



Bond Sale and Emergency Regulations Bolster School Construction Plans

By Rob Cook, Executive Officer

As stewards of the taxpayers' commitment to education, the Office of Public School Construction (OPSC) recognizes both the importance of addressing ongoing school facilities needs and the challenges of the current fiscal...

[Read more](#)

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

ARNOLD SCHWARZENEGGER
Governor, State of California

FRED AGUIAR
Secretary, State and Consumer Services Agency

WILL BUSH
Director, Department of General Services



Office of Public School Construction
STAFF TO THE STATE ALLOCATION BOARD

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As stewards of the taxpayers' commitment to education, the Office of Public School Construction (OPSC) recognizes both the importance of addressing ongoing school facilities needs and the challenges of the current fiscal environment. This issue of *Building Blocks* focuses on school district fiscal relief. Emergency regulations for all California school districts have been approved, and the OPSC is continually monitoring potential funding opportunities that may become available as part of the federal economic stimulus package.

In addition, the state of California recently made a bond sale that exceeded expectations. More than \$540 million from Proposition 1D will be available to fund school construction projects. The OPSC staff has been working closely with the State Treasurer's Office and the Department of Finance since the bond sale so that we can release these funds to school districts as quickly as possible. We recognize that this has been a difficult time, but this is great news for school districts awaiting fund releases for their facility projects.

We are pleased at the response to our inaugural edition of *Building Blocks*. Our objective in developing this newsletter is to make it a valuable resource for meeting our common goal of providing safe and healthy schools for our children. We encourage and appreciate your constructive feedback. Please send comments and suggestions for future editions of *Building Blocks* to opscnews@dgs.ca.gov.



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Office of Public School Construction
STAFF TO THE STATE ALLOCATION BOARD

New School Construction Bond in the Works

By Julia Brownley, State Allocation Board member



There is still much work to be done to ensure that our school facilities are safe and offer enough classrooms for our students, and I am excited to be contributing to that effort through my recent appointment to the State Allocation Board (SAB).

As chair of the Assembly Education Committee as well as a member of various legislative committees, including the Assembly Budget Subcommittee No. 2 on Education Finance, I am well-positioned to help make a difference. To that end, I

have introduced Assembly Bill 220 as a vehicle to place a new school construction bond before voters. California anticipates public school enrollment will increase by 100,000 over the next five years, yet the state's fund for new construction is expected to run dry within the next two years. The details of the potential bond and the election date will be determined as the bill goes through the legislative process this year or in 2010.

Prior to my work as a legislator, my service on the Santa Monica-Malibu Unified School Board afforded me valuable knowledge in facilities and school finance, particularly as three-time board president and a member of the board's Facilities and Financial Oversight Committees.

I look forward to working on the SAB to ensure our dollars are spent wisely, especially during this challenging economic time.

Detailed information on my background is available [online](#).

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Office of Public School Construction
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New Use Approved for Prop. 47 Funds

In March, the State Allocation Board authorized the Office of Public School Construction (OPSC) to transfer \$700 million in Proposition 47 funds which can be used for School Facility Program new construction.

Project funding will be subject to all Proposition 47 requirements. The Proposition 47 funds will be transferred on an as needed basis for projects that already include a Labor Compliance Program.¹ Partial fund transfers will allow the OPSC to extend the use of the non-LCP funds (Proposition 1D). It is critical for districts to be aware that once Proposition 1D funds are exhausted, all new construction projects will be subject to the LCP requirements. Projects must have an LCP to be eligible for Proposition 47 funds. Districts must plan ahead to protect their funding ability.



¹—A Labor Compliance Program (LCP) enforces prevailing wage requirements on public works construction projects. Its provisions are directed by the California Labor Code Section 1771.7(a). LCPs are required to inform contractors about their prevailing wage obligations, to monitor compliance by obtaining and reviewing certified payroll reports, to investigate complaints and other suspected violations, and to take appropriate enforcement action when violations are found. LCPs must be approved in advance by the Department of Industrial Relations.

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Bond Proceeds on the Way

The Office of Public School Construction (OPSC) is preparing to release \$541 million in bond proceeds for school facility projects that received an apportionment from the State Allocation Board, but received no funds due to the freeze placed on disbursements from the Pooled Money Investment Board (PMIB). Some districts may have cancelled contracts because of the freeze. The OPSC is contacting districts to ensure valid projects get their funding quickly.

Additional funds have been earmarked for health and safety projects which received an exemption from the PMIB.

The OPSC will contact districts to provide details on the release of funds. Further information will also be posted to the [OPSC Web site](#) as it becomes available.



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Get Shakin' on Seismic Fund Applications

Seismic mitigation funds are still available for qualifying districts through the Seismic Mitigation Program, so now is the time to take advantage. Proposition 1D – approved by voters in November 2006 – authorized up to \$199.5 million for seismic mitigation of school facilities that are the most vulnerable buildings and pose a risk of injury during an earthquake.



Photo: Jefferson Junior High School damage after the 1933 Long Beach earthquake.

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In order to qualify for funding, which is 50 percent state and 50 percent district matching share, the building must meet the School Facility Program regulation criteria developed by the Division of the State Architect (DSA).

