

AMENDED IN SENATE MARCH 27, 2014

**SENATE BILL**

**No. 1067**

---

---

**Introduced by Senator Beall**

February 18, 2014

---

---

An act to amend Section ~~35292.5~~ 17251 of, and to add Section 17212.3 to, the Education Code, relating to ~~school maintenance.~~ *schoolsites*.

LEGISLATIVE COUNSEL'S DIGEST

SB 1067, as amended, Beall. ~~School maintenance: restrooms.~~ *Schoolsites: selection: entry/exit access: acquisition and plans review.*

(1) Existing law requires the governing board of a school district, prior to acquiring any site on which it proposes to construct any school building, as defined, to have the site, or sites, under consideration investigated by competent personnel to ensure that the final site selection is determined by an evaluation of all factors affecting the public interest and is not limited to selection on the basis of raw land cost only.

This bill would require all new schoolsites acquired by the governing board of a school district to have at least 2 points of entry and exit onto the schoolsite.

(2) Existing law requires the State Department of Education, upon the request of the governing board of any school district, to advise the governing board on the acquisition of new schoolsites, as specified. Existing law requires the department, upon the request of the governing board of any school district, to review plans and specifications for school buildings in the district.

This bill would instead require the department to advise the governing board of a school district on the acquisition of new schoolsites, as specified, and to review plans and specifications for school buildings

*in the school district. The bill would also make nonsubstantive changes to this provision.*

~~Existing law, with certain exceptions, requires every public and private school, as provided, to have restroom facilities that are open as prescribed during school hours, and at all times to keep every restroom maintained and cleaned regularly, fully operational, and stocked with soap and paper supplies.~~

~~This bill would make nonsubstantive changes to that law and delete obsolete cross-references.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 17212.3 is added to the Education Code,  
2 to read:

3     17212.3. All new schoolsites acquired by the governing board  
4 of a school district shall have at least two points of entry and exit  
5 onto the schoolsite.

6     SEC. 2. Section 17251 of the Education Code is amended to  
7 read:

8     17251. The ~~State Department of Education~~ department shall:

9     (a) ~~Upon the request of the governing board of any school~~  
10 ~~district, advise~~ Advise the governing board of a school district on  
11 the acquisition of new schoolsites and, after a review of available  
12 plots, give the governing board of the school district, in writing,  
13 a list of the recommended locations in the order of their merit,  
14 considering especially the matters of educational merit, safety,  
15 reduction of traffic hazards, and conformity to the land use element  
16 in the general plan of the city, county, or city and county having  
17 jurisdiction. The governing board of the school district may  
18 purchase a-site schoolsite deemed unsuitable for school purposes  
19 by the ~~State Department of Education~~ department only after  
20 reviewing the department’s report on proposed-sites schoolsites  
21 at a public hearing. The department shall charge the school district  
22 a reasonable fee for each schoolsite reviewed not to exceed the  
23 actual administrative costs incurred for that purpose.

24     (b) Develop standards for use by a school district in the selection  
25 of schoolsites, in accordance with the objectives set forth in  
26 subdivision (a). The department shall investigate complaints of

1 noncompliance with ~~site~~ *schoolsite* selection standards and shall  
2 notify the governing board *of the school district* of the results of  
3 the investigation. If that notification is received ~~prior to~~ *before* the  
4 acquisition of the ~~site~~, *schoolsite*, the governing board *of the school*  
5 *district* shall discuss the findings of the investigation in a public  
6 hearing.

7 (c) Establish standards for use by school districts to ensure that  
8 the design and construction of school facilities are educationally  
9 appropriate and promote school safety.

10 (d) ~~Upon the request of the governing board of any school~~  
11 ~~district, review~~ *Review* plans and specifications for school buildings  
12 in the *school district*. *The department shall charge the governing*  
13 *board of the school district, for the review of plans and*  
14 *specifications, a reasonable fee not to exceed the actual*  
15 *administrative costs incurred for that purpose.*

16 ~~The department shall charge governing boards of school districts,~~  
17 ~~for the review of plans and specifications, a reasonable fee not to~~  
18 ~~exceed the actual administrative costs incurred for that purpose.~~

19 (e) Upon the request of the governing board of any school  
20 district, make a survey of the building needs of the *school district*,  
21 advise the governing board *of the school district* concerning the  
22 building needs, suggest plans for financing a building program to  
23 meet the needs. The department shall charge the *school district*,  
24 for the cost of the survey, a reasonable fee not to exceed the actual  
25 administrative costs incurred for that purpose.

26 (f) Provide information relating to the impact or potential impact  
27 upon any *schoolsite* of hazardous substances, solid waste, safety,  
28 hazardous air emissions, and other information as the department  
29 may deem appropriate.

30 ~~SECTION 1. Section 35292.5 of the Education Code is~~  
31 ~~amended to read:~~

32 ~~35292.5. (a) Every public and private school maintaining any~~  
33 ~~combination of classes from kindergarten to grade 12, inclusive,~~  
34 ~~shall comply with all of the following:~~

35 (1) ~~Every restroom shall at all times be maintained and cleaned~~  
36 ~~regularly, fully operational, and stocked at all times with toilet~~  
37 ~~paper, soap, and paper towels or functional hand dryers.~~

38 (2) ~~The school shall keep all restrooms open during school hours~~  
39 ~~when pupils are not in classes, and shall keep a sufficient number~~  
40 ~~of restrooms open during school hours when pupils are in classes.~~

1     ~~(b) Notwithstanding subdivision (a), a school may temporarily~~  
2 ~~close any restroom as necessary for pupil safety or as necessary~~  
3 ~~to repair the facility.~~  
4     ~~(c) A school district that operates a public school that is in~~  
5 ~~violation of this section as determined by the State Allocation~~  
6 ~~Board, is ineligible for state deferred maintenance fund matching~~  
7 ~~apportionments if the school district has not corrected the violation~~  
8 ~~within 30 days after receipt of a written notice of the violation~~  
9 ~~from the board. Prior to determining that the school district is~~  
10 ~~ineligible, the board shall provide the school district with a~~  
11 ~~reasonable opportunity to cure the violation. The board shall notify~~  
12 ~~the Superintendent regarding a school district found to be in~~  
13 ~~violation of this section. The Superintendent shall notify the~~  
14 ~~Controller to withhold apportionments otherwise due the school~~  
15 ~~district.~~