

Facilities

The Board of Trustees believes that a school site should serve the District's educational needs in accordance with the District's facilities master plan, as well as show potential for contributing to other community needs.

The Board of Trustees recognizes the importance of community input in the site selection process. To this end, the Board of Trustees will solicit community input whenever a school site is to be selected, and shall provide public notice, and hold public hearings in accordance with law.

The Superintendent or designee shall establish a site selection process, which complies with law, and ensures that the best possible sites are acquired, and developed in a cost-effective manner.

Before acquiring property for a new school, or an addition to an existing school site, the Board of Trustees shall evaluate the property at a public hearing using state site selection standards. (Education Code 17211)

Environmental Impact Investigation for the Site Selection Process

The Superintendent or designee shall determine whether any proposed development project is subject to the requirements of the California Environmental Quality Act (CEQA), and shall ensure compliance with this Act whenever so required. When evaluating District projects, the CEQA guidelines shall be used.

Agricultural Land

If the proposed site is in an area designated in a city, county, or city and county, general plan for agricultural use, and zoned for agricultural production, the Board of Trustees shall determine all of the following: (Education Code 17215.5)

1. That the District has notified and consulted with the city, county, or city and county, within which the prospective site is to be located;
2. That the Board of Trustees has evaluated the final site selection based on all factors affecting the public interest, and not limited to, selection on the basis of the cost of the land;
3. That the District shall attempt to minimize any public health and safety issues resulting from the neighboring agricultural uses, that may affect students and employees at the site.

Legal Reference:

EDUCATION CODE

- 17006 Definition of self-certifying district
- 17024 Prior written approval of CDE for selection of school site or construction of building
- 17070.10-17077.10 Leroy F. Greene School Facilities Act of 1998
- 17210-17224 General provisions (school sites)
- 17240-17245 New Schools Relief Act
- 17250.10-17250.50 Design-build contracts
- 17251-17253 Powers concerning buildings and building sites
- 17260-17268 Plans
- 17280-17317 Approvals
- 17565-17592.5 Board duties re management and control of school property
- 35271 Power to acquire and construct on adjacent property
- 35275 New school planning and design, re consultation with local recreation and park authorities

CODE OF CIVIL PROCEDURE

- 1263.710-1263.770 Remediation of hazardous substances on property to be acquired by school district

GOVERNMENT CODE

- 53094 Authority to render zoning ordinances inapplicable
- 65402 Acquisition or disposition of property
- 65995-65997 Developer fees
- 66455.9 Written notices of proposed public school site within development; investigation and report; conditions for acquisition

HEALTH AND SAFETY CODE

- 44360 Risk assessment

PUBLIC RESOURCES CODE

- 21000-21177 Implementation of Environmental Quality Act

CODE OF REGULATIONS, TITLE 5

- 14001-14036 Minimum standards

CODE OF REGULATIONS, TITLE 14

15000-15209 Review and evaluation of EIRs and negative declarations

ATTORNEY GENERAL OPINIONS

82 Ops.Cal.Atty.Gen. 130 (1999)

Management Resources:

WEB SITES

CDE, School Facilities Planning Division: <http://www.cde.ca.gov/dmsbranch/sfpdiv>

Office of Public School Construction: <http://www.opsc.dgs.ca.gov/>

Board of Trustees

Approved: July 16, 2020

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