

CONCEPTS AND ROLES

The Lake County Board of Education and the Lake County Office of Education recognize that one of its major responsibilities is to provide healthful, safe and adequate facilities that enhance the instructional program. The County Board and County Superintendent shall endeavor to make the provision of adequate school facilities a priority in the Lake County Office of Education. Because the schools serve as a focal point for the community, the County Board and County Superintendent shall also strive to ensure that LCOE facilities fit harmoniously and attractively into their neighborhoods and have flexibility of design to meet future educational and community needs.

(cf. 9000 - Role of the Board)

The County Board and County Superintendent shall strive to have a school facilities master plan in place and regularly reviewed in light of LCOE's educational goals. In accordance with this plan, they shall:

1. Approve additions or major alterations to existing buildings

(cf. 7111 - Evaluating Existing Buildings)

2. Determine what new buildings shall be built, when and where, and what equipment shall be purchased for them
3. Determine the method of financing that will be used

(cf. 7210 - Facilities Financing)

4. Select and purchase school sites for future expansion

(cf. 7150 - Site Selection and Development)

5. Approve the selection of architects and structural engineers

(cf. 7140 - Architectural and Engineering Services)

6. Award contracts for design and construction

7. Name schools and individual buildings

(cf. 7310 - Naming of Facility)

8. Advocate school facility needs to the community

(cf. 7110 - Facilities Master Plan)

(cf. 7131 - Relations with Local Agencies)

The County Superintendent shall:

1. Assess LCOE's short- and long-term facility needs

CONCEPTS AND ROLES (continued)

2. Direct the preparation and updating of the facilities master plan
3. Oversee the preparation of bids and award of contracts

(cf. 3311 - Bids)

4. Supervise the implementation of LCOE's building program in accordance with the master plan, Board policy, and state and local requirements, including collaboration with the architect and contractor on the construction of new facilities and modernization of existing facilities
5. Represent LCOE in official governmental interactions related to the building program

Legal Reference:

EDUCATION CODE

17210-17224 General provisions (school sites)

17260-17268 Plans of schoolhouses

17280-17317 Approval of plans and supervision of construction

17340-17343 Building of schoolhouses

17350-17360 Factory-built school buildings

17365-17374 Fitness of buildings for occupancy; liability of board members

17400-17429 Leasing of school buildings

CODE OF REGULATIONS, TITLE 5

14001 Minimum standards

14010 Procedure for site acquisition

14030 Preliminary procedure, planning and approval of school facilities

14031-14032 Submissions to bureau of school facilities planning; approval

CONCEPTS AND ROLES**Real Property**

The Lake County Office of Education may purchase, sell, or lease real property used to house the offices and services of the Lake County Superintendent of Schools. All housing shall meet applicable state, federal and local standards; waivers to standards shall only be requested if other appropriate options are not satisfactory. All property purchased or leased shall be in compliance with applicable LCOE standards, which may include, but are not limited to:

1. Field Act and seismic safety standards
2. Environmental safety standards
3. Fire and building codes
4. Public health standards
5. Requirements for housing K-12 special education students
6. State, federal, city or county codes/ordinances, etc.

LCOE departments or programs requesting the purchase, sale or lease of real property shall adhere to the following procedures in obtaining authorization. Leases of less than one year's duration, renewals that do not involve significant increases in costs (e.g., those with increases of ten percent or less), and license agreements with Lake County school districts shall be excluded from the provisions of this regulation.

The procedure that follows applies to the purchase or sale of real property by LCOE, real property lease arrangements involving a period of one year or more, and renewals where increases exceed ten percent.

Timeline

The purchase, sale, or lease of real property may take from one to several months, depending on program needs and the complexity of the contract involved. Any such transactions shall be coordinated through the office of the County Superintendent or designee from inception.

Procedure

1. Program manager requests audience with County Superintendent to discuss facilities proposal in concept.
2. County Superintendent reviews the proposal and, if approved in concept, identifies if the program manager should proceed or if the matter will be negotiated through the County Superintendent's office.

