

Facilities

SITE SELECTION AND DEVELOPMENT

AR 7150 (a)

As part of the district's site selection process, the Superintendent or designee shall:

1. Meet with appropriate local government recreation and park authorities to review all possible methods of coordinating the planning, design, and construction of new school facilities and school sites or major additions to existing school facilities and recreation and park facilities in the community. (Education Code 35275)
2. Notify the appropriate local planning agency in writing and request its report and recommendations regarding the proposed site or proposed addition's conformity with the adopted general plan. (Government Code 65402; Public Resources Code 21151.2)
3. Have the site investigated by competent personnel with regard to population trends, transportation, water supply, waste disposal facilities, utilities, traffic hazards, surface drainage conditions, and other factors affecting initial and operating costs. This investigation shall include geological and soil engineering studies to preclude locating the school on terrain that has the potential for earthquake or other geologic hazard damage as specified in Government Code 65302. (Education Code 17212-17212.5)
4. Make a written request for information necessary or useful to assess and determine the safety of a proposed school site, or an addition to an existing school site, from a person, corporation, public utility, locally publicly owned utility, or governmental agency regarding pipelines, electric transmission and distribution lines, railroads, and storage tanks in accordance with law. (Education Code 17212.2, 17251)
5. Ensure that the site meets state standards for school site selection as specified in 5 CCR 14010-14012.
6. Ensure compliance with the California Environmental Quality Act (CEQA) as required by law. (Public Resources Code 21000-21177)
7. Notify the California Department of Education in writing before acquiring title or leasing the site if the proposed site is within two miles of the air line of an airport runway or proposed runway, (Education Code 17215)
8. Conduct an air quality analysis pursuant to Health and Safety Code 44360 and Education Code 17213 if the proposed site is within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor and determine that the air quality at the proposed site is such that neither short-term nor long-term exposure poses significant health risks to students. (Education Code 17213)

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AR 7150 (b)

In the selection and development of projects funded pursuant to the School Facilities Program of 1998 (Proposition 1A) as contained in Education Code 17070.10-17077.10, the Superintendent or designee shall:

1. Determine whether the proposed site is free of toxic contamination by ensuring that a Phase I environmental assessment and/or preliminary endangerment assessment is conducted as required by law (Education Code 17213.1)

The Superintendent or designee shall ensure that the preliminary endangerment assessment is made available for public review and comment in accordance with Education Code 17213.1.

2. Submit an annual summary report of expenditures to the State Allocation Board in accordance with law (Education Code 17076.10)
3. Include in the plans a hard-wired connection to a public switched telephone network or utilization of wireless technology (Education Code 17077.10)
4. Establish a participation goal of at least three percent, per year, of the overall dollar amount expended each year by the district for disabled veteran business enterprises (Education Code 17076.11)

State

14CCR 15000-15285: Implementation of California Environmental Quality Act of 1970

5 CCR 14001-14036: California Department of Education: school facilities construction

CCP 1263.710-1263.770: Remediation of hazardous substances on property to be acquired by school district

Ed. Code 17006: Definition of self-certifying district

Ed. Code 17024: Prior written approval of CDE for selection of school site or construction of building

Ed. Code 17070.10-17077.10: Leroy F. Greene School Facilities Act of 1998

Ed. Code 17210-17224: School Sites; general provisions

Ed. Code 17240-17245: New Schools Relief Act

Ed. Code 17250.10-17250.55: Design-build contracts

Ed. Code 17251-17256: CDE powers concerning buildings and building sites

Ed. Code 17260-17268: Plans and specifications for school facilities

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

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AR 7150 (c)

Management Resources

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

Regulation Approved: 12/14/22

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California