

## Attachment A9 Recommendation: USE CSBA SAMPLE AS IS

Note: Using CSBA policy as PSD policy was not up to date

# CSBA Sample

## Administrative Regulation

### Evaluating Existing Buildings

AR 7111  
**Facilities**

The Superintendent or designee shall periodically evaluate the adequacy, design, and conditions of existing district 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 district 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 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 the district's facilities planning process.

(cf. 7110 - Facilities Master Plan)

\*\*\*Note: Education Code 17071.10-17071.40 require districts wishing to participate in the state's School Facility Program to submit to the State Allocation Board a one-time report of existing school building capacity when the district applies for funding. Education Code 17071.25 and the implementing regulations of the State Allocation Board, 2 CCR 1859-1859.106, set forth the formula for calculating the building capacity. The district's use of portable classrooms and year-round programs are two of the several factors used in the calculation. The calculations contained in the district's report will be used as the baseline for eligibility determinations pursuant to the funding program. \*\*\*

### Structural Safety

\*\*\*Note: School facilities are generally subject to the design and construction standards specified in Education Code 17280-17317 (the Field Act). However, even if a school building was

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not constructed under those requirements, Education Code 17371 indicates that Board members will not be personally liable for related injury to persons or damage to property provided that the Board complies with Education Code 17365-17374 pertaining to fitness for occupancy. Protection from liability begins when the Board initiates action to comply with Education Code 17367 as described in the following paragraph. See BB 9260 - Legal Protection.\*\*\*

In the event that the Department of General Services or any licensed structural engineer or licensed architect finds and reports to the Governing Board that a district building is unsafe for use, the 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 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. (Education Code 17291)

### Energy Efficiency

To the extent that services are available, the 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. The district 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:

#### 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

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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/brightschoo>

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

Department of General Services, Office of Public School Construction:

<http://www.opsc.dgs.ca.gov>

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