



## \$190.9 Million for School Construction Projects

I am pleased to announce that the State Allocation Board (SAB) awarded approximately \$190.9 million to fund 53 school construction projects at the September 8 SAB meeting. The money was distributed among 26 school districts throughout the state. Funding was made available from Propositions 1A, 47, 55, and 1D for distribution to School Facility Program projects on the Unfunded List (Lack of AB 55 Loans) with a valid priority funding request as shown on the current priority funding request list (ninth request period). School districts with projects that received apportionments at the September 8 SAB meeting must submit a [Fund Release Authorization](#) (Form SAB 50-05) and all required documentation no later than 5:00 p.m. on December 7, 2015. Office of Public School Construction (OPSC) staff will make every effort to get this funding to districts quickly.



**Lisa Silverman**  
Executive Officer

At the recent August 26 SAB meeting, OPSC staff presented a report that discussed the viability of a single-agency review process for Seismic Mitigation Program (SMP) projects. The report outlined the Department of General Services' (DGS) statutory

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# Building Blocks

The Office of Public School Construction newsletter

*"To enrich the lives of California's school children as stewards of the taxpayers' commitment to education"*

**EDMUND G. BROWN JR.**  
Governor, State of California

**MARYBEL BATJER**  
Secretary, Government Operations Agency

**DANIEL C. KIM**  
Director, Department of General Services



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*\$190.9 Million for New Construction Projects...*

roles that are fulfilled by the Division of the State Architect (DSA) and OPSC in the SMP review process. While separate offices under DGS, OPSC and DSA have been working collaboratively to further refine and streamline the review process for applicants. OPSC and DSA will also continue to collaborate on increasing the frequency of outreach efforts and getting engaged with applicant districts early in the design and plan approval process. If you are planning an SMP project or have questions about the SMP process, please contact your [OPSC project manager](#).



Lisa Silverman, Executive Officer

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# Emergency Repair Program Receives Funding in 2015-16 State Budget

The Emergency Repair Program (ERP) is a grant/reimbursement program that provides funding to Local Educational Agencies (LEAs) for the cost of repairing or replacing existing building systems or structural components that are broken or not functioning properly, and that pose a health and safety threat to students and staff at eligible school sites. The ERP is a result of the 2004 settlement agreement *Eliezer Williams, et al. v. State of California, et al.* The settlement provided for \$800 million in funding to schools identified by the California Department of Education (CDE) as ranked in deciles one, two, or three based on the 2006 Academic Performance Index (API).

The Office of Public School Construction (OPSC) has received \$273.4 million from the 2015-16 state budget to fund the remaining of the ERP projects on the Unfunded List. OPSC presented eligible projects to the State Allocation Board (SAB) for an apportionment at the August 26 SAB meeting. As of that date, the SAB has apportioned \$796.9 million for funded projects. OPSC is already processing applications to complete the allocation of the remaining \$3.1 million.

Pursuant to ERP Regulations, cash proceeds will be distributed to school districts that have applications on the ERP Unfunded List for the amount already approved by the SAB in the order of OPSC date received, with grant requests to be funded first and grant adjustments to be funded second. The ERP fund release is automatic and does not require the submittal of the *Fund Release Authorization* (Form SAB 50-05) normally required for the School Facility Program. OPSC has already requested the State Controller's Office (SCO) to release funds to all school districts receiving an apportionment by the SAB. The SCO will release funding to school districts based on their workload (typically 4-5 weeks).

As a reminder for the LEAs receiving funding, if the funded application is a grant, the LEA has 15 months from the date of SAB apportionment (or 21 months if approval is required from the Division of the State Architect on any of the projects) to complete the project and submit the *ERP Expenditure Report* (Form SAB 61-04). If the funded application is a reimbursement, the Expenditure Report has already been submitted and no further action is needed.

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*Emergency Repair Program Receives Funding in 2015-16 State Budget, continued...*

A copy of the funded ERP applications list as well as additional information about the program is located on the [ERP Web page](#). OPSC has a list of [Frequently Asked Questions](#) regarding the ERP funding provided by the 2015-16 state budget.

