



Funding Priorities

Despite unprecedented cash availability challenges, the Office of Public School Construction (OPSC) was able to release \$1.82 billion in calendar year 2009...

[read more](#)

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Building Blocks

The Office of Public School Construction newsletter

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Governor, State of California

BILL LEONARD
*State and Consumer Services
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*Acting Director, Department of
General Services*



Office of Public School Construction
STAFF TO THE STATE ALLOCATION BOARD

Funding Priorities



Lisa Silverman
Acting Executive Officer

Despite unprecedented cash availability challenges, the Office of Public School Construction (OPSC) was able to release \$1.82 billion in calendar year 2009. Additionally in 2009, the State Allocation Board (SAB) authorized unfunded approvals totaling \$1.89 billion. Fortunately, State bond sales have recently enabled the SAB to convert over \$1 billion in previous unfunded approvals to active apportionments. We encourage school districts with apportionments to request fund releases as soon as they are eligible.

At the May SAB meeting, an item was approved that prioritizes apportionments for projects that are ready to submit fund releases for the \$408 million in unapportioned cash available. This will enable school districts that are ready to proceed with their projects, helping to stimulate the economy and create jobs.

Please send comments and suggestions for future editions of Building Blocks to opscnews@dgs.ca.gov.

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STAFF TO THE STATE ALLOCATION BOARD

Priority Funding Round

By Anetria Martin

At the May 2010 State Allocation Board (SAB) Meeting, the Board approved an item prioritizing school construction funding. Approved applications on the Unfunded List may be granted an apportionment if the district certifies that it will submit a fund release request within 90 days of the apportionment date.

Between May 27 and June 28, 2010, districts opting to participate in the priority funding round shall submit a request to convert an Unfunded Approval to an apportionment. The requirements of this request (along with a detailed list of the procedures) can be found [here](#). Requests must be submitted to:

Office of Public School Construction
Subject: Priority Funding Round
P.O. Box 980610
West Sacramento, CA 95798-0610

All requests to participate in the priority funding round will be presented at the August 4, 2010 SAB meeting. If the amounts of the requests exceed the \$408.3 million in available bond funding, the Board shall apportion projects based on their Unfunded Approval date up to the available cash from each bond source. Any requests to participate in the priority funding round not converted to apportionments shall be returned to the districts, and the projects shall retain their original date order position on the Unfunded Approval list.

For any project that receives an apportionment, the District will have **90 days** (until November 2, 2010) to submit a Fund Release Authorization (Form SAB 50-05). Projects that fail to meet this deadline shall be rescinded with no further Board action. For purposes of the priority funding round, a rescinded application will be placed back on the Unfunded List with an Unfunded Approval date of November 2, 2010.

If you have any questions, please contact your [Project Manager](#).

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Calexico Earthquake Relief Efforts

By Alan Shoemaker



Jefferson Elementary School, April 5, 2010. Photo courtesy of DSA

The Office of Public School Construction (OPSC) strives to provide excellent customer service and outreach to all school districts. In the event of a facilities emergency, these efforts are even more crucial.

On April 4, 2010, a 7.2 magnitude earthquake occurred in Baja California with an epicenter only 38 miles south of the U.S./Mexico border. Damage extended across the border into Imperial County, with one of the hardest hit areas being the City of Calexico. The OPSC has since been working with school district officials throughout all of Imperial County.

Prior to the earthquake, the Calexico Unified School District received an unfunded approval for \$4.5 million for a modernization reimbursement project at the Calexico High School. On April 28, 2010, the State Allocation Board (SAB) approved an accelerated funding approval for this project. OPSC staff

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was able to immediately process the District’s fund release request and to authorize the State Controller’s Office to release funds to the District, providing funds to make necessary earthquake repairs.

As a result of the earthquake, all the schools in Calexico USD were closed to allow for repairs and cleanup, and for site inspections by the Division of State Architect. On May 10, the District had cause for celebration when all schools were reopened.