CONCEPTS AND ROLES (continued)

3. Program manager/administrator locates possible sites.
4. Director of Maintenance visits the property and completes a review of the property relative to health and safety standards

If the property does not meet health and safety standards, the Director of Maintenance notifies both the program manager and Deputy County Superintendent.

If the property does meet health and safety standards, the Director of Maintenance signs off on the proposal advising the program manager and the County Superintendent.
5. If the site is intended to house a school, the County Superintendent will coordinate the necessary site inspection and approval process with the California Department of Education (CDE).
6. After obtaining any necessary approval from the CDE, the County Superintendent with the assistance of LCOE's attorney, negotiates lease/sales agreement with property owner.
7. County Superintendent approves the lease/sales agreement.

Note: County Superintendent Facilities located within public school sites or preschool programs located on state-licensed preschool sites may not require the completion of this full procedure.

FACILITIES MASTER PLAN

The Lake County Board of Education recognizes the importance of long-range planning for school facilities in order to address changes in student enrollment and in the Lake County Office of Education's educational program needs. The Lake County Superintendent of Schools shall develop, for County Board approval, a master plan for LCOE facilities which describes LCOE's anticipated short- and long-term facilities needs and priorities.

(cf. 7000 - Concepts and Roles)

(cf. 7160 - Charter School Facilities)

(cf. 7210 - Facilities Financing)

Plan Development

LCOE's facilities master plan shall be based on an assessment of the condition and adequacy of existing facilities, a projection of future enrollments, and alignment of facilities with LCOE's vision for the instructional program.

(cf. 7111 - Evaluating Existing Buildings)

To solicit broad input into the planning process, the County Superintendent or designee may establish a facilities advisory committee consisting of staff, parents/guardians, and business, local government, and other community representatives. He/she also shall ensure that the public is informed of the need for construction and modernization of facilities and of LCOE's plans for facilities.

(cf. 1220 - Citizen Advisory Committees)

At least 45 days prior to completion of any facilities plan that relates to the potential expansion of existing school sites or the necessity to acquire additional school sites, the County Superintendent or designee shall notify and provide copies of the plan or any relevant and available information to the planning commission or agency of the city or county with land use jurisdiction over LCOE. (Government Code 65352.2)

(cf. 7131 - Relations with Local Agencies)

If the city or county commission or agency requests a meeting, the County Superintendent or designee shall meet with the commission or agency within 15 days following the notification. Items that the parties may discuss at the meeting include, but are not limited to, methods of coordinating planning with proposed revitalization efforts and recreation and park programs, options for new school sites, methods of maximizing the safety of persons traveling to and from the site, and opportunities for financial assistance. (Government Code 65352.2)

The master plan shall be regularly reviewed and updated as necessary to reflect changes in the educational program, existing facilities, finances, or demographic data.

Plan Components

The facilities master plan shall include:

FACILITIES MASTER PLAN (continued)

1. A statement of purpose, including LCOE goals, philosophy, and related policies
2. A description of the planning process
3. Demographics of the community, such as economic trends, migration patterns, employment base, residential base, socioeconomic makeup, historical school enrollments, and inventory of physical resources and needs
4. A description of the educational program, such as grade-level organization, class size, staffing patterns, technology plans, special programs and support services, and other educational specifications
5. Analysis of the safety, adequacy, and equity of existing facilities and potential for expansion, including the adequacy of classrooms, school cafeterias and food preparation areas, physical activity areas, playgrounds, parking areas, and other school grounds

(cf. 3514 - Environmental Safety)

(cf. 3517 - Facilities Inspection)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 5030 - Student Wellness)

(cf. 5141.7 - Sun Safety)

(cf. 5142 - Safety)

(cf. 6142.7 - Physical Education and Activity)

6. Site selection criteria and process
7. Development of a capital planning budget and identification of potential funding sources
8. Policy for reviewing and updating the plan