If you have any questions, please contact the following staff for assistance:

- Adrian Felseghi, Project Manager, at [adrian.felseghi@dgs.ca.gov](mailto:adrian.felseghi@dgs.ca.gov) or (916) 375-5987  
or  
Brian La Pask, Operations and Policy Manager, at [brian.lapask@dgs.ca.gov](mailto:brian.lapask@dgs.ca.gov) or (916) 375-4667

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# Return of Real Property Sale Proceeds Program - Update

The Return of Real Property Sale Proceeds Program was created as a result of Chapter 496, Statutes of 2013 (AB 308), and the regulations became effective on July 1, 2015. The program requires school districts, charter schools or county offices of education to notify the Office of Public School Construction (OPSC) of the sale of real property if funds were received from a state school facilities funding program for the property being sold. It does not apply to the sale of individual portable facilities.

Notification of the sale is made by completing a *Return of Real Property Sale Proceeds Notification* (Form SAB 308) and sending it to OPSC within 90 days of the sale of real property that is subject to Education Code Section 17462.3. If the State Allocation Board makes a finding that funds must be returned, the school district, charter school or county office of education will have 90 days to return the funding. All funds returned will go back to the program of origin.

The *Return of Real Property Sale Proceeds Notification* (Form SAB 308) can be found on OPSC's website under the "Forms" heading.

If you have any questions, please contact the following staff for assistance:

- Liz Cheyne at [liz.cheyne@dgs.ca.gov](mailto:liz.cheyne@dgs.ca.gov) or (916) 375-4325 or
- Karen Mandell, Supervisor, at [karen.mandell@dgs.ca.gov](mailto:karen.mandell@dgs.ca.gov) or (916) 376-8959

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# HCD Relocatable Buildings

Senate Bill 1324 (Lowenthal), Chapter 308, Statutes of 2006, was enacted into law effective on September 18, 2006. This law stipulates that Housing and Community Development (HCD) relocatable buildings can no longer be used as school buildings as of September 30, 2015.

If the district has or has had HCD relocatable buildings, Education Code Section 17592(c) requires that the governing board of the district adopt a resolution by October 30, 2015, certifying to the State Allocation Board that the relocatable building is no longer being used as a school building as of September 30, 2015.

If you have any questions, please contact your [project manager](#).

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# Community Corner

## Upcoming Meetings

*This information is being shared on behalf of Green Technology*

### Green Schools – Opening the Door to a Greener Future

Pasadena Convention Center on October 29-30, 2015.

The 2015 Green California Schools Summit and Community Colleges Summit will take place at the Pasadena Convention Center on October 29-30. The Summit is the largest annual event focused on green programs in the nation's largest K-12 system and higher education systems.

With the theme "Achieving the Benefits of High Performance Schools," the Summit will highlight the economic, educational and community benefits that districts have achieved by making a commitment to sustainability. Offering an Expo with over 100 companies offering green products and services, educational sessions, and special events including a Leadership Awards reception, the Summit is a unique annual opportunity for public and private sector stakeholders to share innovations in green policy, practice and technology.

The opening session on October 29 will include a keynote presentation by JPL research scientist Bill Patzert. A media favorite who has been called "the prophet of California climate," Dr. Patzert is known as one of the West's most influential individuals in regard to water issues. He is regularly seen on local and national television representing NASA and JPL.

For more information, please go to [www.green-technology.org](http://www.green-technology.org) or call (626) 577-5700.

