

**FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
FRESNO COUNTY BOARD OF EDUCATION****Facilities****SCHOOL SITE SELECTION AND DEVELOPMENT**

The County Board and County Superintendent believe that a school site should serve educational needs in accordance with their master plan as well as show potential for contributing to other community needs.

The County Superintendent or designee shall establish a site selection process that 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 County 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 County 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 CEQA whenever so required. When evaluating projects for the County Board or County Superintendent, the CEQA guidelines shall be used.

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 County Board (on a project that is located on real property owned by the County Board) or the County Superintendent (on a project that is not located on real property owned by the County Board) shall determine all of the following (Education Code 17215.5):

1. That notice has been provided to and consultation occurred the city, county, or city and county within which the prospective site is to be located.
2. That an evaluation of the final site selection has been conducted based on all factors affecting the public interest and not limited to selection on the basis of the cost of the land.
3. That an attempt has been made to minimize any public health and safety issues resulting from the neighboring agricultural uses that may affect students and employees at the site.

Adopted: 11/15/2018

Legal Reference**Education Code**

17006 Definition of self-certifying district

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
FRESNO COUNTY BOARD OF EDUCATION

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

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/>