3. Meaningful Public Involvement

3.1. Overview

A meaningful public involvement process requires those administering the process to be familiar with and use good public involvement and risk communication practices.

Public involvement promotes civic engagement and builds public trust in school siting decisions. In 2003, the Environmental Protection Agency (EPA) updated the 1981 Public Participation Policy and issued its Public Involvement Policy. (www.epa.gov/publicinvolvement/policy2003/index) Its foundation is the seven basic steps to support effective public involvement:

1. Plan and budget;
2. Identify those to involve;
3. Consider providing assistance;
4. Provide information;
5. Conduct involvement;
6. Review and use input and provide feedback to the public; and
7. Evaluate involvement.

To help implement the steps, EPA developed a series of How-To brochures for effective public involvement (www.epa.gov/publicinvolvement/brochures/index) as resources on how to budget for, plan and evaluate public involvement, including "The Risk Communication Workbook." (www.epa.gov/nrmrl/pubs/625r05003/625r05003.pdf)

Seven Cardinal Rules for Risk Communication[34]

There are seven cardinal rules for risk communication that may be helpful when planning public involvement strategies:

1. Accept and involve the public as a legitimate partner;
2. Plan carefully and evaluate your efforts;
3. Listen to the public's specific concerns;
4. Be honest, frank and open;
5. Coordinate and collaborate with other credible sources;
6. Meet the needs of the media; and
7. Speak clearly and with compassion.

[34] U.S. Environmental Protection Agency, "Seven Cardinal Rules of Risk Communication," U.S. Environmental Protection Agency, Washington, DC, OPA-87-020, April 1988. (Accessed on September 16, 2011) Available at: www.epa.gov/care/library/7_cardinal_rules.pdf.

3.2. Establishing a Public Involvement Strategy

Providing meaningful public involvement throughout the school siting process is of critical importance and should be formalized prior to initiating school site selection. Stakeholder groups such as parents, representatives of students, teachers and other school personnel, and nearby residents are most directly impacted by school siting decisions. The community should be fully engaged throughout the siting process and fully informed of the presence of contaminants at or near school sites, of any remedial measures employed to eliminate exposure to such contaminants, and of testing results evaluating such measures over the long term. These groups also play a critical role in the initial site selection process. Documentation of contaminated sites can be housed in many different locations (e.g., federal, tribal or state environmental regulatory agency, local health or planning department, private property owner). This can make it difficult to find a complete record of the contamination history at the site. Efforts are underway to consolidate these different information sources through geospatial and Internet accessible methods. Currently members of the public can use EPA's MyEnvironment search application (www.epa.gov/myenvironment) to find a cross section of environmental information based on location. Additionally, members of the public can contribute to the information collection effort through their own recollections as neighbors or employees. The public should be engaged to help establish historical uses of potential school sites and adjacent sites and to assess the likelihood and possible presence of contamination. Because these groups may also have frequent contact with the site, they can significantly contribute to efforts to ensure compliance with site use restrictions as part of long-term site management plans. Finally, transparency and meaningful public involvement are essential to understanding decisions about risk tradeoffs and to building trust in the safety of specific school sites and the siting process in general.

A public involvement strategy includes proactive and meaningful approaches to encouraging informed public participation. The role of the public in facility planning and site selection should be established early in the school siting process to ensure effective collaboration and public participation. Key components for implementing a meaningful public participation strategy include:

- School siting committee (see Section 3.3);
- Communications plan (see Section 3.4);
- Consideration of community information accessibility issues (see Section 3.5);
- Technical assistance and training (see Section 3.6);
- Designation of opportunities for public input (see Section 3.7); and
- Budget for public involvement activities (see Section 3.7).

