
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair
2015 - 2016 Regular

Bill No: SB 572
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Urgency: No
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Fiscal: Yes

Subject: School facilities: school district advisory committee: use or disposition of school buildings

SUMMARY

This bill requires the governing board of a school district to appoint a district advisory committee to advise in the development of districtwide policies and procedures about the use and disposition of school buildings, and specifically requires its appointment prior to the closing of a school within the district.

BACKGROUND

Existing law declares the intent of the Legislature that the community be involved before decisions are made about school closure or the use of surplus space.
(Education Code § 17387)

Existing law authorizes the governing board of any school district to appoint a district advisory committee to advise the governing board in the development of districtwide policies and procedures governing the use or disposition of school buildings or space in school buildings which is not needed for school purposes. Existing law requires the appointment of a districtwide advisory committee purpose prior to the sale, lease, or rental of any excess real property, but makes an exception to this requirement for rentals for 30 days or less. (Education Code § 17388)

Existing law outlines the membership of the district advisory committee and its duties.
(Education Code § 17389-17390)

ANALYSIS

This bill expands the requirements for establishing a school district advisory relative to the use of school buildings. Specifically it:

1. Deletes the requirement that the advisory committee be appointed prior to the sale, lease or rental of excess property.
2. Requires the appointment of a school district advisory committee:
 - A. To advise in the development of districtwide policies and procedures around the use and disposition of buildings, or space within buildings, which are not needed for school purposes.

- B. Prior to closing a school to advise the board in the development of districtwide policies and procedures governing the closure of the school.

STAFF COMMENTS

1. **Need for the bill.** This bill is prompted by the closure of two Sacramento schools. According to the author, parents and community stakeholders were brought into the conversation after the school board had already decided to close the school. SB 572 would seek to establish a district advisory committee (DAC) for the purpose of advising the school board whether or not to close a school and to determine how to move forward based upon the decision. The decision to close a school can profoundly affect parents, entire communities, district personnel, and of course, students. At the same time, a decision to not close a school faced with declining enrollment, performance, and financial support, can be irresponsible. In either case, the author opines that it is vital to engage the community, parents, district personnel, and students throughout the entire decision process because their lives are most affected. Current law allows, but does not require the use of an advisory committee before decisions are made about school closure. This bill would require the creation of a district advisory committee by every school district governing board.
2. **School closures.** It is unclear how many school closures occur in California annually. While districts do generally notify the California Department of Education (CDE) of school closures, due to the broad definitions used to define a "closure" the data collected is problematic and potentially overstates the type of "closure" intended to be affected by this bill. It is also unclear how many districts that initiate a school closure already establish a DAC. According to information provided by the author, nationally about 1% of schools have closed since 1995.

Current law does not require a district to take specific steps when closing a school, but does specify the Legislature's intent that there be community involvement prior to these decisions being made. The CDE has developed a *Closing a School Best Practices Guide*, available on its website, which recommends that a DAC be formed for this purpose and be involved in the fact-finding necessary for an informal recommendation about school closure. The CDE recommends the statutory DAC be expanded to include a cross-section of community members who have an interest in and may be affected by school closures. The CDE also recommends that the DAC duties involve the determination of enrollment projections and their impact on surplus space, that it inventory the capacity and conditions of existing facilities, determine per-student operating costs at each facility; consider the uniqueness of the educational program at each site, evaluate specific schools considered for closure and identify specific new environmental/safety concerns for each site, determine projected cost-savings for each school considered for closure; identify housing/transportation options for displaced students, consider cost benefits of various property disposition/use options, recommend transition strategies; make specific recommendations about specific school sites to the board, and assess the impact of school closure on district's insurance coverage.

3. ***District Advisory Committee (DAC)***. Current law only requires a DAC to be established prior to the sale, lease, or rental of any excess real property. While the stated intent of the author is to ensure that an affected community is granted the opportunity to participate in decisions surrounding school closures, this bill mandates that all districts establish a DAC regardless of whether a school is being closed or property is being sold, leased or rented.

Rather than establish a broad new mandate, **staff recommends** the bill be amended to restore current law, and to specifically require that a DAC be established prior to the closure of a school. **Staff further recommends** the bill be amended to outline the membership and duties of the DAC for this purpose consistent with the elements of the *Closing a School Best Practices Guide* outlined in staff comment #2.

SUPPORT

California Association of Student Councils
United Way

OPPOSITION

None received.

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