To further assist the Calexico USD, the OPSC completed and presented the District with a comprehensive review of modernization eligibility for all sites within the District. This analysis provided the District with information that will assist them in updating and establishing modernization eligibility throughout the District. The OPSC has also provided informational training in an easy-to-use format on how to complete modernization funding applications.

Additionally, OPSC staff has been working with the San Pasqual Valley USD to develop a comprehensive plan to address all facilities impacted by the recent earthquake. At the May 26, 2010 SAB meeting, the SAB approved apportionments for two of the District’s unfunded approvals in order to expedite earthquake repairs.

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Restrictions on Site Sales and Use of Proceeds

By Steve Inman and Dennis Mehl

Selling a school site? -- Not so fast! Did you know that you must notify the State Allocation Board (SAB)/Office of Public School Construction if you sell a site?

Furthermore, if you deposit site sale proceeds into the General Fund instead of using the funds for capital outlay or deferred maintenance, you will be locked out from SAB programs for at least five years, and potentially ten.

Key provisions regarding districts that want to sell sites and deposit the funds into the General Fund include:

- 1) District certifies that it does not have a need for new construction for a ten year period following the site sale;
- 2) District certifies that it has no major deferred maintenance needs for a five year period;
- 3) District may deposit site sale proceeds into the general fund for a "one time" use (Education Code Section 17463.7(a)).

An Attorney General's opinion provided as part of a [May 2008 SAB item](#) stated that "One-time costs" do not include items that support ongoing school operations. One-time uses exclude operational costs (salaries/benefits, supplies, equipment, or anything that a district would purchase to sustain ongoing operations).

When districts request to proceed with a site sale, they will be asked to provide the following:

1. A written statement that delineates the funding source used to purchase the school site.

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- 2. A list of eligible one-time expenditures with the dollar value for each line item mentioned, and the source and use of the funds. This must include a description of the reasons why the expenditures will not result in ongoing fiscal obligations for the school district.
- 3. A written statement as to why the real property is not suitable to meet projected school construction needs for the ten year period following the sale of the site.

For additional information, please see Education Code Sections 17455–17484, or contact Steve Inman at (916) 375-4576 or steve.inman@dgs.ca.gov.

Did you know?

The State Allocation Board (SAB) Rules and Procedures Sub-committee held a public hearing on May 25 to discuss draft Operating Rules and Procedures for the SAB. The Sub-committee adopted proposed SAB Rules and Operating Procedures, with amendments as discussed at the hearing, related to the Officers of the SAB (Chair), Meetings, Agenda, Order of Business, Limit on Setting of SAB Agenda Items, Staff Analyses, Agenda Item Information, Quorum and Voting, Testimony on Agenda Items, Public Comment, Working Groups and Sub-committees, and Procedural Guidelines. Future Sub-committee hearings will be scheduled to discuss additional issues.

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School Building at the Crossroads

On May 20, 2010, the Office of Public School Construction (OPSC) and the Division of the State Architect (DSA) hosted an interactive discussion of issues impacting the school facilities industry. The agenda for this event featured a discussion by the OPSC on the *State of the Money: Schools, Jobs, Priorities & Bonds*. This included an honest appraisal of the financial picture of school funding, challenges in getting shovel-ready projects moving, issues with the unfunded list, adjustments to funding priorities, local matches, and district limitations. The DSA presented *Building the Future: Bins, Change Orders, Reviews & Closeouts*, which featured a preview of administrative changes proposed to streamline and improve DSA processes to ensure timely certification of all projects. [Handouts](#) and a [webcast](#) of the School Building at a Crossroads event are available online.

