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.

14 CCR 15061-15062 Preliminary Review of Projects and Conduct of Initial Study

2 CCR 1700-1702 <u>Surplus property; use of proceeds</u>

Ed. Code 17219-17224 <u>Acquisition of property not utilized as school site; nonuse</u>

payments; exemptions

Ed. Code 17230-17234 <u>Surplus property</u>

Ed. Code 17387-17391 Advisory committees for use of excess school facilities

Ed. Code 17400-17429 <u>Leasing of school buildings</u>

Ed. Code 17430-17447 <u>Leasing facilities</u>

Ed. Code 17453 <u>Lease of surplus district property</u>

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 <u>Surplus school playground (Naylor Act)</u>

Ed. Code 17515-17526 <u>Joint occupancy</u>

Ed. Code 17527-17535 <u>Joint use of district facilities</u>

Ed. Code 33050 <u>Nonwaivable provisions</u>

Ed. Code 38130-38139 Civic Center Act

Gov. Code 50001-50002 <u>Definitions</u>

Gov. Code 54220-54232 <u>Surplus land</u>

Gov. Code 54222 Offer to sell or lease property

Gov. Code 54950-54963 The Ralph M. Brown Act

Gov. Code 54952 <u>Legislative body: definition</u>

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

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

Closing a School Best Practices Guide

Website CSBA District and County Office of Education Legal Services

Website Department of General Services, Office of Public School

Construction

Website <u>Coalition for Adequate School Housing</u>

Website <u>CSBA</u>

Website

Cross References

Code 1100	Description Communication With The Public
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1330	<u>Use Of School Facilities</u>
1330	<u>Use Of School Facilities</u>
1431	Waivers
3100	Budget
3100	<u>Budget</u>
3311.2	<u>Lease-Leaseback Contracts</u>
3460	Financial Reports And Accountability
3460	Financial Reports And Accountability
3580	<u>District Records</u>
3580	<u>District Records</u>
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	<u>Facilities Master Plan</u>
7111	Evaluating Existing Buildings
7160	<u>Charter School Facilities</u>
7160	<u>Charter School Facilities</u>
7210	Facilities Financing
9130	Board Committees
9320	Meetings And Notices
9321	<u>Closed Session</u>
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