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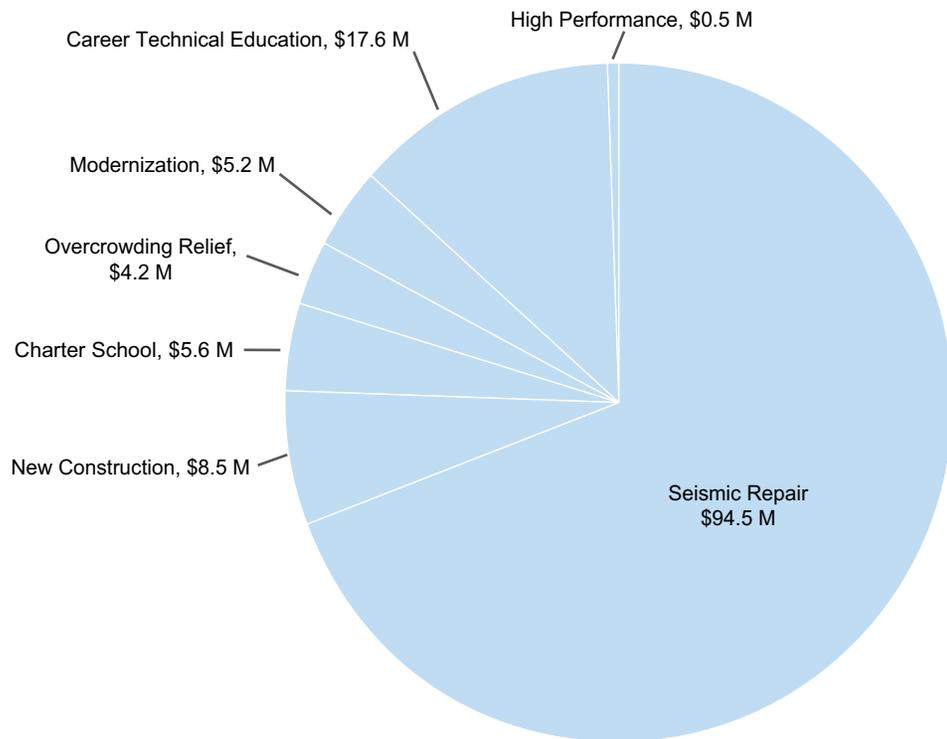


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# Remaining Bond Authority

\$136.1 million as of September 8, 2015  
(by program, in millions)



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# Regulatory Update

## Implementation of Senate Bill 854 Proposed Regulations

- Eliminates the additional prevailing wage monitoring grant for projects with a public works contract awarded on or after June 20, 2014.
- Amends various regulation sections (13).
- Amends the [Application for Funding](#) (Form SAB 50-04), [Fund Release Authorization](#) (Form SAB 50-05), [Application for Joint-Use Funding](#) (Form SAB 50-07), [Application for Preliminary Apportionment](#) (Form SAB 50-08), [Application for Charter School Preliminary Apportionment](#) (Form SAB 50-09), and [Application for Career Technical Education Facilities Funding](#) (Form SAB 50-10).
- 45-day public comment period ended August 31, 2015.
- Submitted to the Office of Administrative Law on September 22, 2015.

## Implementation of Senate Bill 869 Proposed Regulations

- Restricts the SAB's ability to allocate High Performance Incentive and Career Technical Education Facilities Program funding.
- Amends regulation sections: 1859.2, 1859.70.4, 1859.107, 1859.164.2, 1859.190, 1859.195 and 1859.198.
- Amends the [Application for Funding](#) (Form SAB 50-04)
- 45-day public comment period ends November 16, 2015.

## Implementation of Senate Bill 869 Proposed Regulations

- Establishes a process for the distribution of returning High Performance Incentive grants and Career Technical Education bond authority to the SFP on or after January 1, 2015.
- Amends regulation sections: 1859.70.4, 1859.93 1859.93.1 and 1859.190.
- 45-day public comment period ends November 16, 2015.

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*Regulatory Update, continued...*

**Implementation of Assembly Bill 97 and Senate Bill 971 Proposed Regulation Changes**

- Aligns the State Deferred Maintenance Program (DMP) and SFP regulations with enacting legislation [AB 97, Chapter 47, Statutes of 2013 and SB 971, Chapter 923, Statutes of 2014].
- DMP regulation sections inoperative in their entirety.
- Amends regulation sections: 1859.2 and 1859.102.
- Amends the [Application for Funding](#) (Form SAB 50-04)
- Currently in the administrative review process.

**General Site Development One-Year Extension**

- Extends for one year (until January 1, 2017) the additional grant for General Site Development.
- Amends SFP regulation section 1859.76.
- 45-day public comment period ends November 16, 2015.

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# OPSC Deadlines and Key Dates

## Upcoming Meetings

### State Allocation Board

- Wednesday, December 9, 2015 at 2:00 p.m.  
Location - State Capitol, Room 447

## Active Certifications

### Ninth Priority Funding Request Period

- Filing Period Began: May 13, 2015
- Filing Period Ended: June 11, 2015
- Requests Valid: July 1, 2015 through December 31, 2015

## Next Funding Certification

### Tenth Priority Funding Request Period

- Filing Period Begins: November 11, 2015
- Filing Period Ends: December 10, 2015
- Requests Valid: January 1, 2016 through June 30, 2016

For additional information, please see the [OPSC Events Calendar](#) online.

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