

California Department of Education

Executive Office

SBE-005 (REV. 1/2018)

General Waiver

# California State Board of Education March 2025 Agenda Item #W-09

## Subject

Request by **Inglewood Unified School District** to waive California *Education Code* sections specific to statutory provisions for the sale or lease of surplus property.

## Waiver Number

4-11-2024

## Type of Action

Action, Consent

## Summary of the Issues

The Inglewood Unified School District (USD) is requesting to waive all of California *Education Code* (*EC*) sections 17469, 17472, 17473 and 17474, and portions of sections 17455, 17464, 17466, 17468, 17470, 17472, and 17475, which will allow the district to sell a piece of property, in a manner that best serves its schools and community, through the request for proposal (RFP) process. Inglewood USD is also requesting a waiver of all of *EC* sections 17486, 17489, 17491, 17492, 17493, 17494, 17495, 17498, and portions of *EC* Section 17488, collectively known as the Naylor Act, which requires them to offer to sell a portion of the property to other local agencies at a reduced rate.

## Authority for Waiver

California *EC* Section 33050

## Recommendation

* Approval: No
* Approval with conditions: Yes
* Denial: No

The California Department of Education (CDE) recommends approval with the following condition:

The proposal the district’s governing board determines to be the most desirable shall be selected within 30 to 60 days of the public meeting where the proposal was received, and that the reasons for that determination be discussed in public session and included in the minutes of the meeting.

Approval of this waiver only applies to the aforementioned sections and provisions of the *EC* from which the district seeks a waiver and does not extend to any other legal requirements that may be applicable to the sale or lease of property.

## Summary of Key Issues

Inglewood USD requests that the specified *EC* sections be waived in order to allow the district to sell a piece of real property. The property in question is located at 11101 S. Yukon Avenue, Inglewood, California 90303. This is the former site of Worthington Elementary School, which was closed in 2023 due to the steady decline in district enrollment (more than 60 percent over the last two decades). While the site is no longer operational, it still constitutes a maintenance cost for the district. Further, in October 2024, a fire at the site damaged several classrooms, making it even more unlikely that the district would choose to reopen this school, even if its enrollment declines were to reverse. Preliminary repair estimates for the site indicate that basic structural repairs, along with removal of aging portable units, would cost approximately $5.14 million. Additional infrastructure upgrades, including extensive plumbing and sewage system repairs, as well as addressing hazardous asphalt conditions, could increase these costs to $10.44 million.

The closure and proposed sale of Worthington Elementary is one part of a more comprehensive plan created by the district’s asset management advisory committee to address the school’s overall property inventory, and is one of seven proposed or completed closures. The plan recommended that the district move forward with a sale or lease of the site. They also recommended that the district explore partnerships with local nonprofits or other organizations that might allow the site to remain available for “benefitcial community use.” Approval of the waiver would allow the district to pursue such opportunities, rather than simply selling or leasing the site to the highest bidder.

In addition, the district is requesting to waive portions of the Naylor Act. The Naylor Act requires school districts who propose to sell land used for outdoor recreation to offer to lease or sell a portion of the land to specified local jurisdictions. An agency having jurisdiction could acquire up to 30 percent of the surplus property for 25 percent of the fair market value. Thus, without the waiver, the district would be required to first offer the surplus property to certain local governmental agencies which would greatly limit the district’s ability to freely place the property for lease in the open market.

The Naylor Act is intended to ensure the continuity of outdoor student recreational activities when a school property is sold. Granting this waiver should not affect the ability of the public; the district is unaware of any student recreational activities that would be negatively affected if the property were to be sold. Further, there are additional outdoor recreational areas, including other school sites, within walking distance of the property.

**Demographic Information**

Inglewood USD is an urban district located in the city of Inglewood, in southern Los Angeles County. It has a population of 7,000 students.

**Because this is a general waiver, if the State Board of Education (SBE) decides to deny the waiver, it must cite one of the seven reasons in *EC* Section 33051(a), available on the California Legislation Information web page at** <https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.>

## Summary of Previous State Board of Education Discussion and Action

The SBE has approved all previous waivers regarding the bidding process and the sale or lease of surplus property. The SBE has approved waivers of the Naylor Act on five previous occasions, most recently at its November 2022 meeting (waiver number 7-6-2022). The district is requesting to waive the same or similar provisions for the sale or lease of surplus property and the Naylor Act.