3.3. School Siting Committee

If not already in place, EPA recommends that local education agencies (LEAs) (see Section 10) establish a school siting committee (SSC) whose responsibilities include making recommendations to the LEA's governing body on sites for renovating existing buildings for educational purposes, building new schools and/or leasing space for new schools. SSC responsibilities would also include participating in the environmental review of potential sites and structures for existing and new use conversions. EPA recommends that the formation of the SSC be a publicly transparent process and that the SSC include:

- Representatives of the LEA and its governing body (such as elected school board members, facility, health and safety staff);
- Local government or tribal staff (such as city planners, government environmental health specialists, county auditors, parks and recreation department staff); and

- Representatives from stakeholder groups that reflect the demographics of the community, such as:
  - Parents of children likely to attend the school;
  - Teachers and school staff;
  - Public health organizations;
  - Community members and neighborhood groups;
  - Environmental advocacy and environmental justice groups;
  - Community planning organizations;
  - Locally based nonprofits;
  - Age-appropriate students;
  - Local businesses and trade/building associations;
  - Emergency planners and responders; and
  - Preservation organizations and agencies.

> ***Long-range School Facilities Plan***
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> School siting decisions should be integrated with broader community planning efforts, including transportation, health care, libraries, parks and historic districts, to name a few. A long-range school facilities plan functions as a way for LEAs to identify important projections of long-term school and community needs such as student enrollment, operational costs and infrastructure to use in making school siting decisions. The LEA's long-range plan should be reviewed and commented on by the public, including other local public entities (e.g., municipalities, planning departments). More information on the long-range school facilities plan can be found in the Environmental Siting Criteria Considerations section (see Section 4).

LEAs should seek to avoid conflicts of interest in selecting committee members and should manage any conflicts transparently, as needed. It is recommended that the local school board, or a similar governing body, formalize the process of convening the SSC and develop language that clearly articulates the SSC's charge. EPA recommends that a neutral party help organize, administer and/or facilitate the work of the committee.

The SSC can play an integral role in making decisions about the most environmentally sound school location. One of the first responsibilities for an SSC can be contributing to the development of a plan for meaningful public engagement in the decision-making process, including ample time (e.g., 30 – 90 days) for public comment by members of the affected community. The SSC can also assist with other key steps in identification of environmentally desirable potential school locations, including:

- Establishing desirable location criteria;
- Identifying initial candidate locations, including the existing schools;
- Weighing the pros and cons of a community's experience with the existing location;
- Working with environmental professionals to review the suitability of candidate locations (see Section 10);
- Reviewing recommendations and reports from the environmental review process;
- Considering the suitability of potential school sites in light of the locations;
- Giving recommendations to the decision-making authority based on data and public input;
- Making formal presentations and providing reports to the LEA and general public;
- Providing the public with all of the appropriate data, a forum to express their opinion and/or to make a recommendation on the available options; and
- Facilitating public access to relevant technical and legal information through technical assistance and other measures.

SSC members should collaborate with LEAs and other local government agencies and stakeholders to ensure school siting decisions account for fiscal constraints and fit with the objectives of larger community and regional development plans. Community involvement in school facility assessment, planning, design and construction provides the community an opportunity to improve local schools, increase their suitability for community use and build and strengthen connections among community members. The Smart Growth Schools Report Card (www.smartgrowthschools.org/about.html), For Generations to Come: The Leadership Guide to Renewing Public Buildings (www.21csf.org/csf-home/Documents/Organizing_Manual.pdf) as well as other resources identified in the Resource page of the guidelines website (www.epa.gov/schools/siting/resources) can serve as useful tools to support collaboration and community involvement.

The SSC should be mindful of its members' knowledge and expertise to effectively participate in decision-making. The SSC should also ensure that its members effectively reach out to environmental justice and low-income communities, as well as other stakeholders, with technical assistance and/or training support to ensure that they have the necessary skills and knowledge to address relevant issues. (see links to Community Involvement and Training resources at www.epa.gov/schools/siting/resources)

Engineering and institutional controls, such as lead encapsulation systems, can be used to prevent exposure to contamination and typically require specialized expertise. The SSC should carefully evaluate if there is sufficient capacity at the LEA to safely operate engineering and institutional control systems or to undertake long-term stewardship tasks to prevent environmental exposures at schools. If the LEA staff do not have the expertise, EPA recommends that LEAs obtain training or support from a government environmental department and/or additional contracted technical services to effectively manage institutional and engineering controls.

