

K-12 PROJECT APPROVALS OVERVIEW OF CDE REVIEW

CASH / CCFC Workshop

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School Facilities Planning Division

INTRODUCTION



- **CDE Site and Plan Approvals are required** if the LEA is **seeking State SFP funding** for land acquisition &/or new construction, prior to filing SAB50-4 at OPSC. This includes new Joint-Use projects and charter schools
- Preferable to get CDE **final site approval before acquisition**, and at least **preliminary plan approval before DSA submittal** (if not, you run risk of CDE requiring changes to plans)

CDE ROLE & AUTHORITY



- Per Ed. Code 17251, CDE: **develops standards** for sites, educational appropriateness and safety, **reviews sites and plans**, investigates complaints of non-compliance, provides advice and information
- **CDE Maintains Title 5** California Code of Regulations, lists site and plan criteria and process (adopted by State Board of Education – latest changes effective 11/30/2000)
- CDE Requires Districts to demonstrate or certify compliance with CEQA and other provisions (please use the latest forms, check web page)

STEPS IN CDE SITE APPROVAL PROCESS

1. District Locates Potentially Approvable Sites (preferably at least three alternatives)
2. District contacts CDE Field Representative and requests site review
3. CDE meets with District, visits/review sites
4. CDE issues Form 4.0 Field Site Review
 - evaluates sites w/Title 5, identifies potential problems, recommended acres, comments
 - lists conditions, additional studies if necessary
 - ranks sites, determines if approvable

STEPS IN CDE SITE APPROVAL PROCESS (Cont.)

5. District selects preferred site, conducts Site Investigations /processes per Ed. Code & Public Resource Code (all 4.01 items & any identified on 4.0) Including:
 - Geotechnical Hazards Report
 - DTSC review/approval
 - Completed CEQA, proof of SCH circulation
 - Board findings: Waste, Pipeline & ¼ mile
 - Planning Commission Report
6. District submits request, all 4.01 documents, 4.02 Site Report, & 4.03 Certification (Contingent exceptions: DTSC, CEQA, 4.03)

MAJOR CDE DOCUMENTATION REQUIREMENTS - 4.01

- Board Adopted Written Findings ¼ mile, etc.
- DTSC Approved Phase I/PEA Summary
- Geologic Hazards Study (with pipeline info)
- Adopted CEQA Docs. & proof of SCH circ.
- Planning Commission Report
- Maps and Legal Description
- Site Utilization Diagram
- Master Plan Justification
- Joint-Use Agreement
- Unused Site Documentation
- Aeronautics review & other Special Studies



CDE SITE APPROVAL



- **CDE Analyst** will review application for completeness, identify issues, contact district if nec.
- **CDE Field Consultant** will review package and resolve outstanding issues, he/she & SFPD Assistant Director will sign final approval letter which lists site's percentage of CDE recommended net useable acreage, good for five years, copy to OPSC
- **Contingent Site Approval for Financial or Environmental Hardship** (DTSC required cleanup > 6 mos.) Final Approval after DTSC & CEQA completed (CDE must determine best available site)

MORE ON PIPELINES & POWERLINES



- **PIPELINES:** Either complete CDE two-page certification why pipeline within 1,500 feet will not be a hazard (below 80 psi, mitigated, etc.) or prepare a **Risk Analysis** concluding acceptable annual probability of fatalities on site (see draft May 2002 Pipeline Protocol Guidance doc.)
- **POWERLINES:** For 50-133 kV powerlines may prepare **EMF Exposure Management Plan**, which may allow mitigation & reduction of 100 ft. setback (see draft policy 9/14/01)

PHASE I SUBMITTAL TO DTSC

- Per AB 14, **as of 1/1/03**, if Phase I Report concludes **site is clean**, District submits 1 signed copy, proof of assessor qualifications and **\$1,500 check payable to DTSC** to:

DTSC
School Property Evaluation & Cleanup Div.
1011 North Grandview Avenue
Glendale, CA 91201
Attn: Ms. Angie Alfaro
(818) 551-2861 aalfaro@dtsc.ca.gov