Planning shall ensure that school facilities meet the following minimum standards: (5 CCR 14001)

1. Are aligned with LCOE's educational goals and objectives

(cf. 0000 - Vision)

2. Provide for maximum site enrollment at school facilities

3. Are located on a site that meets California Department of Education standards as specified in 5 CCR 14010

(cf. 7150 - Site Selection and Development)

FACILITIES MASTER PLAN (continued)

4. Are designed for the environmental comfort and work efficiency of the occupants
5. Are designed to require a practical minimum of maintenance
6. Are designed to meet federal, state, and local statutory requirements for structure, fire, and public safety
7. Are designed and engineered with flexibility to accommodate future needs

Plans for the design and construction of new school facilities also shall meet the standards described in 5 CCR 14030, green building standards pursuant to 24 CCR 101 et seq., the Americans with Disabilities Act pursuant to 42 USC 12101-12213, and any other requirements applicable to the funding source and type of project.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3510 - Green School Operations)

To facilitate the efficient use of public resources when planning for new construction or modernization of school facilities, LCOE may consider designs that facilitate joint use of the facility with a local governmental agency, public postsecondary institution, or nonprofit organization.

(cf. 1330.1 - Joint Use Agreements)

Legal Reference: (see next page)

FACILITIES MASTER PLAN (continued)

Legal Reference:

EDUCATION CODE

16011 Long-range comprehensive master plan
16322 California Department of Education services
17017.5 Approval of applications for projects
17070.10-17079.30 Leroy F. Greene School Facilities Act
17251 Powers and duties of California Department of Education
17260-17268 Plans and specifications for school facilities
17280-17317 Field Act
17365-17374 Fitness for occupancy
17405 Relocatable structures; lease requirements
35275 New school planning; cooperation with recreation and park authorities

GOVERNMENT CODE

53090-53097.5 Regulation of local agencies by counties and cities
65352.2 Communicating and coordinating of school sites
65995.6 School facilities needs analysis

CODE OF REGULATIONS, TITLE 2

1859-1859.199 Leroy F. Greene School Facilities Act

CODE OF REGULATIONS, TITLE 5

14001 Minimum standards
14010 Site selection standards
14030-14036 Standards, planning, and approval of school facilities

CODE OF REGULATIONS, TITLE 24

101 et seq. Green building standards code

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

Management Resources:

CSBA PUBLICATIONS

Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, September 2009

Facilities Master Planning, Fact Sheet, November 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Schools of the Future Report, September 2011

Educational Specifications: Linking Design of School Facilities to Educational Program, 1997

Guide for the Development of a Long-Range Facilities Plan, 1986

OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS

An Overview of the State School Facility Programs, rev. October 2011

School Facility Program Handbook, 2008

STATE ALLOCATION BOARD PUBLICATIONS

Public School Construction Cost Reduction Guidelines, 2000

WEB SITES

CSBA: <http://www.csba.org>

Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

California Department of Education: <http://www.cde.ca.gov/ls/fa>

EVALUATING EXISTING BUILDINGS

The Lake County Superintendent of Schools shall periodically evaluate the adequacy, design, and conditions of existing Lake 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 LCOE facilities fulfill legal requirements for safety and structural soundness, access for the disabled, and energy conservation.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 3511 - Energy and Water Management)

(cf. 3514 - Environmental Safety)

(cf. 3515 - Campus Security)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 3517 - Facilities Inspection)

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

Any identified needs for repair, modernization, or construction shall be incorporated into LCOE's facilities planning process.

(cf. 7110 - Facilities Master Plan)

Structural Safety

In the event that the Department of General Services or any licensed structural engineer or licensed architect finds and reports to the Lake County Board of Education that a LCOE 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 Board shall establish a system of priorities for the repair, reconstruction, or replacement of unsafe school buildings. (Education Code 17367)

A relocatable school building or structure shall meet the requirements of Education Code 17280-17317 and 17365-17374 pertaining to structural safety. However, a relocatable 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 Board so certifies to the Department of General Services. (Education Code 17291, 17292)

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. LCOE 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. (Education Code 17651-17653)

Legal Reference: (see next page)

EVALUATING EXISTING BUILDINGS (continued)

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*

17365-17374 *Fitness for occupancy*

17650-17653 *Retrofitting school facilities for energy conservation*

GOVERNMENT CODE

53097 *Compliance with city or county ordinances*

53097.5 *Inspection of schools by city or county*

CODE OF REGULATIONS, TITLE 2

1859-1859.106 *Regulations relating to the Leroy F. Greene School Facilities Act of 1998*

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: School Facilities Management

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, School Facilities Division: <http://www.cde.ca.gov/ls/fa>

California Energy Commission, Bright Schools Program:

<http://www.energy.ca.gov/efficiency/brightschoools>

Coalition for Adequate School Housing: <http://www.cashnet.org>

Department of General Services, Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

RELATIONS WITH LOCAL AGENCIES

The Lake County Board of Education recognizes the importance of collaborating and communicating with other local agencies in order to provide the best possible school facilities and to allocate facility resources in an effective and efficient manner. The County Board and Lake County Superintendent of Schools staff shall consult and coordinate with local agencies as required by law and whenever the expertise and resources of these agencies can assist the Lake County Office of Education in the planning, design and construction of facilities.

Following notification by a city or county of proposed action to adopt or substantially revise a general plan, the County Board may request a meeting with the local planning agency to discuss possible methods of coordinating planning, design and construction of new school facilities and school sites. (Government Code 65352.2)

The County Superintendent shall monitor land development proposals within LCOE boundaries and shall ensure that an exchange of accurate information is maintained with city/county planning staff regarding the impact of land development on LCOE's educational programs and facility needs.

(cf. 7150 - Site Selection and Development)

Recognizing that available funds may not suffice to eliminate overcrowding in LCOE schools caused by new development, the County Board urges the city/county to adopt in its general plan or other appropriate planning documents, to the extent permitted by law, a provision which ensures that adequate school facilities will be available.

(cf. 7210 - Facilities Financing)

(cf. 7211- Developer Fees)

Notifications to Other Local Agencies

The County Board shall notify the city council or county board of supervisors whenever it finds, based on clear and convincing evidence: (Government Code 65971)

1. That conditions of overcrowding exist in one or more attendance areas within LCOE which will impair the normal functioning of the educational programs, and the reason for the existence of those conditions
2. That all reasonable methods of mitigating conditions of overcrowding have been evaluated and no feasible method for reducing those conditions exists

The above notice shall specify the mitigation measures considered by LCOE and shall include a completed application to the Office of Public School Construction for preliminary determination of eligibility for school construction under applicable state law. (Government Code 65971)

RELATIONS WITH LOCAL AGENCIES (continued)

The County Superintendent or designee shall notify the appropriate city or county planning agency of the adoption of a school facility needs analysis or facilities master plan, the acquisition of a school site, or other action regarding school facilities in accordance with law.

(cf. 7110 - Facilities Master Plan)

Legal Reference:

EDUCATION CODE

17280-17316 Approval of plans and supervision of construction

35275 New school planning; cooperation with recreation and park authorities

GOVERNMENT CODE

53090-53097.5 Compliance with city or county regulations

65300-65307 Authority for and scope of general plans

65352.2 Communication between cities, counties and school districts

65850-65863.11 Adoption of regulations

65970-65981 School facilities

65995-65998 Developer fees

PUBLIC RESOURCES CODE

21000-21177 California Environmental Quality Act of 1970

CODE OF REGULATIONS, TITLE 5

14010 Procedure for site acquisition

CODE OF REGULATIONS, TITLE 14

15000-15285 Implementation of California Environmental Quality Act of 1970

Management Resources:

WEB SITES

Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

CDE, School Facilities Division: <http://www.cde.ca.gov/facilities>

ARCHITECTURAL AND ENGINEERING SERVICES

In order to ensure safe construction and protect the investment of public funds, the Lake County Board of Education requires that a licensed and certified architect or structural engineer be employed to design and supervise the construction of Lake County Office of Education schools and other facilities.

The Lake County Superintendent of Schools shall devise a competitive process for the selection of architects and structural engineers that is based on demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required. For each project, he/she shall recommend specific architectural and engineering firms to the County Board. The County Board shall pay fair and reasonable amounts warranted by the provider's qualifications and competence. The Board need not select the lowest responsible bidder.

(cf. 3311 - Bids)

Legal Reference:

EDUCATION CODE

17070.50 Conditions for apportionment

17280-17316 Approvals, especially:

17302 Persons qualified to prepare plans, specifications and estimates and supervise construction

17316 Contract provision re school district property

17371 Limitation on liability of governing board

GOVERNMENT CODE

4525-4529.5 Contracts with private architects, engineering, land surveying, and construction project management firms

14837 Definition of small business

87100 Public officials; financial interest

PUBLIC CONTRACT CODE

20111 School district contracts

ARCHITECTURAL AND ENGINEERING SERVICES

Procedures for Selection of Architects

This procedure shall govern the selection of any of the following architects, engineers, structural engineers, landscape architects, environmental firms, land surveyors, construction project management firms, or other design professionals.

Selection shall be on the basis of demonstrated competence, and on the professional qualifications necessary for the satisfactory performance of the service required at a fair and reasonable price.

The services shall be obtained pursuant to the competitive process set forth in this policy.

The Lake County Superintendent of Schools or designee shall seek request for proposals by publishing a notice requesting proposals for services, at least once, in an appropriate publication. The County Superintendent or designee may also send out requests for proposals.

Any individual or firm proposing to provide services pursuant to this policy shall provide evidence that the individual or firm and its personnel carrying out onsite responsibilities have expertise and experience in construction project design, review, and evaluation; construction mobilization and supervision; bid evaluation, project scheduling, cost-benefit analysis, claims review and negotiation; and general management and administration of a construction project.

The County Superintendent or designee shall review the proposal submitted by the agencies. Before making a decision, the County Superintendent may choose to hear presentations from the business(es) that submitted proposals. The County Superintendent will then make his/her decision.

The County Superintendent will then provide the successful design professional with a form of contract to be signed and returned to the school district.

Practices that might result in unlawful activity including, but not limited to, rebates, kickbacks, or other unlawful consideration are forbidden. Employees are prohibited from participating in the selection process when those employees have a relationship with a person or business entity seeking a contract under this section that would subject those employees to the conflict of interest prohibition of Government Code 87100.

This policy is adopted in compliance with Education Code 17071.50, which states that the State Allocation Board shall not apportion funds to any school district unless that school district has certified to the Board that the services of any architect, structural engineer, or

ARCHITECTURAL AND ENGINEERING SERVICES (continued)

other design professional for any work under the project have been obtained pursuant to a competitive process that is consistent with the requirements of Chapter 10 (commencing with section 4525) of Division 5 of Title 1 of the Government Code. Small business and disabled veteran's enterprises are encouraged to apply.

Regulation
approved:

LAKE COUNTY OFFICE OF EDUCATION
Lakeport, California

SITE SELECTION AND DEVELOPMENT

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

(cf. 7110 - Facilities Master Plan)

The County Board recognizes the importance of community input in the site selection process. To this end, the County 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.

(cf. 1220 - Citizen Advisory Committees)
(cf. 9320 - Meetings and Notices)

The Lake County Superintendent of Schools 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.

(cf. 7140 - Architectural and Engineering Services)
(cf. 7210 - Facilities Financing)

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 this Act whenever so required. When evaluating LCOE 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 Board shall determine all of the following: (Education Code 17215.5)

1. That LCOE 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 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

SITE SELECTION AND DEVELOPMENT (continued)

3. That LCOE 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

17250.20-17250.35 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/>

SITE SELECTION AND DEVELOPMENT

As part of the Lake County Office of Education's site selection process, the Lake County Superintendent of Schools 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. (Education Code 35275)

(cf. 7131 - Relations with Local Agencies)

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. (Government Code 65402; Public Resources Code 21151.2)
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 as specified in Government Code 65302. (Education Code 17212-17212.5)
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. (Education Code 17212.2, 17251)
5. Ensure that the site meets state standards for school site selection as specified in 5 CCR 14010-14012.
6. Ensure compliance with the California Environmental Quality Act (CEQA) as required by law. (Public Resources Code 21000-21177)
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. (Education Code 17215)
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 pursuant to Health and Safety Code 44360 and Education Code 17213 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. (Education Code 17213)

SITE SELECTION AND DEVELOPMENT (continued)

In the selection and development of projects funded pursuant to the School Facilities Program of 1998 (Proposition 1A) as contained in Education Code 17070.10-17077.10, 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 (Education Code 17213.1)

The County Superintendent or designee shall ensure that the preliminary endangerment assessment is made available for public review and comment in accordance with Education Code 17213.1.

2. Annually submit a summary report of expenditures to the State Allocation Board in accordance with law (Education Code 17076.10)
3. Include in the plans a hard-wired connection to a public switched telephone network or utilization of wireless technology (Education Code 17077.10)
4. Establish a participation goal of at least three percent, per year, of the overall dollar amount expended each year by LCOE for disabled veteran business enterprises (Education Code 17076.11)

Regulation
approved:

LAKE COUNTY OFFICE OF EDUCATION
Lakeport, California

NAMING OF FACILITY

The Lake County Board of Education shall name Lake County Office of Education schools and other LCOE-owned or leased buildings, grounds, and facilities in recognition of:

1. Individuals, living or deceased, and entities that have made outstanding contributions, including financial contributions, to the school community
2. Individuals, living or deceased, who have made contributions of statewide, national, or worldwide significance
3. The geographic area in which the school or building is located

The County Board encourages community participation in the process of selecting names. A citizen advisory committee shall be appointed to review name suggestions and submit recommendations for the County Board's consideration.

(cf. 1220 - Citizen Advisory Committees)

Any name adopted for any new school shall not be so similar to the name of any existing LCOE school as to result in confusion to members of the community.

Before adopting any proposed name, the County Board shall hold a public hearing at which members of the public will be given an opportunity to provide input.

(cf. 9320 - Meetings and Notices)

When naming or renaming a LCOE school, building, or facility, the County Board may specify the duration for which the name shall be in effect.

Memorials

Upon request, the County Board shall consider planting commemorative trees, erecting monuments, or dedicating buildings, parts of buildings, athletic fields, gardens, or other LCOE facilities, in memory of deceased students, staff members, community members, and benefactors of LCOE.

Naming Rights

The County Board may grant to any person or entity the right to name any LCOE building or facility. In doing so, the County Board shall enter into a written agreement which shall:

1. Specify the benefits to LCOE from entering into the agreement
2. State the roles and responsibilities of the parties to the agreement, including whether or not the County Board shall retain the power to approve any proposed name

NAMING OF FACILITY (continued)

3. Provide details related to the naming right granted, including the building, grounds, or facility involved and the duration for which the name shall be in effect
4. Prohibit any message, image, or other depiction that advocates or endorses the use of drugs, tobacco, or alcohol, encourages unlawful discrimination against any person or group, or promotes the use of violence or the violation of any law or LCOE policy

(cf. 0410 - Nondiscrimination in District Programs/Activities)

(cf. 1325 - Advertising/Promotions)

(cf. 3290 - Gifts, Grants and Bequests)

5. Reserve the authority to terminate the naming right if it determines that the grantee, subsequent to receiving the naming right, has engaged in any of the prohibited acts stated in item #4 above or other criminal or unlawful acts that might bring LCOE into disrepute

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards