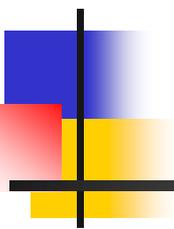


# School Siting Guidelines

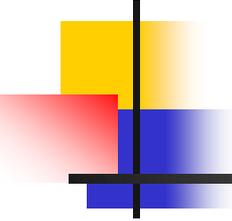


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Stephen Lester

Center for Health Environment & Justice

November 10, 2011



# School Siting: The Context

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- The average US public school is almost 50 years old.
- Enrollments in public schools are at record high levels.
- Funding for public schools has not kept up with enrollment levels.
- School districts look for cheap sites to build new schools—many are contaminated or are near sources of pollution.

# Examples of Poorly Sited Schools—Providence, RI

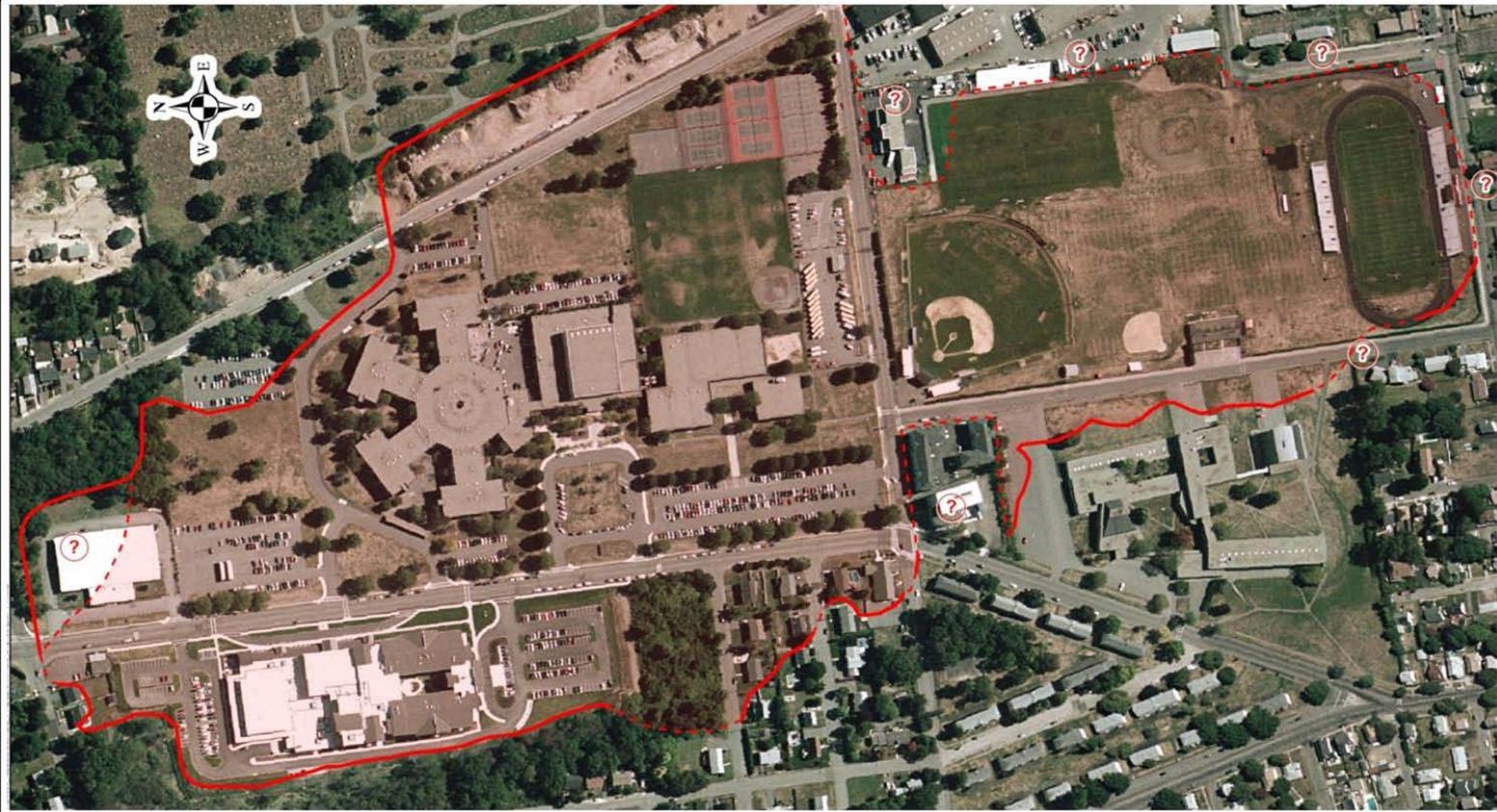


- Alvarez High School

Built on top of former Silver manufacturing factory

# Examples of Poorly Sited Schools—New Bedford, MA

Two Schools Built on Former Ash Burn Dump



# Examples of Poorly Sited Schools—Los Angeles, CA

- Built on top of earthquake fault, abandoned oil field.
- Partially demolished after construction
- Total costs: \$238 million and rising



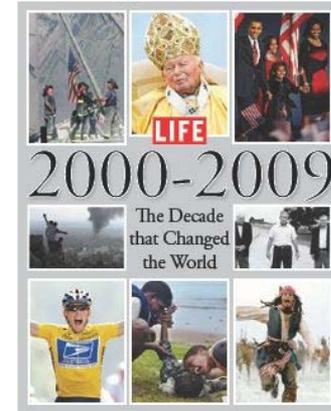
# Examples of Poorly Sited Schools—Houston, TX

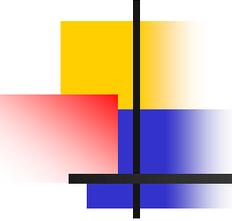


- Cesar Chavez High School, located near oil refinery
- Ranked in top 1 percentile of schools impacted by air pollution according to USA Today study.

# What These Schools Have in Common

- All built within last ten years
- All serve mostly low income and minority children

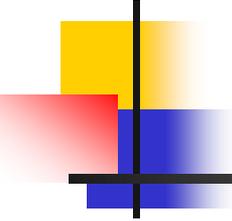




# CHEJ's Role in School Siting

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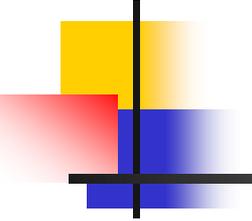
- Love Canal roots
- Hundreds of schools built on contaminated sites
- Convened community leaders in 2000
- Published 4 guidebooks



# Building Safe Schools

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- Model Legislation
- 50-State Survey
- <http://chej.org/campaigns/childproofing/resources/our-reports/>



# Key Elements of Guidelines

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- Ensuring meaningful public participation
- Categorical exclusion of some sites
- Environmental review process
- Standards that trigger action
- Cleanup approach
- The Last Resort – Building on a highly contaminated site

# NOT IN MY SCHOOLYARD:

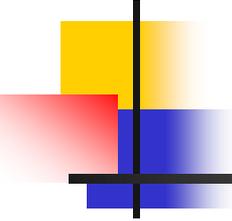
*Avoiding Environmental Hazards at School Through Improved School Site Selection Policies*

A Report to the U.S.  
Environmental  
Protection Agency

Submitted by Rhode Island Legal Services  
Grant #98197001  
March 2006

<http://www.nylpi.org/images/FE/chain234siteType8/site203/client/EJ%20-%20Not%20in%20My%20Schoolyard%20-%20Improving%20Site%20Selection%20Process.pdf>





# Few Laws to Restrict Siting Schools Near Sources of Pollution

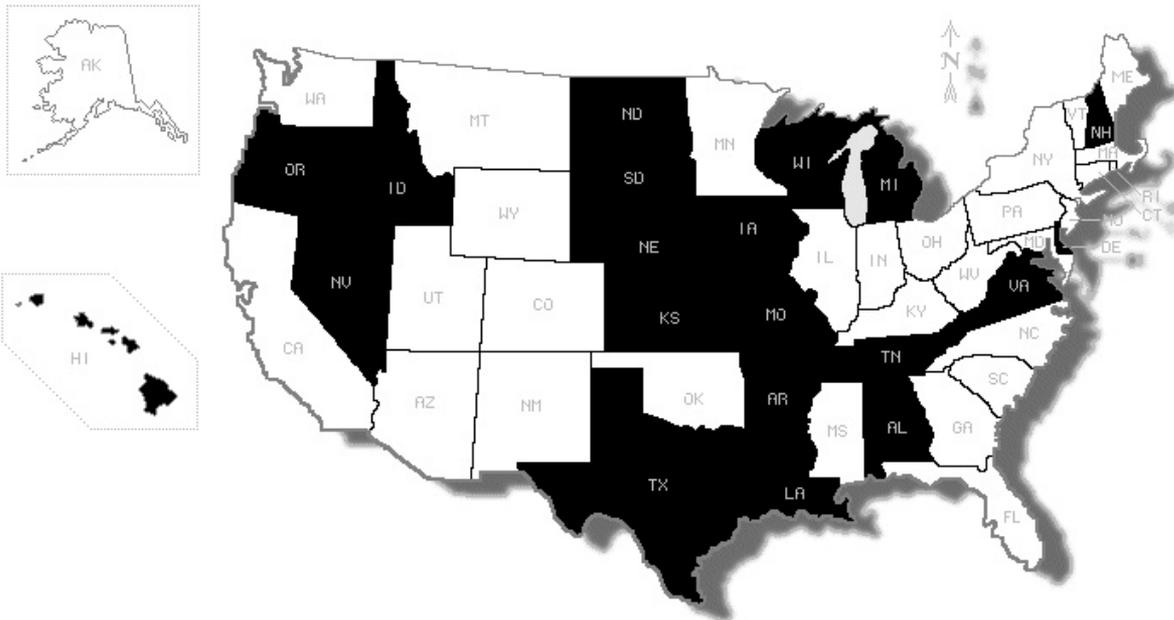
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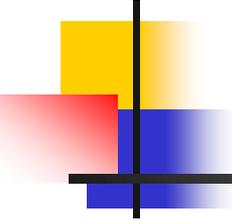
- Twenty (20) states have no policies of any kind affecting the siting of schools in relation to environmental hazards, the cleanup of contaminated sites, making information available to the public about potential school sites or providing some role for members of the public in the school siting process.

# States With No School Siting Laws

States with No School Siting Laws

● - No School Siting Laws

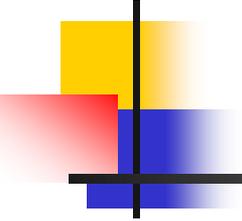




# Few Laws Restrict Siting Schools Near Sources of Pollution

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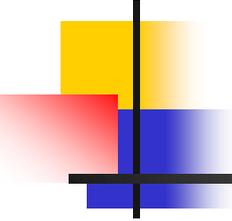
- Only five (5) states prohibit or severely restrict siting schools on or near hazardous or toxic waste sites.
- Another nine (9) states have policies that prohibit outright the siting of schools on or near sources of pollution or other hazards that pose a risk to children's safety.
- Twenty-one (21) states have policies that direct or suggest school siting officials "avoid" siting schools on or near specified man-made or natural environmental hazards, or direct the school district to 'consider' those hazards when selecting school sites.



# Few Laws Requiring Environmental Assessments of School Sites

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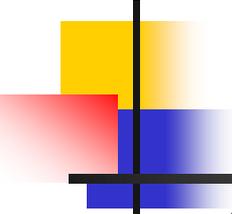
- Twenty four (24) states have no policies that require sponsors of new school projects to investigate or assess environmental hazards at potential school sites.



# Few laws give the public a role in school siting decisions

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- Only twelve (12) states require the sponsors of school projects to solicit public input when making school siting decisions via public notices, public meetings or hearings.
- Only eight (8) states either require or authorize the creation of school siting advisory committees.



# Congress Directs EPA to Establish Model Guidelines for Siting Schools

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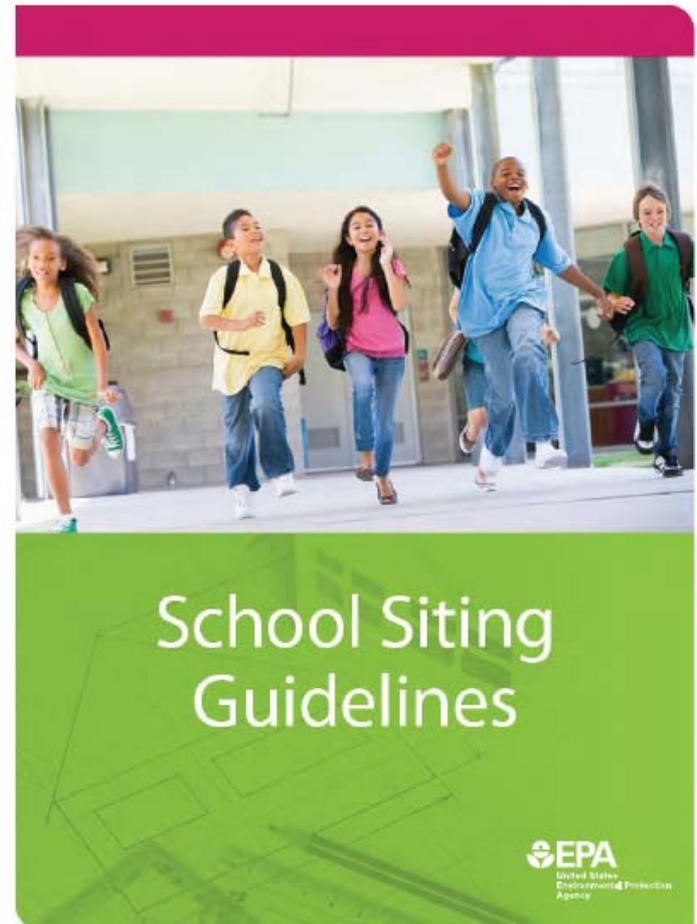
*Not later than 18 months after the date of enactment of this section, the Administrator, in consultation with the Secretary of Education and the Secretary of Health and Human Services, shall issue voluntary school site selection guidelines that account for—*

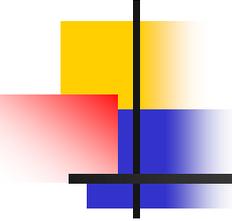
- (1) the special vulnerability of children to hazardous substances or pollution exposures in any case in which the potential for contamination at a potential school site exists;*
- (2) modes of transportation available to students and staff;*
- (3) the efficient use of energy; and*
- (4) the potential use of a school at the site as an emergency shelter.*

# EPA Releases Voluntary School Siting Guidelines

October 2011

<http://www.epa.gov/schools/siting/>

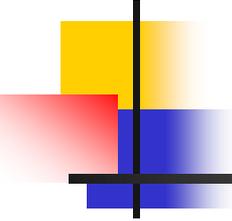




# EPA School Siting Guidelines

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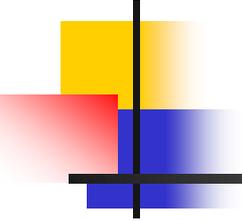
- Meaningful Public Involvement
- Siting Criteria Considerations
- Environmental Review Process
- Evaluating Impacts of Nearby Sources of Pollution
- Environmental Issues & Remedial Actions
- Recommendations for States and Tribes



# A Safe Siting Policy Will:

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- Reduce toxic exposures to children and school staff
- Make classrooms safer for children with asthma
- Direct scarce education dollars for educational purposes instead of costly clean-ups
- Complement “Green” school building efforts by requiring use of “Green” school sites



# Thank You

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Stephen Lester  
Center for Health, Environment &  
Justice

[slester@chej.org](mailto:slester@chej.org)

[www.chej.org](http://www.chej.org)

703-237-2249