

SITE SELECTION AND DEVELOPMENT

The Board of Trustees 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.

(cf. 7110—Facilities Master Plan)

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.

(cf. 1220—Citizen Advisory Committees)

(cf. 9320—Meetings and Notices)

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.

(cf. 7140—Architectural and Engineering Services)

(cf. 7210—Facilities Financing)

Before acquiring property for a new school or an addition to an existing school site, the Board shall evaluate the property at a public hearing 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 whenever so required. ~~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

SITE SELECTION AND DEVELOPMENT (continued)

3. That the District shall use the California Environmental Quality Act (CEQA) mitigated measures to 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:*EDUCATION CODE~~17006 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 General provisions (school sites)~~~~17240-17245 New Schools Relief Act~~~~17250.20-17250.35 Design-build contracts~~~~17251-17253 Powers concerning buildings and building sites~~~~17260-17268 Plans~~~~17280-17317 Approvals~~~~17565-17592.5 Board duties re management and control of school property~~~~35271 Power to acquire and construct on adjacent property~~~~35275 New school planning and design, re consultation with local recreation and park authorities~~CODE OF CIVIL PROCEDURE~~1263.710-1263.770 Remediation of hazardous substances on property to be acquired by school district~~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 AND SAFETY CODE~~44360 Risk assessment~~PUBLIC RESOURCES CODE~~21000-21177 Implementation of Environmental Quality Act~~CODE OF REGULATIONS, TITLE 5~~14001-14036 Minimum standards~~CODE OF REGULATIONS, TITLE 14~~15000-15209 Review and evaluation of EIRs and negative declarations~~ATTORNEY GENERAL OPINIONS~~82 Ops. Cal. Atty. Gen. 130 (1999)~~*Management Resources:*WEB SITES~~CDE, School Facilities Planning Division: <http://www.cde.ca.gov/dmsbranch/sfpdiv>~~~~Office of Public School Construction: <http://www.opsc.dgs.ca.gov/>~~*Policy Reference Disclaimer:*

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State14 CCR 15000-152855 CCR 14001-14036CCP. 1263.710-1263.770Ed. Code 17006**Description**Implementation of California Environmental Quality Act of 1970California Department of Education: school facilities constructionRemediation of hazardous substances on property to be acquired by school districtDefinition of self-certifying district

SITE SELECTION AND DEVELOPMENT (continued)

<u>State</u>	<u>Description</u>
<u>Ed. Code 17024</u>	<u>Prior written approval of CDE for selection of school site or construction of building</u>
<u>Ed. Code 17070.10-17077.10</u>	<u>Leroy F. Greene School Facilities Act of 1998</u>
<u>Ed. Code 17210-17224</u>	<u>School Sites; general provisions</u>
<u>Ed. Code 17240-17245</u>	<u>New Schools Relief Act</u>
<u>Ed. Code 17250.10-17250.55</u>	<u>Design-build contracts</u>
<u>Ed. Code 17251-17256</u>	<u>CDE powers concerning buildings and building sites</u>
<u>Ed. Code 17260-17268</u>	<u>Plans and specifications for school facilities</u>
<u>Ed. Code 17280-17317</u>	<u>Field Act; approval of plans and supervision of construction</u>
<u>Ed. Code 17565-17592.5</u>	<u>Board duties; management and control of school property</u>
<u>Ed. Code 35271</u>	<u>Power to acquire and construct on adjacent property</u>
<u>Ed. Code 35275</u>	<u>New school planning; cooperation with recreation and park authorities</u>
<u>Gov. Code 53094</u>	<u>Authority to render zoning ordinances inapplicable</u>
<u>Gov. Code 65402</u>	<u>Acquisition or disposition of property</u>
<u>Gov. Code 65995-65997</u>	<u>Developer fees</u>
<u>Gov. Code 66455.9</u>	<u>Written notices of proposed public school site within development; investigation and report; conditions for acquisition</u>
<u>H&S Code 44360</u>	<u>Risk assessment</u>
<u>Pub. Res. Code 21000-21177</u>	<u>California Environmental Quality Act of 1970</u>

Management Resources

[Attorney General Opinion](#)
[Website](#)

[Website](#)
[Website](#)

[Website](#)
[Website](#)

Description

[82 Ops.Cal.Atty.Gen. 130 \(1999\)](#)
[Department of General Services, Office of Public School Construction](#)
[California Department of Education, School Facilities](#)
[California Department of Education, School Site Selection and Approval Guide](#)
[Department of Toxic Substances Control](#)
[Governor's Office of Planning and Research](#)

Cross References**Code**

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[1220](#)
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Description

[District and School Web Sites \(BP/AR/E\(1\)\)](#)
[Citizen Advisory Committees](#)
[Citizen Advisory Committees](#)
[Joint Use Agreements](#)
[Lease-Leaseback Contracts](#)
[Green School Operations](#)
[Environmental Safety](#)
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[Safe Routes To School Program](#)
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SITE SELECTION AND DEVELOPMENT (continued)**Cross References (continued)**

