

1

RESOLUTION NO. 19/20-7

RESOLUTION OF THE GOVERNING BOARD OF THE WILLIAM S. HART UNION HIGH SCHOOL DISTRICT CERTIFYING COMPLIANCE WITH SECTION 17289 OF THE EDUCATION CODE AND AUTHORIZING THE EXECUTION OF EXEMPTION REQUEST WITH STATE ALLOCATION BOARD UNDER FORM 406

WHEREAS, the Field Act (Education Code Section 17280 et seq.) provides safety standards for public schools; and

WHEREAS, Section 17283 of the Education Code defines “School Building” to determine whether such facility is subject to the Field Act; and

WHEREAS, the William S. Hart Union High School District (“District”) desires to house an independent study program called Hart at Home in the District Annex Building located at 26320 Spirit Court, Santa Clarita, CA 91350; and

WHEREAS, the District Annex Building was not approved by the Division of the State Architect (“DSA”); and

WHEREAS, Section 17289 of the Education Code permits the District to request an exemption from the State Allocation Board, which would allow the District to house an independent study program in a non-DSA approved building or structure; and

WHEREAS, Section 17289 of the Education Code requires the District to demonstrate: (1) the building or structure, or portion of building or structure, is not located on a regular schoolsite, complies with all applicable local building standards and all relevant local health and safety standards in the community in which it is located, is used for independent study, and serves fewer than 25 pupils enrolled in any of the grades 1 to 12, inclusive, at any one time in the building or structure, or in a portion of a building or structure; (2) the use of the building or structure is critical to providing an effective alternative, community-based program; and (3) the use of other buildings or structures that would meet seismic safety standards for school facilities is not practical; and

WHEREAS, District staff represents to the Governing Board (“Board”) that the District satisfies the criteria in Section 17289 of the Education Code because: (1) the building is not located on a regular school site; (2) the District Annex, which was recently constructed, complies with all applicable local building standards and all relevant local health and safety standards; (3) the District Annex, or a portion thereof, will be used for the Hart at Home independent study program; (4) the District Annex, or a portion thereof, will only serve fewer than 25 pupils at any one time; and (5) using the District Annex is critical for providing independent study, and no other building is practical, due to space considerations and because the District Annex will ensure a learning area that is compliant with Americans with Disabilities Act.

WHEREAS, District staff has prepared SAB Form 406, which is attached hereto as Exhibit "A," as its exemption request asking the State Allocation Board to allow the District to use the District Annex building to house the District's independent study program.

NOW, THEREFORE, THE BOARD DOES HEREBY DETERMINE, RESOLVE, AND ORDER AS FOLLOWS:

Section 1. The above recitals are true and correct.

Section 2. The Board certifies to the State Allocation Board that the District satisfies the criteria contained in Section 17289 of the Education Code.

Section 3. The Board approves the SAB Form 406 in Exhibit "A" and authorizes the Clerk or Secretary of the Board to execute such form.

Section 4. The Board authorizes the Superintendent, or designee, to submit the executed SAB Form 406 to the State Allocation Board and to take all other actions reasonably necessary to effectuate the purpose of this Resolution, or otherwise comply with the State Allocation Board's procedures for considering such exemption requests.

Section 5. This Resolution shall be effective upon adoption by the Board.

ADOPTED, SIGNED, AND APPROVED this 2nd day of October, 2019.

**GOVERNING BOARD OF THE WILLIAM S.
HART UNION HIGH SCHOOL DISTRICT**

By

Robert Jensen, President of the
Governing Board of the William S. Hart
Union High School District

ATTEST:

By

Linda Storli, Clerk of the Governing
Board of the William S. Hart Union High
School District

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES) ss.

I, Linda Storli, Clerk of the Governing Board of the William S. Hart Union High School District, do hereby certify that the foregoing resolution was duly adopted by the Governing Board of said District at a meeting of the Governing Board held on the 2nd day of October, 2019, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

By: Linda Storli, Clerk of the Governing Board of the
William S. Hart Union High School District

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I, Linda Storli, Clerk of the Governing Board of the William S. Hart Union High School District do hereby certify that the foregoing is a full, true and correct copy of Resolution No. 19/20-7 of said Governing Board and that the same has not been amended or repealed and is fully effective as of this date.

Dated: October 2nd, 2019

By: _____
Linda Storli, Clerk of the Governing Board of the
William S. Hart Union High School District

Exhibit A