

Regulation 3280: Sale Or Lease Of District-Owned Real Property

Original Adopted Date: 3/13/2024

District Advisory Committee

The district advisory committee on use or disposition of surplus school buildings or space shall consist of 7-11 members representative of each of the following: (Education Code 17389)

1. The district's ethnic, age group, and socioeconomic composition
2. The business community, such as store owners, managers, or supervisors
3. Landowners or renters, with preference to representatives of neighborhood associations
4. Teachers
5. Administrators
6. Parents/guardians of students
7. Persons with expertise in environmental impact, legal contracts, building codes, and land use planning, including, but not limited to, knowledge of the zoning and other land use restrictions of the cities and counties in which the surplus property is located

This committee shall: (Education Code 17390)

1. Review projected school enrollment and other data to determine the amount of surplus space and real property
2. Establish and circulate throughout the attendance area a priority list for use of surplus space and real property that will be acceptable to the community
3. Hold hearings, with community input, on acceptable uses of space and real property, including the sale or lease of surplus real property for child care development purposes
4. Make a final determination of limits of tolerance of use of space and real property
5. Send the Governing Board a report recommending uses of surplus space and real property

The district advisory committee shall comply with open meeting requirements of the Brown Act. (Government Code 54952)

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.

State

Description

14 CCR 15061-15062	Preliminary Review of Projects and Conduct of Initial Study
2 CCR 1700-1702	Surplus property; use of proceeds
Ed. Code 17219-17224	Acquisition of property not utilized as school site; nonuse payments; exemptions
Ed. Code 17230-17234	Surplus property
Ed. Code 17387-17391	Advisory committees for use of excess school facilities
Ed. Code 17400-17429	Leasing of school buildings
Ed. Code 17430-17447	Leasing facilities
Ed. Code 17453	Lease of surplus district property
Ed. Code 17455-17484	Sale or lease of real property
Ed. Code 17462.3	State Allocation Board program to reclaim funds
Ed. Code 17485-17500	Surplus school playground (Naylor Act)
Ed. Code 17515-17526	Joint occupancy
Ed. Code 17527-17535	Joint use of district facilities
Ed. Code 33050	Nonwaivable provisions
Ed. Code 38130-38139	Civic Center Act
Gov. Code 50001-50002	Definitions
Gov. Code 54220-54232	Surplus land
Gov. Code 54222	Offer to sell or lease property
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 54952	Legislative body; definition
Pub. Res. Code 21000-21177	California Environmental Quality Act of 1970
Management Resources	Description
Attorney General Opinion	94 Ops.Cal.Atty.Gen. 82 (2011)
California Department of Education Publication	Closing a School Best Practices Guide
Court Decision	San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District, (2006) 139 Cal.App.4th 1356
Office of Public School Construction Publication	Unused Site Program Handbook, December 2015
Website	CSBA District and County Office of Education Legal Services
Website	Department of General Services, Office of Public School Construction
Website	Coalition for Adequate School Housing
Website	CSBA

Cross References

Code	Description
1100	Communication With The Public
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1330	Use Of School Facilities
1330	Use Of School Facilities
1431	Waivers
3100	Budget
3100	Budget
3311.2	Lease-Leaseback Contracts
3460	Financial Reports And Accountability
3460	Financial Reports And Accountability
3580	District Records
3580	District Records
5148	Child Care And Development
5148	Child Care And Development
5148.2	Before/After School Programs
5148.2	Before/After School Programs
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education
6020	Parent Involvement
6020	Parent Involvement
7110	Facilities Master Plan
7111	Evaluating Existing Buildings
7160	Charter School Facilities
7160	Charter School Facilities
7210	Facilities Financing
9130	Board Committees
9320	Meetings And Notices
9321	Closed Session
9321-E(1)	Closed Session

9321-E(2)

[Closed Session](#)

9323.2

[Actions By The Board](#)

9323.2-E(1)

[Actions By The Board](#)

9323.2-E(2)

[Actions By The Board](#)