

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) (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, 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

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State

14 CCR 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

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

Policy Adopted: 12/14/22

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California