3.4. Communications Plan

LEAs should develop a communications plan to ensure meaningful public involvement in school siting. The plan should include a schedule and methods of delivery of information to the public and identify ways for the public to participate throughout the school siting decision-making process. It is essential that the public receives timely notice about the LEA's plans for school facilities and critical decision points in the process. To ensure that key stakeholders receive such notice, LEAs should publicize the release of plans and reports, the commencement of public comment periods, and the dates of public hearings through written notices that are:

- **Composed in lay-accessible language** to communicate effectively with all stakeholders in the community, including non-English-speaking stakeholders and individuals with disabilities;
- **Published in newspapers of general circulation** within the LEA's jurisdiction (including foreign language newspapers for any non-English-speaking population);
- **Placed conspicuously in schools** within the LEA;
- **Delivered to each parent-teacher organization and each labor union** covered by a collective bargaining agreement within the LEA;
- **Delivered to businesses and residents** located within 1,000 feet of potential school locations;
- **Delivered to places of worship and community centers** within the LEA's jurisdiction;
- **Delivered to organizations representing neighborhoods** within potential catchment areas;
- **Provided to elected representatives** in jurisdiction areas; and
- **Disseminated on the Internet** through websites and social media (e.g., Facebook, Twitter, blogs).

Public comments received on plans and reports should be made available on all non-final actions, and the LEA, SSC and other governing bodies should be encouraged to provide responses to these comments.

LEAs and/or state or tribal environmental agencies should also establish and make public key contact persons, including local planning, public works, parks and recreation, and library directors, and create central information repositories (e.g., a project website and other centralized sources such as community libraries) for key documents and notices related to school siting and monitoring. For each ongoing school siting process, these repositories, including the website, should provide:

- Documents that are or have been subject to review and comments received on such documents;
- Relevant correspondence between LEAs and the state or tribal oversight agency, including any supplemental information provided as a result thereof;
- A timeline for the review process that specifically notes opportunities for public comment and public hearings;
- Copies of any public notices;
- Key school siting resources, including laws, regulations, guidance documents and appropriate agency contacts;
- For any schools where environmental remediation measures (see Section 5.8) are put in place and/or long-term stewardship plans (see Section 5.10) are implemented, copies of such measures or plans and the results of any monitoring results or reports generated under those measures or plans; and
- How the project supports the community's long-range plans.

3.5. Consideration of Community Information Accessibility Issues

A number of factors can impede effective communication in community settings, including a lack of trust between stakeholders and community members, a lack of easily accessible information related to decisions in languages spoken by local residents, socio-cultural differences, lack of access to electronic communication resources, limited access to scientific information and legal resources, and a lack of available time for meetings and review of documents.

These factors can be especially prominent in populations disproportionately burdened by environmental hazards as well as those vulnerable subgroups that are at particular risk to threats to human health and the environment. These include minorities, low-income and indigenous populations, children and people with disabilities. Although these factors can frequently be overcome, the LEA may need to enhance information delivery and communication methods and consider providing assistance to communities that are affected by a combination of any or all of these factors to ensure their meaningful and informed participation in the process.

Every effort should be made to provide information that will be accessible to the community. Some activities that should help make information more accessible include:

- **Seeking out community leaders** to obtain their views on how to best communicate and follow their advice;
- **Holding public meetings** that are convened at times and locations available and accessible to community members (provide the services of an interpreter for those who need it);
- **Publicizing meetings** and the availability of information;

- **Posting information** on the Internet and making it available in multiple languages, if needed, to reach all members of the community;
- **Meeting Internet accessibility standards** for making information on the Internet accessible to users with disabilities (e.g., for the federal government this would be 508 compliance); and
- **Organizing a community tour** of existing sites and/or potential and proposed locations. Addressing accessibility issues is important to ensure effective communication and community support for projects. In the end, community support will be critical to help gain support for school funding and siting decisions.

