requests the use of a school building as a polling place, the County Superintendent shall allow its use for such purpose. If school will be in session, the County Superintendent or designee shall identify to elections officials the specific areas of the school buildings not occupied by school activities that will be allowed for use as polling places. (Elections Code 12283.)

When a school is used as a polling place, the County Superintendent or designee shall provide the elections official a site with an adequate amount of space that will allow the precinct board to perform its duties in a manner that will not impeded, interfere, or interrupt the normal process of voting and shall make a telephone line for Internet access available for use by local elections

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officials if so requested. He/she shall make a reasonable effort to ensure that the site is accessible to persons with disabilities. (Elections Code 12283.)

The County Superintendent or designee shall establish procedures to ensure student safety and minimize disruptions whenever school is in session while school buildings are being used as a polling place.

Adopted: 06/015/1995

Amended: 11/18/2010, 10/18/2018

**Legal Reference**Education Code

10900-10914.5 Community recreation programs  
32282 School safety plan  
37220 School holidays  
35160 Authority of governing boards

Business and Professions Code

25608 Alcoholic beverage on school premises

Elections Code

12283 Polling places: schools

Government Code

54950-54963 Ralph M. Brown Act

Military and Veterans Code

1800 Definitions

United States Code, Title 20

7905 Equal access to public school facilities

Court Decisions

Good News Club v. Milford Central School (2001) 533 U.S. 98  
Lamb's Chapel v. Center Moriches Union Free School District (1993) 508 U.S. 384  
Cole v. Richardson (1972) 405 U.S. 676  
Connell v. Higgenbotham (1971) 403 U.S. 207  
ACLU v. Board of Education of Los Angeles (1961) 55 Cal .2d 167  
Ellis v. Board of Education (1945) 27 Cal.2d 322

Attorney General Opinions

82 Ops.Cal.Atty.Gen. 90 (1999)  
79 Ops.Cal.Atty.Gen. 248 (1996)

**Management Resources**CSBA Publications

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

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February 2010

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

Web Sites

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

SD 1330, 07/2018; Doc# 11083-2, rev. 08/2018