

Facilities

Site Selection and Development

The Board of Education 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 the 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 evaluate the property 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

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, 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

State Legal References:

CODE OF REGULATIONS, TITLE 5

14001-14036 California Department of Education: school facilities construction

CODE OF REGULATIONS, TITLE 14

15000-15285 Implementation of California Environmental Quality Act of 1970

CODE OF CIVIL PROCEDURE

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

EDUCATION CODE

17706 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 School Sites; general provisions

17240-17245 New Schools Relief Act

17250.10-17250.55 Design-build contracts

17251-17256 CDE powers concerning buildings and building sites

17260-17268 Plans and specifications for school facilities

17280-17317 Field Act; approval of plans and supervision of construction

17565-17592.5 Board duties; management and control of school property

35271 Power to acquire and construct on adjacent property

35275 New school planning; cooperation with recreation and park authorities

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 & SAFETY CODE

44360 Risk Assessment

PUBLIC RESOURCES CODE

21000-21177 California Environmental Quality Act of 1970

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California

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