


[Home](#)
[Bill Information](#)
[California Law](#)
[Publications](#)
[Other Resources](#)
[My Subscriptions](#)
[My Favorites](#)
Code:
Section:


[Up^](#) [Add To My Favorites](#)

EDUCATION CODE - EDC

TITLE 1 GENERAL EDUCATION CODE PROVISIONS [1. - 32527] (Title 1 enacted by Stats. 1976, Ch. 1010.)

DIVISION 1 GENERAL EDUCATION CODE PROVISIONS [1. - 32527] (Division 1 enacted by Stats. 1976, Ch. 1010.)

PART 10.5. SCHOOL FACILITIES [17210 - 17672] (Part 10.5 repealed (by Sec. 4) and added by Stats. 1996, Ch. 277, Sec. 3.)

CHAPTER 4. Property: Sale,Lease, Exchange [17385 - 17561] (Chapter 4 added by Stats. 1996, Ch. 277, Sec. 3.)

ARTICLE 1.5. Advisory Committees [17387 - 17391] (Article 1.5 added by Stats. 1996, Ch. 277, Sec. 3.)

17387. It is the intent of the Legislature that leases entered into pursuant to this chapter provide for community involvement by attendance area at the district level. This community involvement should facilitate making the best possible judgments about the use of excess school facilities in each individual situation.

It is the intent of the Legislature to have the community involved before decisions are made about school closure or the use of surplus space, thus avoiding community conflict and assuring building use that is compatible with the community's needs and desires.

(Added by Stats. 1996, Ch. 277, Sec. 3. Effective January 1, 1997. Operative January 1, 1998.)

17388. The governing board of any school district may, and the governing board of each school district, prior to the sale, lease, or rental of any excess real property, except rentals not exceeding 30 days, shall, appoint a district advisory committee to advise the governing board in the development of districtwide policies and procedures governing the use or disposition of school buildings or space in school buildings which is not needed for school purposes.

(Added by Stats. 1996, Ch. 277, Sec. 3. Effective January 1, 1997. Operative January 1, 1998.)

17389. A school district advisory committee appointed pursuant to Section 17388 shall consist of not less than seven nor more than 11 members, and shall be representative of each of the following:

- (a) The ethnic, age group, and socioeconomic composition of the district.
- (b) The business community, such as store owners, managers, or supervisors.
- (c) Landowners or renters, with preference to be given to representatives of neighborhood associations.
- (d) Teachers.
- (e) Administrators.
- (f) Parents of students.
- (g) Persons with expertise in environmental impact, legal contracts, building codes, and land use planning, including, but not limited to, knowledge of the zoning and other land use restrictions of the cities or cities and counties in which surplus space and real property is located.

(Added by Stats. 1996, Ch. 277, Sec. 3. Effective January 1, 1997. Operative January 1, 1998.)

17390. The school district advisory committee shall do all of the following:

- (a) Review the projected school enrollment and other data as provided by the district to determine the amount of surplus space and real property.
- (b) Establish a priority list of use of surplus space and real property that will be acceptable to the community.

(c) Cause to have circulated throughout the attendance area a priority list of surplus space and real property and provide for hearings of community input to the committee on acceptable uses of space and real property, including the sale or lease of surplus real property for child care development purposes pursuant to Section 17458.

(d) Make a final determination of limits of tolerance of use of space and real property.

(e) Forward to the district governing board a report recommending uses of surplus space and real property.

(Added by Stats. 1996, Ch. 277, Sec. 3. Effective January 1, 1997. Operative January 1, 1998.)

17391. Notwithstanding Section 17388, the governing board of a school district may elect not to appoint a school district advisory committee pursuant to Section 17388 in any of the following circumstances:

(a) A lease or rental of excess real property to a private educational institution for the purpose of offering summer school in a facility of the school district.

(b) The sale, lease, or rental of excess real property to be used for teacher or school district employee housing.

(c) Until July 1, 2024, the sale or lease of surplus real property that has not previously operated, or was not constructed to be operated, as an early childhood education facility or a school for elementary and secondary instruction, pursuant to paragraph (1) of subdivision (e) of Section 17463.7.

(Amended by Stats. 2020, Ch. 110, Sec. 7. (SB 820) Effective September 18, 2020.)