DTSC Determinations Necessary For Final CDE Site/Plan Approval



- For **New Construction Plans**, if district certifies **minor addition** to existing school eligible for statutory/**categorical exemption from CEQA**, then no DTSC review is required, (DTSC not required for Modernization plan approval), *or*
- DTSC Approved **Phase I with “No Action”**, *or*
- DTSC Approved Preliminary Endangerment Assessment – **PEA with “No Further Action”**, *or*
- DTSC **Approved Plan to do required Clean Up** (RAW or RAP Response Action) under VCA

DTSC Determinations Necessary Final CDE Approval (Cont.)



Or any of the following after District letter committing to complete DTSC process:

- Approved Phase I or PEA identifies **Lead-based paint/PCBs** as the only potential issues requiring further investigation/action **prior to grading**, *or*
- Approved PEA identifies **Construction is necessary to Implement** the Response Action, *or*
- Approved PEA determines **Response Action & Construction will be on separate portions** of site not affecting each other, no worker safety threat

SMALL SITE POLICY & EXEMPTIONS



- **Less than CDE Recommended Acres is OK**, if district demonstrates provision of adequate educational program including **Physical Ed.** If **less than 50%** of CDE recommended acres, see CDE **Small School Site Policy** for design/acreage credits. Be aware of SAB changes in Urban/Security augmentation calculation.
- **Exemption Process** – Title 5, Section 14010 (u) to any standard, if district can **demonstrate mitigation without compromising safety** and supportive school environment

ED. CODE REQUIREMENTS

- **ECS 17211** Board public hearing for evaluation prior to acquisition using Title 5 site selection standards
- **ECS 17212 & 17215.5** Investigation of prospective school site; inclusion of geological and soils engineering studies
- **ECS 17213** Board adopted findings/determinations regarding waste disposal site, hazardous substance release, on-site pipelines, & hazardous air emitters/material handlers within ¼ mile of site (see PRC 21151.8)

ED. CODE REQUIREMENTS (Cont.)

- **ECS 17215** Cal Trans aeronautics review via request thru CDE if within two miles of existing or planned airport runway, Board hearing if favorable report
- **ECS 17215.5** Board findings for acquisition of land general planned/zoned for agricultural use

PUBLIC RESOURCES CODE

- **Section 21151.2** Proposed school site acquisition or land expansion requires notice to the City/Co. planning commission for their investigation/report within 30 days
- **Section 21151.8** School site purchase or new school construction; approval of environmental impact report or negative declaration requires info. and Board adopted findings/determinations re: waste sites, hazardous substance release, on-site pipelines, ¼ mile for hazardous air emitters/material handlers

PRELIM. PLAN SUBMITTAL

- **Form 4.07A Provides Project info.** – Tracking #, master plan & project capacity, existing enrollment if any, net useable acreage, etc. (*for OPSC land acquisition & Urban/Security adjustment*)
- **Complete Ed. Specifications** or summary on **4.07C & Space Allocation Spreadsheet**, describes use of each room, size, loading, altered uses/spaces etc.
- **Preliminary or Schematic Construction Plans**
 - * Entire Site Plan with streets, parking, topography
 - * Floor Plans with dimensions, areas, spaces labeled
 - * Elevations, typical interior/exterior, ID demolitions?
- **2A Diagrams** or alternative reduced plans showing dimensions, area calculations, spaces labeled

WHAT WILL CDE LOOK FOR IN PLAN REVIEW?



See **Title 5, Section 14030** (see Checklist on web under forms) for list including:

- **Site Layout** – safety of drop off, bus loading, circulation, parking, delivery/utility access
- **Playground/Fields** – adequate area, supervision
- Compatible adjacent uses, room for expansion
- **Classroom Size** – 960 sf., Kindergarten –1,350 sf, Science labs – 1,300 sf.
- **Restrooms** – location and fixtures count

WHAT WILL CDE LOOK FOR IN PLAN REVIEW? (Cont.)