3.6. Technical Assistance and Training

A broad representation of stakeholder groups is important for meaningful public involvement. However, it should not be assumed all members of the SSC have the necessary skills and knowledge to fully participate on the SSC. Similarly, community members, particularly those affected by environmental injustice (e.g., minority and low-income populations, and tribes), may lack the resources to effectively address the scientific, technical and legal information presented during the school siting process. For these reasons, it is critical that all members of the SSC and the community have the opportunity to access technical assistance that provides a basis for common knowledge and understanding on factors that are critical in the school location decision, including public health, transportation options, environmental review, site review issues, site-specific mitigation/remediation strategies and legal considerations. Many federal agencies and non-profit organizations offer training at little to no cost and also have programs with funding available for various technical assistance resources. Examples of these programs and training opportunities can be found on the Resources page of the guidelines website under Technical Assistance and Capacity Building. (www.epa.gov/schools/siting/resources) Communities may also consider reaching out to local colleges and universities, state, tribal and local governments, or professional organizations for assistance and training on specific scientific or technical topics.

3.7. Designation of Opportunities for Meaningful Public Input and Budget for Public Involvement Activities

It is critical to budget time and resources for meaningful public involvement during the earliest stages of planning. The table below presents examples of points in the process where public engagement should be considered, as well as strategies for engagement and the types of information that may be presented to or requested from the public. SSCs should also consider including a public comment period and public hearings, when appropriate, to allow the public to seek clarification and provide input. Before finalizing its action, EPA encourages the LEA to respond to comments in writing.

EPA recommends that all properties or structures proposed for use as a school be carefully evaluated for potential environmental contaminants and potential exposures of children, staff and visitors *before* making final decisions to use a site or structure for a school. The site evaluation process should identify and evaluate all potential safety hazards and sources of environmental contamination that may be present at the site or which may migrate to the site from nearby sources.

Exhibit 2: Meaningful Public Involvement Points and Opportunities

Before the Siting Process Begins		
LEA Activity	*Description of Activity*	*Opportunities for Meaningful Public Involvement*
Develop Long-range School Facilities Plan *(see Section 4.2.1)*	A long-range school facilities plan functions as a way for local education agencies (LEAs) to identify important projections of long-term school and community needs such as student enrollment, operational costs and infrastructure to use in making school siting decisions.	▪ Review and comment on the long-range facilities plan
Establish School Siting Committee *(see Section 3.3)*	If not already in place, EPA recommends that LEAs establish a SSC whose responsibilities include making recommendations to the LEA's governing body on locations for building new schools, leasing space for new schools, and/or renovating or expanding existing schools, and considering environmental, public health and sustainable communities objectives (see Section 3.3).	▪ Provide nominations for stakeholder/community representatives on the SSC ▪ Request a community meet-and-greet with SSC representatives, once selected
Develop Communications Plan *(see Section 3.4)*	LEAs should develop a communications plan to ensure meaningful public involvement in school siting. The plan should include dates and methods of delivery of information to the public, and identify ways for the public to participate in school siting decisions. The plan should also ensure sufficient funds are allocated for meaningful public involvement activities in the school siting budget.	▪ Voice expectations for informed and meaningful involvement while addressing potential communications barriers and considerations for underrepresented community members, including translation services ▪ Provide recommendations for the location of an information repository and information delivery needs, and ensure that the communications plan and public involvement budget will meet these needs