<u>Code</u>	<u>Description</u>
<u>5142.2</u>	<u>Safe Routes To School Program</u>
<u>7000</u>	<u>Concepts And Roles</u>
<u>7110</u>	<u>Facilities Master Plan</u>
<u>7131</u>	<u>Relations With Local Agencies</u>
<u>7140</u>	<u>Architectural And Engineering Services</u>
<u>7140</u>	<u>Architectural And Engineering Services</u>
<u>7210</u>	<u>Facilities Financing</u>
<u>9000</u>	<u>Role Of The Board</u>
<u>9320</u>	<u>Meetings And Notices</u>
<u>9323.2</u>	<u>Actions By The Board</u>
<u>9323.2-E PDF(1)</u>	<u>Actions By The Board</u>
<u>9323.2-E PDF(2)</u>	<u>Actions By The Board</u>

SITE SELECTION AND DEVELOPMENT

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)

(cf. 7131—Relations with Local Agencies)

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. ~~As necessary,~~ 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, including posting required notices to the district web site. (Public Resources Code 21000-21177)
7. ~~If~~ Notify the California Department of Education in writing before acquiring title or leasing the site if proposed site is within two miles of the air line of an airport runway or proposed runway. ~~before acquiring title to or leasing the site, notify the California Department of Education in writing.~~ (Education Code 17215)
8. ~~If~~ Conduct an air quality analysis pursuant to Health and Safety Code 44360 and Education Code 17213 the proposed site is within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor, conduct an air quality analysis pursuant to Health and Safety Code 44360 and Education Code 17213 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)

SITE SELECTION AND DEVELOPMENT (continued)

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. ~~Annually submit a summary~~ **Submit an annual** 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)

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State14 CCR 15000-152855 CCR 14001-14036CCP. 1263.710-1263.770Ed. Code 17006Ed. Code 17024Ed. Code 17070.10-17077.10Ed. Code 17210-17224Ed. Code 17240-17245Ed. Code 17250.10-17250.55Ed. Code 17251-17256Ed. Code 17260-17268Ed. Code 17280-17317Ed. Code 17565-17592.5**Description**Implementation of California Environmental Quality Act of 1970California Department of Education: school facilities constructionRemediation of hazardous substances on property to be acquired by school districtDefinition of self-certifying districtPrior written approval of CDE for selection of school site or construction of buildingLeroy F. Greene School Facilities Act of 1998School Sites; general provisionsNew Schools Relief ActDesign-build contractsCDE powers concerning buildings and building sitesPlans and specifications for school facilitiesField Act; approval of plans and supervision of constructionBoard duties; management and control of school property

SITE SELECTION AND DEVELOPMENT (continued)**State**[Ed. Code 35271](#)[Ed. Code 35275](#)[Gov. Code 53094](#)[Gov. Code 65402](#)[Gov. Code 65995-65997](#)[Gov. Code 66455.9](#)[H&S Code 44360](#)[Pub. Res. Code 21000-21177](#)**Management Resources**[Attorney General Opinion](#)[Website](#)[Website](#)[Website](#)[Website](#)[Website](#)**Cross References****Code**[1113](#)[1220](#)[1220](#)[1330.1](#)[3311.2](#)[3510](#)[3514](#)[3514](#)[5142.2](#)[5142.2](#)[7000](#)[7110](#)[7131](#)[7140](#)[7140](#)[7210](#)[9000](#)[9320](#)[9323.2](#)[9323.2-E PDF\(1\)](#)[9323.2-E PDF\(2\)](#)**Description**[Power to acquire and construct on adjacent property](#)[New school planning; cooperation with recreation and park authorities](#)[Authority to render zoning ordinances inapplicable](#)[Acquisition or disposition of property](#)[Developer fees](#)[Written notices of proposed public school site within development; investigation and report; conditions for acquisition](#)[Risk assessment](#)[California Environmental Quality Act of 1970](#)**Description**[82 Ops.Cal.Atty.Gen. 130 \(1999\)](#)[Department of General Services, Office of Public School Construction](#)[California Department of Education, School Facilities](#)[California Department of Education, School Site Selection and Approval Guide](#)[Department of Toxic Substances Control](#)[Governor's Office of Planning and Research](#)**Description**[District and School Web Sites \(BP/AR/E\(1\)\)](#)[Citizen Advisory Committees](#)[Citizen Advisory Committees](#)[Joint Use Agreements](#)[Lease-Leaseback Contracts](#)[Green School Operations](#)[Environmental Safety](#)[Environmental Safety](#)[Safe Routes To School Program](#)[Safe Routes To School Program](#)[Concepts And Roles](#)[Facilities Master Plan](#)[Relations With Local Agencies](#)[Architectural And Engineering Services](#)[Architectural And Engineering Services](#)[Facilities Financing](#)[Role Of The Board](#)[Meetings And Notices](#)[Actions By The Board](#)[Actions By The Board](#)[Actions By The Board](#)

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BEAUMONT UNIFIED SCHOOL DISTRICT

Beaumont, California