

Policy 7150: Site Selection And Development

Status: DRAFT

Original Adopted Date: 03/05/2013 | Last Reviewed Date: 03/05/2013

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

The Board recognizes the importance of community input in the site selection process. To this end, the Board 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, at a public hearing, shall either evaluate the property at a public hearing using state site selection standards specified in 5 CCR 14010 or, if a district advisory committee was appointed to evaluate the property, receive the committee's report of findings based on those standards. (Education Code 17211) , 17251)

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, including any web site posting requirements. When evaluating district projects, the CEQA guidelines shall be used.

Environmental review documents, including a draft environmental impact report, environmental impact report, negative declaration or mitigated negative declaration, and public notice of the preparation and availability of such documents, shall be posted on the district's web site. (Public Resources Code 21082.1, 21092, 21092.2)

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 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 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

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

14 CCR 15000-15285
5 CCR 14001-14036
CCP 1263.710-1263.770
Ed. Code 17006

Description

Implementation of California Environmental Quality Act of 1970
California Department of Education: school facilities construction
Remediation of hazardous substances on property to be acquired by school district
Definition of self-certifying district -
<https://simbli.eboardsolutions.com/SU/JyroSyXQrb4GnslshgVQuNx5A==>

Ed. Code 17024	Prior written approval of CDE for selection of school site or construction of building - https://simbli.eboardsolutions.com/SU/plusTy35OslshxGAtnD3w6eRJslshxw==
Ed. Code 17070.10-17077.10	Leroy F. Greene School Facilities Act of 1998 - https://simbli.eboardsolutions.com/SU/fu4PsUtUAAb4qYYOY9breHg==
Ed. Code 17210-17224	School Sites; general provisions - https://simbli.eboardsolutions.com/SU/ur7JgI2vMeIWTCC3SCXTPA==
Ed. Code 17240-17245	New Schools Relief Act - https://simbli.eboardsolutions.com/SU/IEplus2NTUuiy0VslshfQbayySsQ==
Ed. Code 17250.10-17250.55	Design-build contracts - https://simbli.eboardsolutions.com/SU/KyAwX1K9LOug3Oc4uUy4Rw==
Ed. Code 17251-17256	CDE powers concerning buildings and building sites - https://simbli.eboardsolutions.com/SU/NwS3Om8nmJ04Yslsho0jqlt8A==
Ed. Code 17260-17268	Plans and specifications for school facilities - https://simbli.eboardsolutions.com/SU/K93eKC5SslshBGM5azLOpZgig==
Ed. Code 17280-17317	Field Act; approval of plans and supervision of construction
Ed. Code 17565-17592.5	Board duties; management and control of school property
Ed. Code 35271	Power to acquire and construct on adjacent property
Ed. Code 35275	New school planning; cooperation with recreation and park authorities
Gov. Code 53094	Authority to render zoning ordinances inapplicable
Gov. Code 65402	Acquisition or disposition of property
Gov. Code 65995-65997	Developer fees
Gov. Code 66455.9	Written notices of proposed public school site within development; investigation and report; conditions for acquisition
H&S Code 44360	Risk assessment
Pub. Res. Code 21000-21177	California Environmental Quality Act of 1970

Management Resources References

	Description
Attorney General Opinion	82 Ops.Cal.Atty.Gen. 130 (1999)
Website	Governor's Office of Planning and Research - https://simbli.eboardsolutions.com/SU/MvslshHMG1znUbWW5UoFHTJqQ==
Website	Department of Toxic Substances Control - https://simbli.eboardsolutions.com/SU/POmXdiUm5t3RqP4HNX5AFA==
Website	California Department of Education, School Site Selection and Approval Guide - https://simbli.eboardsolutions.com/SU/TToplusOF7QplusSI3WgZk3FBYig==
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==
Website	Department of General Services, Office of Public School Construction - https://simbli.eboardsolutions.com/SU/UxUcDGuszWNedr16Dp8wuQ==
Website	California Department of Education, School Facilities - https://simbli.eboardsolutions.com/SU/ATZTQPd7NwSB3FBncFesIshYA==

Cross References

	Description
1113-E(1)	District And School Web Sites - https://simbli.eboardsolutions.com/SU/oJaE6pBfeb1TIUhdIbjlHA==
1113	District And School Web Sites - https://simbli.eboardsolutions.com/SU/BzLslshM03JGp7plus8dzh1Fzc4Q==

1113	District And School Web Sites - https://simbli.eboardsolutions.com/SU/LkplusM8wFuCJc9T99n32Hnw==
1113-E PDF(1)	District And School Web Sites - https://simbli.eboardsolutions.com/SU/fCje9zCXa1OFcXTUBQYRhw==
1220	Citizen Advisory Committees - https://simbli.eboardsolutions.com/SU/7obBkz3eDZdX6UuwdxRCNQ==
1220	Citizen Advisory Committees - https://simbli.eboardsolutions.com/SU/tHSbWzMDkTpvVHIIUAI5KQ==
1330.1	Joint Use Agreements - https://simbli.eboardsolutions.com/SU/6vO5XmWvh6GiKCUrP6C73w==
3311.2	Lease-Leaseback Contracts - https://simbli.eboardsolutions.com/SU/SRMO1ei7iuZfByZF9RVZ4A==
3510	Green School Operations - https://simbli.eboardsolutions.com/SU/NlebfJASlsh6KWNOQf1BsiaMQ==
3514	Environmental Safety - https://simbli.eboardsolutions.com/SU/shlp06OGQEIJcPeXKe3plusaA==
3514	Environmental Safety - https://simbli.eboardsolutions.com/SU/9cYjplusPqlvVli7eaOJH77og==
7000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/07KE8slshwQslshJkrLHRsaM1fFQ==
7110	Facilities Master Plan - https://simbli.eboardsolutions.com/SU/LplusUljchhmiKrmYftUrSrxg==
7131	Relations With Local Agencies - https://simbli.eboardsolutions.com/SU/Is4jeJFy2ukUR3nnp0Km1g==
7140	Architectural And Engineering Services - https://simbli.eboardsolutions.com/SU/DkQOWrUIJwkFf2h3Gaw1ew==
7140	Architectural And Engineering Services - https://simbli.eboardsolutions.com/SU/q00ubQVXZM722nswfQpOZw==
7210	Facilities Financing - https://simbli.eboardsolutions.com/SU/hCUa0sTxRXNbm13y0QgYaQ==
9000	Role Of The Board - https://simbli.eboardsolutions.com/SU/yCFHLIFLUDCtfgppluseQHTjg==
9320	Meetings And Notices - https://simbli.eboardsolutions.com/SU/OxDNy6bT6iJslshUjLW43u4bg==
9323.2-E PDF(1)	Actions By The Board - https://simbli.eboardsolutions.com/SU/OBmCx0euH7NprbtSkVpEqQ==
9323.2-E PDF(2)	Actions By The Board - https://simbli.eboardsolutions.com/SU/mCzU1RyobzBhaXuplodW0Q==
9323.2	Actions By The Board - https://simbli.eboardsolutions.com/SU/0lplus42Ric0ikCvuN5KkoAFQ==