## Fiscal Analysis

The flexibility in property disposition requested herein will allow the district to maximize value from the saleor lease of the property.

The district has certified that the site has been owned for more than 10 years and therehave been no improvements funded by monies from the State School Facilities Program within the last 10 years. Therefore, pursuant to *EC* Section 17462.3, financial reimbursement is not due to the State Allocation Board.

## Attachments

* **Attachment 1:** Summary Table (1 page)
* **Attachment 2:** Inglewood Unified School District General Waiver Request 4-11-2024 (2 pages). (Original waiver request is signed and on file in the Waiver Office).

# Attachment 1: Summary Table

California *EC* Section 17455 et seq.

| **Waiver Number** | **District** | **Properties** | **Period of Request** | **Local Board Approval Date** | **Public Hearing Date** | **Bargaining Unit Representatives** | **Advisory Committee Consulted** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 4-11-2024 | Inglewood Unified School District | 11101 S. Yukon Avenue, Inglewood, California 90303 | **Requested:** Start: 3/6/2025  End: 3/6/2027  **Recommended:** Start: 3/6/2025  End: 3/4/2027 | 11/6/2024 | 11/6/2024  notice on district website, distributed with board meeting information | Teamsters Local 911 Carlos Rubio President 11/15/2024 Support  Inglewood Teachers Association John Hughes  President 11/19/2024 Support | Surplus Property Advisory Committee 10/3/2024 **No Objections** |

Created by the California Department of Education

March 2025

# Attachment 2: Inglewood Unified School District General Waiver Request 4-11-2024

**California Department of Education**

**WAIVER SUBMISSION - General**

CDS Code: 1964634

Waiver Number: 4-11-2024

Active Year: 2024

Date In: 11/20/2024 10:38:18 AM

Local Education Agency: Inglewood Unified

Address: 401 South Inglewood Ave.

Inglewood, CA 90301

Start: 3/6/2025

End: 3/6/2027

Waiver Renewal: No

Waiver Topic: Sale or Lease of Surplus Property

Ed Code Title: Sale of Surplus Property

Ed Code Section: 17455, 17464, 17466, 17468, 17469, 17470, 17472, 17473, 17474, 17475, 17486, 17488, 1789, 17491, 17492, 17493, 17494, 17495, 17498

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: See Attachment A

Outcome Rationale: The Inglewood Unified School District (“District”) owns 11101 S. Yukon Avenue, Inglewood, California 90303, which is the former Worthington Elementary School (“Property”). The District has been experiencing a steady decline in student enrollment for the past decade. Since funding is directly tied to enrollment, the decrease in students subsequently decreases the District’s funding. This creates a challenge for the District to continue to operate a large number of schools relative to its student population size. After examining relevant District data and considering ongoing District financial and fiscal solvency concerns, on March 15, 2023, the County Administrator adopted Resolution No. 33/2022-2023 to close the former Worthington Elementary School. Although Former Worthington Elementary is no longer an active school site, it continues to require the District to expend resources to maintain.

To reach fiscal stabilization, in addition to school closures, the District has been assessing and implementing s

Student Population: 7000

City Type: Urban

Public Hearing Date: 11/6/2024

Public Hearing Advertised: District Website and board documents

Local Board Approval Date: 11/6/2024

Community Council Reviewed By: Asset Management Advisory (7-11) Committee

Community Council Reviewed Date: 11/20/2024

Community Council Objection: No

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Dr. James Morris

Position: County Administrator

E-mail: [james.morris@inglewoodusd.com](mailto:james.morris@inglewoodusd.com)

Telephone: 310-419-2705

Bargaining Unit Date: 11/19/2024

Name: Inglewood Teachers Association

Representative: John Hughes

Title: President

Phone: 310-673-0907

Position: Support

Bargaining Unit Date: 11/15/2024

Name: Teamsters Local 911

Representative: Carlos Rubio

Title: President

Phone: 565-595-4518

Position: Support