Before the Siting Process Begins		
LEA Activity	*Description of Activity*	*Opportunities for Meaningful Public Involvement*
Provide Opportunities for Training and Technical Assistance (see links to resources at www.epa.gov/schools/siting/resources)	A broad representation of stakeholder groups is important for meaningful public involvement. However, it should not be assumed all members of the SSC have the necessary skills and knowledge to fully participate on the SSC. For these reasons, it is critical that all members of the SSC and the community have the opportunity to access technical assistance and/or training resources that provide a basis for common knowledge and understanding of factors that are critical in the school location decision, including public health, transportation options, environmental review, site review issues, site-specific mitigation/remediation strategies and legal considerations.	▪ Ensure that all community members (including the SSC) have the ability to access and utilize available independent technical assistance options and training resources ▪ This may be accomplished by inquiring about grant funding for technical assistance and/or the availability of low-cost or free online training resources ▪ Consider reaching out to local colleges and universities, state, tribal and local governments, or professional organizations for assistance and training on specific scientific or technical topics
Determine if a New School Facility is Needed (see Section 4.2.2)	LEAs should consider renovation, repair and/or expansion options before deciding to build a new school facility. "Old" and "obsolete" are not synonymous. Many existing schools can be retrofitted with new technologies to expand their useful life, possibly at a lower cost and lower environmental impact than new construction.	▪ Engage in discussions with the LEA and SSC regarding the pros and cons of using an existing school building versus building a new school facility. These discussions may include getting community input on the influence of the existing school on the well-being of the overall community, including disadvantaged/underserved, minority and low-income populations

Environmental Siting Criteria Considerations		
LEA Activity	*Description of Activity*	*Opportunities for Meaningful Public Involvement*
Evaluate Desirable Environmental Attributes of Candidate Locations and Appropriate Environmental Criteria *(see Section 4)*	The LEA, in concert with the SSC and with meaningful public involvement, should identify the criteria that will be used to evaluate both the present characteristics and the possible future characteristics of all locations being considered for use as a school. In addition, the SSC should weigh those location characteristics that may adversely affect the decision, including exposure to onsite contamination and offsite pollution.	▪ Discuss the characteristics of the community's preferred school site, including location (both proximity to students and other community buildings) and compatibility (space and accessibility) with student and staff activities ▪ Help to identify environmental or public health siting considerations (with a basis for common knowledge and understanding on factors that are critical in the school location decision), including public health, community health environmental review, site review issues and site-specific mitigation/remediation strategies, legal considerations as well as green building techniques that are important to the community ▪ Provide insight into key community characteristics that could influence the siting decision (e.g., demographics, income)

Environmental Review Process		
LEA Activity	*Description of Activity*	*Opportunities for Meaningful Public Involvement*
Project Scoping/Initial Screening of Candidate Site Locations *(see Section 5.5)*	This portion of the environmental review process begins when the LEA decides to proceed with a school facility project (ideally identified in a long-range school facility plan). This decision includes such considerations as the project size (number of students to be served), scope (type of school to be built) and target date for completion. At this point, the SSC should be tasked with identifying candidate sites for the school project and should plan to give the public an opportunity to comment on the preferred site that is selected.	▪ Review/comment on the screening criteria proposed by the LEA, as well as the top three sites proposed for preliminary environmental review ▪ Recommend additional sites for consideration that the community deems as candidates for preliminary environmental review ▪ Offer community knowledge regarding historic land use on candidate sites (e.g., the site was used for agricultural or industrial purposes in the past)
Preliminary Environmental Review *(see Section 5.6)*	The LEA should engage environmental professionals or professional firms to conduct the necessary environmental reviews for the project. The LEA should solicit public comment on the preliminary environmental assessment and proposed next steps based on review findings. A public comment period is recommended and may be required by the tribal or state regulatory agency, particularly if the preliminary review indicates that no further environmental review is necessary and no other methods of securing public comment are likely.	▪ Review/comment on each preliminary environmental review report as they become available and request LEA response to comments received ▪ Identify community needs for technical assistance to explain the technical/scientific information in the reports ▪ Request tours of candidate sites for community members/representatives, if possible ▪ Notify the LEA of the community's perspectives on the preferred site(s) and request a response to community recommendations ▪ Request changes to the public involvement plan (e.g., to extend the public comment period), if necessary

