

June 20, 2017 Information

UNUSED SITE PENALTY

Rationale

During the 2016-17 fiscal year, the district was assessed an unused site fee by the Office of Public School Construction in the amount of \$29,118 for the Tivoli property. This was the first year that the fee was assessed. Ed Code Sections 17219 through 17224 states:

“Whenever a school district acquires or has acquired a site for school purposes, as determined by the State Allocation Board, and does not use the site within (1) five years of the date of acquisition for kindergarten, if any, and any of grades 1 to 8, inclusive, maintained by an elementary school district or a unified school district, or , (2) seven years of the date of acquisition for any of grades 7 to 12, inclusive maintained by a high school district or a unified school district, or if a school district has a site at any grade level that has previously been used but has not been used for school purposes within the preceding five years, the school district shall be subject to nonuse payments...”

A school district can request that the fee be waived but only under certain conditions. (See page 2 the attached form “Modification of Unused Site Status”.)