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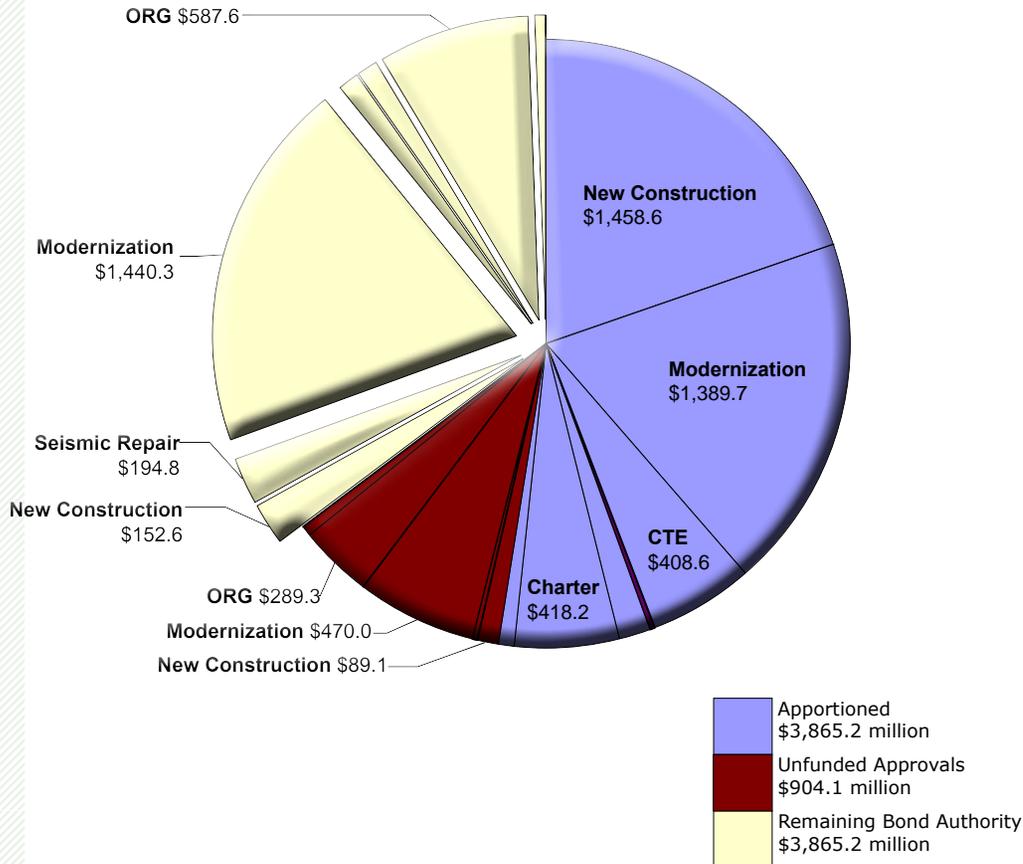
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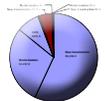
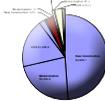
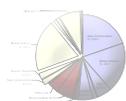
Bond Authority Proposition 1D - \$7.358 billion (in millions)



