

LAKE COUNTY OFFICE OF EDUCATION
Office of the Superintendent

APPROVAL OF BP/AR 1329 - ALCOHOL USE ON LCOE PROPERTY

ISSUE

The County Board of Education will review the following policies:

- BP/AR 1329 – Alcohol Use on LCOE Property

BACKGROUND/PREVIOUS BOARD ACTIVITY

No previous board action.

DISCUSSION

Allowing the sale and consumption of alcoholic beverages on LCOE property may increase revenues for facility use fees, and may also increase attendance at special events and/or fund raisers.

FISCAL, STAFFING, AND FACILITIES

There will be an increase in staff costs for administration of the policy and for staffing events for supervision and custodial; however, most of these costs can be abated through facility use fees.

SUPERINTENDENT'S RECOMMENDATION

The County Superintendent of Schools recommends approval of BP/AR 1329.

Report prepared by:
Rob Young, Facilities Coordinator

Lake County Office of Education

Community Relations

ALCOHOL USE ON COUNTY OFFICE PROPERTY

Board Policy 1329

Lake County Office of Education may allow the possession, sale or consumption of alcoholic beverages in connection with a special event at either Taylor Observatory or the Kesey Room if the event organizer complies with the following conditions.

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

"Alcoholic beverage" shall refer to beer and wine. Hard liquor and spirits are prohibited.

A) Superintendent or designee approval

1. Any "special event" that includes the use or sales alcoholic beverages must be approved by the County Superintendent of Schools. "Special event" is defined as follows: a festival, show, private party, concert, theatrical production, or other event held on or within LCOE facilities and for which the principal attendees are members of the general public or invited guests and not students of LCOE.

B) Required Permits Shall Be Obtained

1. A temporary Alcohol Beverage and Control license shall be obtained for the event as required by law.
2. Some counties or cities require a separate permit or approval for special events when alcohol will be served. The requesting agency 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.

C) Rules for Special Events When Alcohol is Served

1. The requesting agency shall provide for the proper supervision of the event and shall ensure that the terms of this policy and any issued permit are followed.
2. No one under the age of 21 shall be present at the event.
3. All servers of alcohol at the event shall be informed of the terms of any permit and this policy. All servers shall be at least 21 years of age.
4. 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.
5. No alcohol shall be furnished to an obviously intoxicated person or to a habitual or common drunkard.
6. The service of alcohol shall be limited to one drink per person at any one time.
7. Drinks shall be served in containers no larger than 12 ounces.
8. No alcohol shall be consumed in a parking lot, sidewalk, or street.
9. Non-alcoholic beverages shall be available for consumption at the event. Free water shall be provided for consumption.
10. Where practicable, food shall be available for consumption at the event.

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11. No attendee shall be allowed to bring his/her own alcoholic beverages to the event.
12. Servers of alcohol shall not consume alcohol at the event.
13. The service of alcohol shall cease at least one hour prior to the end of the event.

D) Lake County Office of Education Locations for Serving Alcohol

1. LCOE may allow the possession, sale or consumption of alcoholic beverages at only these locations:
 - a. LCOE Main- 1152 South Main Street, Lakeport, CA 95453
 - b. Taylor Observatory- 5725 Oak Hills Lane, Kelseyville, CA 95451
 - i. Special events held at Taylor Observatory shall also comply with Kelseyville USD's Board Policy 1329.

Legal Reference:

Business and Professions Code
25608(a)(17) Alcoholic beverages on school premises.

Policy adopted: _____

Community Relations

AR 1329

ALCOHOL USE ON COUNTY OFFICE PROPERTY

Lake County Office of Education may allow the possession, sale or consumption of alcoholic beverages in connection with a special event at either Taylor Observatory or the Kesey Room.

1. Sales of alcoholic beverages shall only be permitted for non-profit organizations.
2. Alcoholic beverages refer to beer and wine only. Hard liquor shall not be permitted on the property under any circumstances.
3. Any person applying for the use of any school facilities or grounds on behalf of any non-profit shall present written authorization from the group or organization to make the application by completing the Use of Facility Request Form.
4. Use of Facility Request Form must:
 - a. Be clearly marked that alcohol use/sales is planned.
 - b. Be accompanied or followed up with any required permits at least two weeks before the event date in order to receive final approval to hold the event.
5. For each such event, LCOE shall designate a single individual who shall be responsible for compliance with this policy (“Designee”).
6. Taylor Observatory may only be utilized for the possession, sale or consumption of alcoholic beverages in connection to a “special event” between June 20th and September 3rd.

County Superintendent Approval

1. Any “special event” that includes the use or sales alcoholic beverages must be approved by the County Superintendent of Schools. “Special event” is defined as follows: a festival, show, concert, theatrical production, or other event held on or within LCOE facilities and for which the principal attendees are members of the general public or invited guests and not students of LCOE.

Required Permits Shall Be Obtained

1. A temporary Alcohol Beverage and Control license shall be obtained for the event as required by law.
2. Some counties or cities require a separate permit or approval for special events when alcohol will be served. The requesting agency 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.

LCOE Rules for Special Events When Alcohol is Served

1. The requesting agency shall provide for the proper supervision of the event and shall ensure that the terms of this policy and any issued permit are followed.
2. No one under the age of 21 shall be present at the event.
3. 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.

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ALCOHOL USE ON COUNTY OFFICE PROPERTY (continued)

4. 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.
5. No alcohol shall be furnished to an obviously intoxicated person or to a habitual or common drunkard.
6. The service of alcohol shall be limited to one drink per person at any one time.
7. Drinks shall be served in containers no larger than 12 ounces.
8. No alcohol shall be consumed in a parking lot, sidewalk or street.
9. Non-alcoholic beverages shall be available for consumption at the event. Free water shall be provided for consumption.
10. Where practicable, food shall be available for consumption at the event.
11. No attendee shall be allowed to bring his/her own alcoholic beverages to the event.
12. Servers of alcohol shall not consume alcohol at the event.
13. The service of alcohol shall cease at least one hour prior to the end of the event.

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 the 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 any restricted substances, including tobacco (cf. 3513.3 - Tobacco-Free Schools)
4. The district may exclude certain school facilities from nonschool use for safety or security reasons.

Damage and Liability

1. 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)
2. 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)
3. 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)

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ALCOHOL USE ON COUNTY OFFICE PROPERTY (continued)

4. 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. 3513.3 – Tobacco-Free Schools)

Legal Reference:

EDUCATION CODE

38134 – Use of School Property

Policy adopted: _____

Regulation

LAKE COUNTY OFFICE OF EDUCATION
Lakeport, California