The Office of Public School Construction (OPSC) in conjunction with the DSA will continue to conduct intensive outreach to districts in an attempt to identify (verify) facilities that may be eligible for Seismic Mitigation funding.

To date only three school districts have applied for funding through the program.

To find out if you have a facility that qualifies, you should contact Dennis Bellet with DSA at (916) 445-0783. If you have questions regarding the funding process, you may contact OPSC at (916) 445-3377 or visit the Web site at www.opsc.dgs.ca.gov for further information.

Did You Know...

JOINT USE PROJECTS FOR 2008					
Facility Type	# of Projects	Type I	Type II	Project Amount	Fund Source
Gymnasium	8	5	3	\$1.2M \$6.6M \$5.3M	Prop 47 Prop 55 Prop 1D
Multipurpose Room	4	1	3	\$1.5M \$3.0M	Prop 55 Prop 1D
Teacher Education	2	0	2	\$2.0M	Prop 1D
Library	1	1	0	\$68K	Prop 1D
Child Care	1	0	1	\$943K	Prop 1D
Totals	16	7	9	\$1.2M \$8.1M \$11.9M	Prop 47 Prop 55 Prop 1D
Total 2008 Apportionment				\$21.2M	

Type 1: New Construction project
 Type 2: Modernization or stand alone project

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Funds for Fixes

Funds for Deferred Maintenance (DM) –The SAB approved the distribution of 92.4 percent – approximately \$223.3 million, of the DM funding proportionately to all participating school districts and 7.6 percent, or \$18.3 million, for “extreme hardship” projects. The amount of funding each district receives this year serves as the district’s baseline for the DM funding for the 2009/2010 through the 2012/2013 fiscal years. The OPSC Web site provides additional details for this program.

Summary of Recently Enacted Legislation

The provisions of new legislation, Chapter 7, Statutes of 2009 (Senate Bill X2 9 – Padilla), will impact the School Facility Program. Under current law, projects funded by Propositions 47 and 55 are subject to a Labor Compliance Program (LCP) requirement and receive a grant augmentation for it. Under the new law, the Department of Industrial Relations (DIR) will administer LCPs and will assess a fee to cover the costs. Public works projects funded from any state bonds will be subject to this fee for contracts signed after the effective date of the department’s regulations and adoption of the fee.



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This new legislation does the following:

- Establishes the State Public Works Enforcement Fund for the purpose of the director of the DIR to enforce prevailing wage and LCP requirements applicable to public works projects;
- Requires the DIR and the Department of Finance to establish a fee to be assessed to any awarding body using funds derived from any bond issued by the state to fund public works projects;
- Becomes effective upon the adoption of the DIR regulations and fee;
- Requires the DIR to report to the Legislature no later than March 1, 2011, on the administration of these provisions;
- Permits the DIR to waive the fee for a school district that was previously granted approval by the director to initiate and operate an LCP, and requests to continue to initiate and operate an LCP for their projects. The fee cannot be waived for a district that contracts with a third party to initiate and enforce an LCP;
- Requires the SAB to increase grant amounts for projects funded from Proposition 47 and 55 to cover the fee.

Please note that this summary is limited to provisions having impact to the programs under the jurisdiction of the State Allocation Board and the Office of Public School Construction.

Here's what our readers are saying about *Building Blocks*:



"Nice job...looks great. Thanks for providing this information in one spot."

"Appreciate your new newsletter and am hoping I can be on the distribution for future issues."

"Many thanks."

"What a great newsletter."

"Sign Me Up!"

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State Allocation Board Casts a Wider Web

The March 25 session of the State Allocation Board was our first webcast meeting. We had approximately 125 viewers and several shared their thoughts on this terrific new way to participate:

"Please pass on our thanks to the State Allocation Board and staff for the webcast of yesterday's meeting. Our county superintendent of schools and at least one of our superintendents tuned in and both expressed gratitude for the ability to observe the democratic process without the hours of travel required to attend in person. We hope you will continue this exciting and beneficial activity."

"The webcast was great! This saves the districts a lot of money in not having to send staff to the meetings – which is especially important in these tight budget times. I would love to see this expanded to the Implementation Committee meetings."

"How cool is this? I'm watching the meeting from my home in San Diego! No airfares, rental cars/taxis and the time savings!"

The webcasts are available on the [OPSC Web site](#).



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Recent Regulation Changes

Overcrowding Relief Grant

(Effective: 1/21/09)

- Financial Hardship districts eligible for advance site acquisition funding; application cut-off dates added for two future funding cycles; and the submitting district's need to demonstrate overcrowding relief clarified.

Did You Know...