- **Science Labs** – Eyewashes/deluge shower, fume hood, secured chemical storage
- **Spec. Ed., RSP, Speech, small group** – size, location, equipment
- **Nurse's office** – Supervision
- **Site security** – fencing, Joint Use areas, bike storage, Gym/library public use
- **Admin., Multi/Cafe, Gym, Library** – size, supervision, **Consistency with Ed. Specs.**

CDE PRELIMINARY PLAN APPROVAL

- CDE Analyst will review for completeness, contact district, architect or consultant to request additional info or clarification, **itemize room count**, and raise issues for consultant
- Consultant will review and **identify required changes vs. recommended changes**/ comments, resolve any remaining issues, sign preliminary plan approval letter

FINAL PLAN SUBMITTAL

- **SFPD 4.07A Project Info**, including Project Tracking No., and Construction Cost Estimate
- **4.07B Certification** to DTSC review status or minor addition exemption, CEQA completion/exemption, Classroom phones, net useable acres, master plan capacity
- **Updated Ed. Specs. & 4.07C** or letter indicating no changes to that submitted with preliminary plans
- **Final Construction/Working Drawings**
- **Updated 3As** or alternative reduced plans (this becomes record of approved plans at CDE)

CDE FINAL PLAN APPROVAL

- Analyst/Consultant will check for 4.07 completeness, DTSC status, **any changes required & made from preliminary submittal approval letter**
- **Final approval letter** will contain SFP capacity based on classroom count, and percentage of recommended CDE acreage (*per new SAB regs. based on existing enrollment plus project's SFP capacity*) Signed by Consultant and Assistant Director, good for 2 years, can be renewed

MODERNIZATION – 4.08

- Similar to 4.07 preliminary & final application/approval process, except **not subject to DTSC process for CDE approval**
- Must **describe spaces that will be altered in size or purpose**
- **Need to identify building demolitions & removals**

PROPOSED NEW CDE REQUIREMENT FOR FINAL **PLANS**

- **SFPD 4.07/8(E) Site Safety Certification** For New Construction and Modernization Plan Approvals on **Existing** Sites
- District must **sign and certify** that the project will **not create or exacerbate** any existing safety hazards
- Includes: Powerlines, pipelines, storage tanks, railroad tracks, seismic, flood, traffic safety / noise, compatible surrounding land uses

CRITICALLY OVERCROWDED SCHOOLS

- AB16 created COS program, allows qualifying districts to receive a four year reservation of funds for acquisition & construction. Requires **SFPD form 4.16 certification** of the **net useable acres of source schools** with 2001 CBEDS density exceeding 115/ac for K-6 and 90/ac for 7-12, need info. to SFPD by March 28, to make **May 1, 2003 deadline for OPSC**,
- CDE also will **review proposed variances** for location of proposed new school

AB16 JOINT-USE PROJECTS

- New program is subject to **all CDE plan approval & DTSC processes**
- SFPD **Form 4.11** also required with 4.07, specifies type of project, **certifies latest CBEDS enrollment**, & existing library, gym, or multi are **less than 60% of Minimum Essential Facility square footage**
- CDE **calculates maximum square footage** of project allowed

HELPFUL CDE PUBLICATIONS

- **School Site Selection and Approval Guide**
(2000 "Blue Book")
- **School Site Analysis and Development Guide**
(2000 "Yellow Book" for determining recommended acres)
- **Educational Specifications: Linking Design of School Facilities to Educational Programs**
- **The Form of Reform: School Facility Design Implications for California Educational Reform**
- **Guide for Development of a Long-Range Facilities Plan**

CDE CONTACTS



- **California Department of Education
School Facilities Planning Division
660 J Street, Suite 350
Sacramento, CA 95814-2423
(916) 322-2470
<http://www.cde.ca.gov/facilities/>**

**SFPD is planning to move April 9, 2003 to:
1500 Capitol Avenue # 72-520
Sacramento, CA 95814-5006**
