

Facilities

SITE SELECTION AND DEVELOPMENT

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 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 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

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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:

<u>State</u>	<u>Description</u>
14 CCR 15000-15285	Implementation of California Environmental Quality Act of 1970
5 CCR 14001-14036	California Department of Education: school facilities construction
Code of Civil Procedure	Remediation of hazardous substances on property to be acquired by school district
1263.710-1263.770	Definition of self-certifying district
Ed. Code 17006	Prior written approval of CDE for selection of school site or construction of building
Ed. Code 17024	Leroy F. Greene School Facilities Act of 1998
Ed. Code 17070.10-17077.10	School Sites; general provisions
Ed. Code 17210-17224	New Schools Relief Act
Ed. Code 17240-17245	Design-build contracts
Ed. Code 17250.10-17250.55	CDE powers concerning buildings and building sites
Ed. Code 17251-17256	Plans and specifications for school facilities
Ed. Code 17260-17268	Field Act; approval of plans and supervision of construction
Ed. Code 17280-17317	Board duties; management and control of school property
Ed. Code 17565-17592.5	Power to acquire and construct on adjacent property
Ed. Code 35271	New school planning; cooperation with recreation and park authorities
Ed. Code 35275	Authority to render zoning ordinances inapplicable
Gov. Code 53094	Acquisition or disposition of property
Gov. Code 65402	Developer fees
Gov. Code 65995-65998	Written notices of proposed public school site within development; investigation and report; conditions for acquisition
Gov. Code 66455.9	Risk assessment
H&S Code 44360	California Environmental Quality Act of 1970
Pub. Res. Code 21000-21177	
<u>Management Resources</u>	<u>Description</u>
Attorney General Opinion	82 Ops.Cal.Atty.Gen. 130 (1999)
Website	Governor's Office of Planning and Research
Website	Department of Toxic Substances Control
Website	California Department of Education, School Site Selection and Approval Guide
Website	CSBA District and County Office of Education Legal Services
Website	Department of General Services, Office of Public School Construction
Website	California Department of Education, School Facilities

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WESTMINSTER SCHOOL DISTRICT
Westminster, California