Environmental Review Process		
LEA Activity	*Description of Activity*	*Opportunities for Meaningful Public Involvement*
Comprehensive Environmental Review/Site Selection *(see Section 5.7)*	The purpose of the comprehensive environmental review is to gather and analyze data on environmental and public health hazards and impacts identified in the preliminary environmental review, and evaluate the risks posed to children's health, public health, and the environment based on the contamination or impacts found. The comprehensive environmental review also includes developing preliminary plans and cost estimates for mitigating or reducing risks. The environmental professional should prepare draft reports of onsite contamination, investigation results, offsite hazards and project environmental impacts. The LEA should release those drafts for public comment. The environmental professional should then prepare final drafts that take into account public comments. The final drafts should be subject to review and approval by the SSC and LEA.	▪ Review and comment on the draft versions of the comprehensive environmental review report ▪ Request a response to public comments from the LEA and review the resulting final draft of the comprehensive environmental review report ▪ Request and attend any scheduled public meetings to discuss project impacts ▪ If the final comprehensive environmental review report includes proposals for mitigation measures (e.g., additional sidewalks, enhanced filtration in the heating, ventilating and air conditioning system, institutional controls), review preliminary cost estimates and schedules of implementation for any remediation of onsite contamination and provide input on implications of the suitability of that site for a school

Environmental Review Process		
LEA Activity	*Description of Activity*	*Opportunities for Meaningful Public Involvement*

Develop Site-specific Mitigation/ Remediation (Cleanup) Measures *(see Section 5.8)*	If the LEA decides to proceed with a site where contamination will be cleaned up, a remedial action workplan should be developed and submitted to the state or tribal regulatory agency for approval, typically with the help of an environmental professional.
	The remedial action workplan should identify and recommend methods for cleaning up the site to contaminant levels that meet the applicable safety standards and should clearly describe the responsibilities and long-term environmental stewardship obligations of the LEA (or other responsible parties) for inspection, maintenance and reporting associated with any engineering or institutional control implemented as part of the cleanup. The remedial action workplan should also include a preliminary long-term stewardship plan (LTSP).
		▪ Participate in the public hearing on the draft remedial action workplan, which the LEA should conduct in the neighborhood or jurisdiction where the candidate site is located, at a time and location convenient for community residents, with interpretation services provided as needed
		▪ Review and comment on the draft remedial action workplan during the public comment period and request a response to comments from the LEA
		▪ Community input is important on remedial action workplan issues such as:
		  ▪ Sufficiency of remedial response
		  ▪ Timeline for remedial work
		  ▪ Cost estimates for remedial work
		  ▪ Effects of remedial actions on the community and daily life (traffic, noise, etc.)

Environmental Review Process		
LEA Activity	*Description of Activity*	*Opportunities for Meaningful Public Involvement*
Implement Remedial/ Mitigation Measures (see Section 5.8)	Prior to the onset of any school construction on the candidate site, EPA recommends that the remediation of the site, as defined in the remedial action workplan, be completed. If engineering or institutional controls are required as part of remediation, construction of those controls may begin following approval by the state or tribal environmental regulatory agency.	▪ Review and comment on documentation regarding the implementation of the plan and all final sampling results ▪ Any modifications to the remedial action workplan should also go through the appropriate public review processes ▪ Review and comment on the revised LTSP, which should detail specific engineering and institutional controls, if applicable (see Section 8.14) ▪ Suggest adding a public accountability/oversight plan to the LTSP to ensure long-term public and institutional memory of the LTSP through activities designed to promote awareness by students, staff and the community, including signage at the site and reporting measures
Long-term Maintenance and Monitoring (see Section 5.10)	LEAs should incorporate key components of the long-term stewardship plan into other facilities and operational plans and training materials for principals, facilities staff, groundskeepers and contractors. This plan describes in detail the specific manner in which institutional and engineering controls will be employed in the future, and by whom.	▪ Consider forming a public oversight committee to ensure that periodic reviews are conducted on the effectiveness of remedial measures and any engineering and institutional controls that are used at the site ▪ Provide the LEA and tribe or state with a list of community contacts to be notified if a problem arises. Ensure there is a contact person for the community to go to with concerns related to facility maintenance or monitoring

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