

## **BRITTAN SCHOOL DISTRICT**

### **Board Policy No. 7150 - 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 shall evaluate the property at a public hearing using state site selection standards. (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 whenever so required. 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 the 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 county
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

### **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 17250.10-

17250.50 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

PUBLIC RESOURCES CODE

21000-21178 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)

Date Policy was Adopted by the Board: February 8, 2005

Revised:11/2022