

BUTTE COUNTY OFFICE OF EDUCATION  
SUPERINTENDENT’S POLICY AND ADMINISTRATIVE REGULATIONS

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# BUTTE COUNTY OFFICE OF EDUCATION

## SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

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### **SP 7111**

#### **EVALUATING EXISTING BUILDINGS**

The County Superintendent or designee shall periodically evaluate the adequacy, design, and conditions of existing Butte County Office of Education facilities to determine whether they meet the needs of the instructional program and provide a healthful and pleasing environment for students and staff. He/she also shall determine whether Butte County Office of Education facilities fulfill legal requirements for safety and structural soundness, access for the disabled, and energy conservation.

In addition, the County Superintendent or designee shall regularly calculate the capacity of existing school buildings to adequately house the district's current students and projected enrollments.

Any identified needs for repair, modernization, or construction shall be incorporated into Butte County Office of Education's facilities planning process.

#### **Structural Safety**

In the event that the Department of General Services or any licensed structural engineer or licensed architect finds and reports to the County Superintendent that a Butte County Office of Education building is unsafe for use, the County Superintendent or designee shall immediately obtain an estimate of the cost of repairs or reconstruction necessary to bring the building up to legal standards for structural safety. The County Superintendent shall establish a system of priorities for the repair, reconstruction, or replacement of unsafe school buildings.

A re-locatable school building or structure shall meet the requirements of Education Code § 17280-17317 and § 17365-17374 pertaining to structural safety. However, a re-locatable building that does not meet the requirements of Education Code § 17280 may be used as a school building until September 30, 2015, if all the conditions specified in Education Code § 17292 are met and the County Superintendent so certifies to the Department of General Services.

#### **Energy Efficiency**

To the extent that services are available, the County Superintendent or designee shall arrange for the energy audit of school buildings to identify the type and amount of work necessary to retrofit buildings and obtain an estimate of projected energy savings. Butte County Office of Education may contract with qualified businesses capable of retrofitting these buildings and may borrow funds which do not exceed the amount of energy savings to be accumulated from the improvement of the buildings.

Legal Reference:

EDUCATION CODE

17070.10-17077.10 Leroy F. Greene School Facilities Act of 1998 especially

17071.10-17071.40 Existing school building capacity

17280-17316 Building approvals

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17365-17374 Fitness for occupancy

17650-17653 Retrofitting school facilities for energy conservation

Approved: March, 2007

Revised:

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### **SP 7150**

#### **SITE SELECTION AND DEVELOPMENT**

The County Superintendent believes that a school site should serve the educational needs in accordance with Butte County Office of Education's master plan as well as show potential for contributing to other community needs.

The County Superintendent recognizes the importance of community input in the site selection process. To this end, the County Superintendent 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 County 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 County Superintendent shall evaluate the property at a public hearing using state site selection standards.

#### **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 this Act whenever so required. When evaluating Butte County Office of Education projects, 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 Superintendent shall determine all of the following:

1. That Butte County Office of Education has notified and consulted with the city, county, or city and county within which the prospective site is to be located;
2. That the County Superintendent 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 Butte County Office of Education 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

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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

Approved: March, 2006

Revised:

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### **AR 7150**

#### **REGULATIONS REGARDING SITE SELECTION AND DEVELOPMENT**

As part of Butte County Office of Education's site selection process, the County 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;
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;
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;
4. As necessary, request 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;
5. Ensure that the site meets state standards for school site selection;
6. Ensure compliance with the California Environmental Quality Act (CEQA) as required by law;
7. If the 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;
8. If 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 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.

In the selection and development of projects funded pursuant to the School Facilities Program of 1998 (Proposition 1A), the County 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.  
The County Superintendent or designee shall ensure that the preliminary endangerment assessment is made available for public review and comment.
2. Annually submit a summary report of expenditures to the State Allocation Board in accordance with law;
3. Include in the plans a hard-wired connection to a public switched telephone network or utilization of wireless technology;

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4. Establish a participation goal of at least three percent, per year, of the overall dollar amount expended each year by the Butte County Office of Education for disabled veteran business enterprises.

Approved: March, 2006

Revised: