



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item 11.1i

Meeting Date: June 7, 2018

Subject: Approve Updates to Board Policy (BP) 3280: Sale, Lease, Rental of District-Owned Real Property

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading
- Conference/Action
- Action
- Public Hearing

Division: Board Office

Recommendation: Approve updated language to Board Policy (BP) 3280: Sale, Lease, Rental of District-Owned Real Property.

Background/Rationale: The Sacramento City Unified School District continues to work with local agencies and partners to utilize district facilities, when appropriate, in a manner that benefits the local community and District through the proper use of taxpayer dollars and in accordance with California Education Code. With that in mind, BP 3280 has been amended to illustrate the requirement of a formal process initiated by the District when potential space becomes available for use by other local agencies. This amendment adds policy language that restricts the use of informal agreements for the use of District property outside of the Civic Center Act.

Financial Considerations: None.

LCAP Goal(s): Operational Excellence.

Documents Attached:

1. Redline of BP 3280: Sale, Lease, Rental of District-Owned Real Property
2. Clean version of BP 3280: Sale, Lease, Rental of District-Owned Real Property

Estimated Time of Presentation: N/A

Submitted by: Nathaniel Browning, Manager II, Policy and Governance for the BOE

Approved by: Jorge A. Aguilar, Superintendent

Sacramento City USD

Board Policy

Sale, Lease, Rental Of District-Owned Real Property

BP 3280

Business and Noninstructional Operations

The Governing Board shall dispose of district property whenever it is apparent the district will have no further use for it. If property currently unused will be needed at some future time, the Board may lease it to a governmental or private agency or individual. (Education Code 17453, 17455-17484) Any governmental or private agency or individual requesting the use of District facilities, outside of the Civic Center Act, for any length of time, shall participate in a formal Request for Proposal process issued by the District, that may include a joint occupancy agreement, insurance requirements, and other required documentation and information as appropriate and outlined by California Education Code.

When required by law, the Board shall appoint a district advisory committee to advise the Board in the development of policies and procedures governing the use or disposition of schools or school building space which is not needed for school purposes. (Education Code 17388)

Before offering to sell or lease surplus real property to any other parties, the district may offer it to designated child care providers for child care and development purposes.

The sale, lease or rental of district property for child care purposes shall be especially encouraged for programs that are properly licensed, provide adequate insurance coverage, are financially self-supporting, and maintain a safe environment through good management and supervision.

(cf. 5148 - Child Care)

When surplus property is not sold or leased to child care providers, the Board shall offer to sell or lease it, with an option to buy, in accordance with the priorities set forth in Education Code 17464 and 17230 and in Government Code 54222.

Any lease or sale made by the Board will conform in all particulars to the provisions of law.

Legal Reference:

EDUCATION CODE

17219-17224 Acquisition of property not utilized as school site; nonuse payments; exemptions

17230-17234 Surplus property

17385 Conveyances to and from school districts

17387-17391 Advisory committees for use of excess school facilities

17400-17429 Leasing property
17430-17447 Leasing facilities
17453 Lease of surplus district property
17455-17484 Sale or lease of real property, especially:
17463.7 Proceeds for general fund purposes
17485-17500 Surplus school playground (Naylor Act)
17515-17526 Joint occupancy
17527-17535 Joint use of district facilities
33050 Request for waiver
38130-38139 Civic Center Act

GOVERNMENT CODE

54220-54232 Surplus land, especially:
54222 Offer to sell or lease property
54950-54963 Brown Act, especially:
54952 Legislative body, definition

PUBLIC RESOURCES CODE

21000-21177 California Environmental Quality Act

CODE OF REGULATIONS, TITLE 2

1700 Definitions related to surplus property

COURT DECISIONS

San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District, (2006) 139 Cal.App. 4th 1356

Management Resources:

CSBA PUBLICATIONS

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Closing a School Best Practices Guide

OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS

Unused Site Program Handbook, May 2008

WEB SITES

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

California Department of Education, School Facilities Planning Division:

<http://www.cde.ca.gov/ls/fa>

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

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

Policy SACRAMENTO CITY UNIFIED SCHOOL DISTRICT

adopted: November 16, 1998 Sacramento, California

reviewed: November 5, 2001

Sacramento City USD

Board Policy

Sale, Lease, Rental Of District-Owned Real Property

BP 3280

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