

SITE SELECTION AND DEVELOPMENT

The Board of Trustees 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 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 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

SITE SELECTION AND DEVELOPMENT (continued)

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*

17250.20-17250.35 *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)*