Prop 1D

Prop 55

Prop 47



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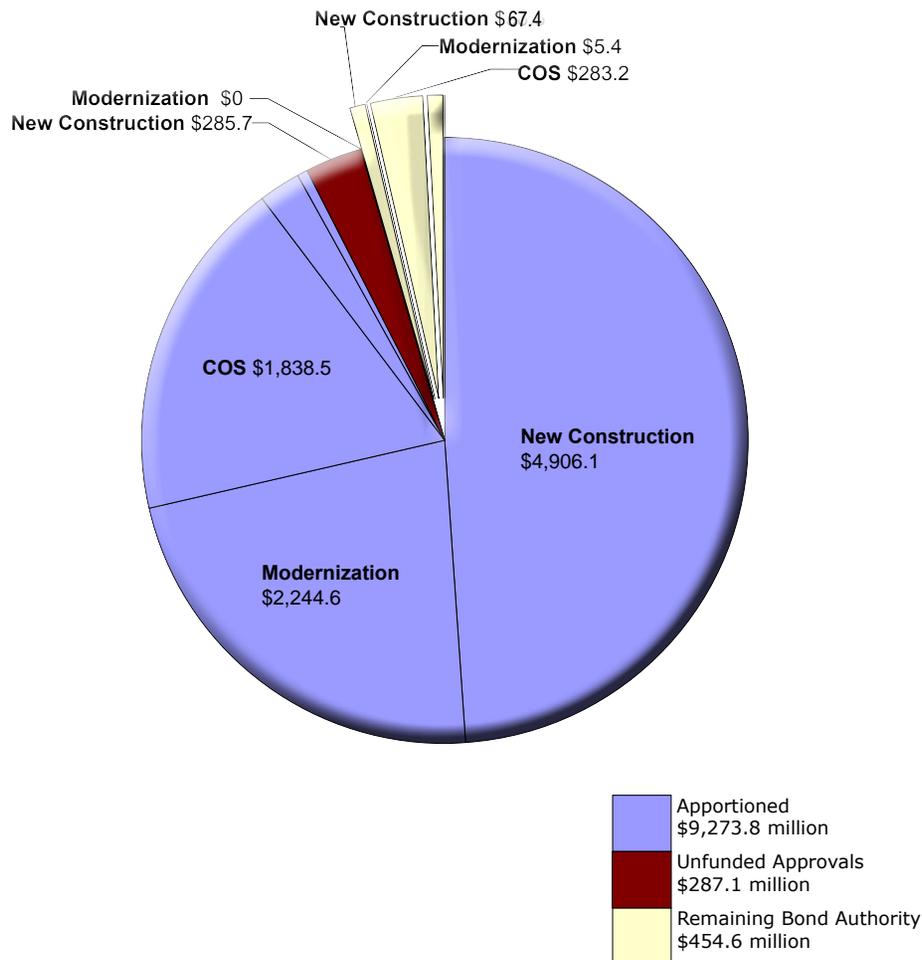
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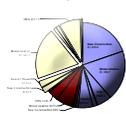


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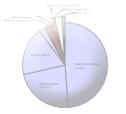
Bond Authority Proposition 55 - \$10.016 billion (in millions)



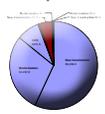
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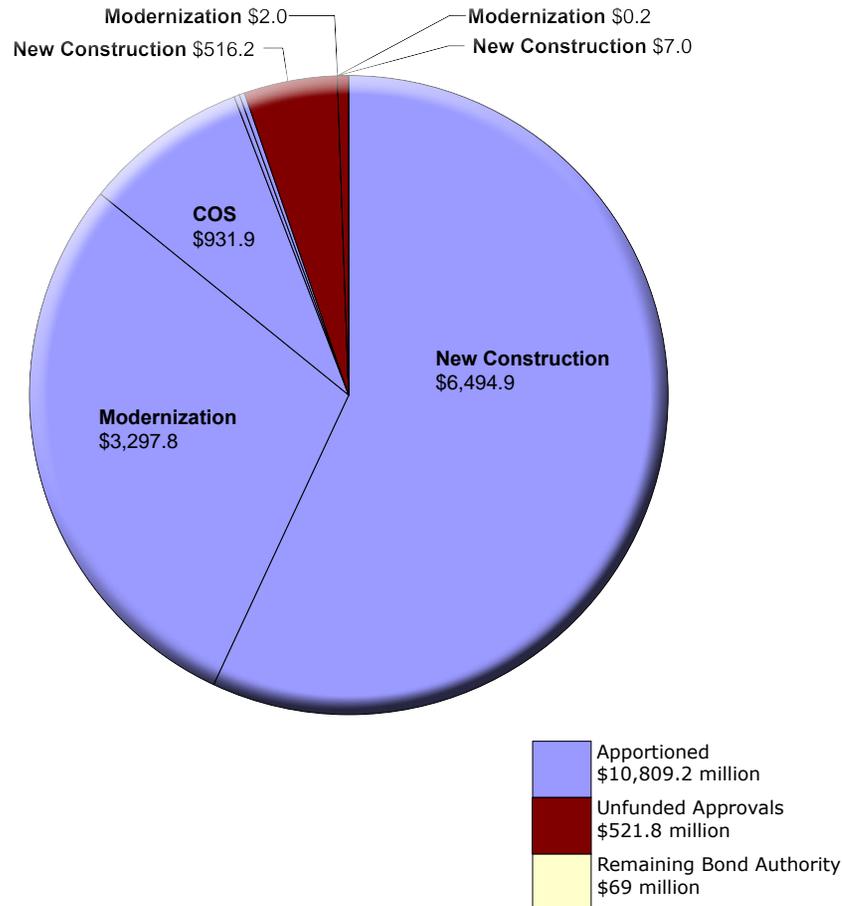
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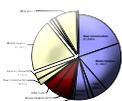