OVERCROWDED SCHOOLS AS OF DECEMBER 2008:

COUNTY	SCHOOL DISTRICT	NUMBER OF PORTABLES REPLACED	TOTAL PROJECT COST
Alameda	Emery Unified	7	\$944,334
Alameda	San Leandro	15	\$17,838,276
Contra Costa	Pittsburg USD	10	\$8,062,486
Los Angeles	Alhambra USD	37	\$35,988,206
Los Angeles	Glendale USD	30	\$27,865,292
Los Angeles	Los Angeles USD	44	\$50,672,164
Los Angeles	Montebello USD	67	\$42,337,672
Santa Clara	Luther Burbank	5	\$4,121,710
Santa Clara	San Jose USD	10	\$8,316,686
Stanislaus	Modesto City Unified	3	\$1,960,200
Totals		228	\$198,107,026

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Project Information Worksheet Material Inaccuracies

(Effective: 1/26/2009)

- “Material inaccuracies” will not apply to Project Information Worksheet construction cost submittals of “the best available information at the time of filing.”

Emergency Repair Program Regulations

(Effective: to be determined)

- Presented at the Dec. 10, 2008, State Allocation Board (SAB) meeting
- To extend the time limit for local educational agencies to complete an Emergency Repair Program project by three months and submit Form SAB 61-04 accompanied by the return of any project savings and/or interest earned on state funds.



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School Facility Program Financial Crisis Emergency Regulations

(Effective: 4/9/2009)

- Presented at the Jan. 14, 2009, SAB meeting
- Proposed to authorize the SAB to designate apportionments as “inactive” to relieve school districts from meeting the 18-month time limit to submit a Form SAB 50-05 requesting the release of their funding.

School Facility Program Financial Crisis Emergency Regulations

(Effective: 4/22/2009)

- Presented at the Jan. 28, 2009, SAB meeting
- To authorize the board to find Charter Schools Facilities and Critically Overcrowded School programs preliminary apportionments as “inactive” to temporarily suspend the time period for their conversions to final apportionments. The time period will resume when the board finds that state financing is again available for bond-funded projects.

Career Technical Education Facilities and Joint-Use School Facility Program Financial Crisis Emergency Regulations

(Effective: to be determined)

- Presented at the Feb. 25, 2009, State Allocation Board meeting
- For Career Technical Education Facilities projects, current regulations provide a 12-month period to applicants to submit the necessary approvals from the California Department of Education (CDE) and Division of the State Architect (DSA) for projects apportioned as a reservation of funds. The proposed regulations provide for an extension not to exceed 12 months to this time limit.
- For Joint-Use School Facility Program projects, proposed regulations would allow the board to suspend the 12-month requirement to submit DSA and CDE’s approved plans and specifications for a period not to exceed 12 months.

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Adjustments to School Facility Program Grants

(Effective: to be determined)

- Presented at the Feb. 25, 2009, SAB meeting
- Extends the General Site Development Grant to Dec. 31, 2009.

Implementation of Senate Bill 658

(Effective: to be determined)

- Presented at the March 25, 2009, SAB meeting
- Phases out Multi-Track Year-Round Program Education operational grants and related SFP eligibility changes.

Implementation of Senate Bill 1556

(Effective: to be determined)

- Presented at the April 22, 2009, SAB meeting
- Proposed regulation changes allow elementary school districts that meet specific criteria to report enrollment on a High School Attendance Area basis.



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Upcoming Meetings

State Allocation Board

- May 27, 2009
- June 24, 2009
- July 22, 2009

Implementation Committee

- May 1, 2009
- June 5, 2009
- July 10, 2009



Program Applications

Overcrowding Relief Grant – Fourth Round July 31, 2009

Career Technical Education Facilities Program – Third Cycle

- CDE Grant Application due to CDE by Sept. 18, 2009
- OPSC Application for Funding (Form SAB 50-10) due March 31, 2010

Critically Overcrowded Schools Program

- Projects apportioned in October 2004 that received an extension
- Final Conversion Application due by Oct. 30, 2009

Reports

- Certification of Unused Sites (Form SAB 423) June 30, 2009
- Modification of Unused Site Status (Form SAB 424) June 30, 2009
- Community School Facilities Report (Form 406C) Sept. 1, 2009
- Expelled Pupils Facilities Report (Form SAB 406E) Sept. 1, 2009

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Fun Fence Exhibit

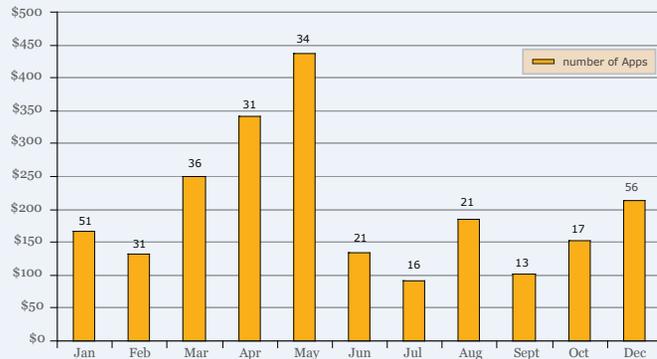
Washington Irving Middle School
 Los Angeles, CA
 April 30, 2009 at 2:00 p.m.

Caroldale Learning Community Library

Ribbon Cutting Ceremony for New Building
 Carson, CA
 April 30, 2009 at 9:00 a.m.

Did You Know...

2008 NEW CONSTRUCTION APPORTIONMENTS



The total amount of new construction apportionments for 2008 is \$2.2 billion.
 The total amount of modernization apportionments for 2008 is \$707 million.

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