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KS
EXHIBIT "E"

§ 15051 SCHOOL SITES AND CONSTRUCTION

Div. 11

Article 2

SITES FOR UNION SCHOOLS

Sec.

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Cross References

Application of article only to school sites selected during first two years in new school district, see § 15003.
Union school district, see § 42.

§ 15051. Temporary arrangements for location

The governing board of any union school district may make temporary arrangements for the location of one or more union schools in the district.

(Stats.1959, c. 2, p. 1073, § 15051.)

Historical Note

Derivation: Educ.C.1943, § 18421 (Stats. 1943, c. 71, p. 670).
School C. § 6.110.
Pol.C. § 1585, added Stats.1919, c. 309, p. 501. § 1, amended Stats.1923, c. 427, p. 999, § 1.

Cross References

Buildings in union or joint union districts, see § 15351 et seq.
Governing boards, see §§ 39, 921 et seq.
Powers, see §§ 1001 et seq., 15301 et seq.

Library References

Schools and School Districts 68. C.J.S. Schools and School Districts § 247.

§ 15052. Notice by trustees of desire to meet

Within 40 days after the selection of trustees for a union school district, they shall notify the county superintendent of schools that they desire to meet to locate one or more union schools in and for the

district. Thereafter they shall meet in conjunction with the county superintendent of schools at a time and place to be named by him, for the purpose of determining the location of a union school or schools pursuant to this article (commencing at Section 15051).

(Stats.1959, c. 2, p. 1073, § 15052.)

Historical Note

Derivation: Educ.C.1943, § 18422 (Stats. 1943, c. 71, p. 670).

School C. § 6.111; Pol.C. § 1585 (see Derivation under § 15051).

Cross References

Board of school trustees, see § 921 et seq.

County superintendent, see §§ 751 et seq., 801 et seq., 851 et seq., 13828, 15851 et seq.; Const. art. 9, §§ 3, 3.1.

Expenses payable out of county general fund, see § 881.

Governing boards, see §§ 39, 921 et seq.

Powers, see §§ 1001 et seq., 15801 et seq.

Option to purchase land, power of board of trustees, see § 15006.1.

§ 15053. Superintendent shall be chairman

At the meeting the superintendent shall be the chairman and is entitled to vote and participate in all its proceedings.

(Stats.1959, c. 2, p. 1073, § 15053.)

Historical Note

Derivation: Educ.C.1943, § 18423 (Stats. 1943, c. 71, p. 671).

School C. § 6.112; Pol.C. § 1585 (see Derivation under § 15051).

Cross References

County superintendent, see §§ 751 et seq., 801 et seq., 851 et seq., 13828, 15851 et seq.; Const. art. 9, §§ 3, 3.1.

Expenses payable out of county general fund, see § 881.

§ 15054. Transmittal to superintendent of names of locations when trustees disagree

If the trustees fail to agree unanimously upon a location for the school or schools they shall propose in writing to the county superintendent, or if he is not present, they shall transmit to his office, within 10 days, the names of the locations which they, or any of them favor.

(Stats.1959, c. 2, p. 1073, § 15054.)

Historical Note

Derivation: Educ.C.1943, § 18424 (Stats. 1943, c. 71, p. 671).

School C. § 6.113; Pol.C. § 1585 (see Derivation under § 15051).

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§ 16053.1

EDUCATION CODE

For Reorganized Education Code, operative April 30, 1977, see Special Pamphlet
§ 16053.1 Priorities and procedures for the sale or lease with option to purchase

Except as provided for in Article 2 (commencing with Section 15051) of Chapter 1 of Division 11, the sale or lease with an option to purchase of real property by a school district shall be in accordance with the following priorities and procedures:

(a) First, the property shall be offered for park or recreational purposes pursuant to Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code, in any instance in which such article is applicable.

(b) Second, the property shall be offered for sale or lease with an option to purchase, at fair market value;

(1) In writing, to the state, the Regents of the University of California, the Trustees of the California State University and Colleges, the county and city in which the property is situated, and to any public housing authority in the county in which the property is situated; and

(2) By public notice to any public district, public authority, public agency, public corporation, or any other political subdivision in this state, to the federal government, and to nonprofit charitable corporations organized pursuant to Part 3 (commencing with Section 10200) of Division 2 of Title 1 of the Corporations Code. Public notice shall consist of at least publishing its intention to dispose of the real property in a newspaper of general circulation within the district, or if there is no such newspaper, then in any newspaper of general circulation that is regularly circulated in the district. The notice shall specify that the property is being made available to all public districts, public authorities, public agencies, and other political subdivisions or public corporations in this state, and to other nonprofit charitable corporations.

Publication of notice pursuant to this section shall be once each week for three successive weeks. Three publications in a newspaper regularly published once a week or * * * more often, with at least five days intervening between the The written notice required by paragraph (1) of this subdivision shall be mailed no later than the date of the second published notice.

The entity desiring to purchase or lease the property shall, within 60 days after the third publication of notice, notify the school district of its intent to purchase or lease the property. If the entity desiring to purchase or lease the property and the district are unable to arrive at a mutually satisfactory price or lease payment during the 60-day period, the property may be disposed of as otherwise provided in this section. In the event the district receives offers from more than one entity pursuant to this subdivision, the school district governing board may, in its discretion, determine which of such offers to accept.

(c) Third, the property shall be made available in writing to the former owner, in accordance with Section 16053.3. This subdivision shall not be applicable to community college districts.

(d) Fourth, the property may be disposed of in any other manner authorized by law.

(Added by Stats.1975, c. 743, p. —, § 2. Amended by Stats.1976, c. 1248, p. —, § 3.)

Library References
Schools and School Districts § 65.
C.J.S. Schools and School Districts § 241
et seq.

§ 16053.5 Alternative use of funds derived from the sale of a surplus school site

Notwithstanding any provisions of this article, any school district which has purchased a school site under the provisions of Chapter 10 (commencing with Section 19351) of Division 14 and has fully repaid any apportionments made for the purpose of such purchase may, upon sale of such site, deposit in the general fund of the district a portion of such sale proceeds which represents an excess over the original purchase price; provided that such school district: (a) has experienced a decrease in enrollment between the 1967-68 school year and the 1972-73 school year of at least 16 percent; and (b) has operated during the 1971-72 fiscal year at a cost of at least one hundred dollars (\$100) per unit of average daily attendance less than the average for the county in which the district is located; and (c) has no anticipated need, for the three years following such sale, for

Underline indicates changes or additions by amendment