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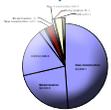
Bond Authority Proposition 47 - \$11.400 billion (in millions)



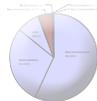
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Bond Proceeds Release Continues

By Veronica Kaldani and Michael Watanabe

The Office of Public School Construction (OPSC) continues to release bond sale 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. The OPSC has processed the following fund releases from the 2009 bond sales as of May 1, 2010:

March 2009 Bond Sale:

Total funds released: \$547.93 million of \$548 million — 99 percent
Total projects: 234 projects have received funds

April 2009 Bond Sale:

Total funds released: \$1.307 billion of \$1.438 billion — 90 percent
Total projects: 356 projects have received funds

October 2009 Bond Sale and November 2009 Commercial Paper:

Total funds released: \$114.9 million of \$528.9 million — 21 percent
Total projects: 44 projects have received funds

November 2009 Bond Sale and December 2009 Commercial Paper:

Total funds released: \$29.5 million of \$111.4 million — 26 percent
Total projects: 15 projects have received funds

March 2010 Bond Sale:

Total funds released: \$4.5 million of \$1.351 billion — 0.3 percent
Total projects: 1 project has received funds

See Financial Reports section of the [May 2010 SAB Agenda](#) for more details.

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Regulatory Update

Priorities in School Construction Funding

- Adopted at the May 26, 2010, State Allocation Board (SAB) meeting with emergency status.
- Proposed to establish a priority funding round to expedite apportionments for unfunded approval projects that demonstrate capability of submitting a fund release request within 90 days of apportionment.
- Review process underway.

Financial Hardship Unfunded Reviews

- Adopted at the May 26, 2010, SAB meeting with emergency status.
- Proposed to clarify when the Office of Public School Construction is required to conduct financial hardship unfunded reviews.
- Review process underway.

High Performance Incentive Grant Changes

- Adopted at the May 26, 2010, SAB meeting.
- Proposed to amend the High Performance Incentive grant to promote greater participation in the program.
- Review process underway.

Overcrowding Relief Grant (ORG) Regulations

- Adopted at the January 27, 2010, SAB meeting.
- Proposed to add a funding cycle for ORG applications received by July 30, 2010 and to authorize the SAB to establish additional future funding cycles.
- Public comment period ended May 3, 2010.

Implementation of Senate Bill 592

- Adopted at the February 24, 2010, SAB meeting.
- Proposed regulatory changes implement Senate Bill 592, which allows local governmental entities and charter schools to hold title to charter school projects receiving funds under the Charter School Facilities Program.
- Review process continues.

Modernization Funding for Accessibility and Fire Code Requirements

- Adopted at the March 24, 2010, SAB meeting.
- Proposed regulatory changes allow modernization "replacement of like-kind in new building areas" to have the same calculation options as all other Excessive Cost Hardship Grants for accessibility and fire code compliance costs.
- Review process continues.

Note: Regulations become effective upon review and approval of the Office of Administrative Law

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State Allocation Board Actions

May 26, 2010 Meeting

Priorities in School Construction Funding

Please see [Priority Funding Round](#) article.

Charter School Facilities Program Preliminary Unfunded Approvals Granted

The State Allocation Board (SAB) awarded \$80.9 million in unfunded approvals to 13 charter schools under the [Charter School Facilities Program](#). The Office of Public School Construction (OPSC) reviewed 27 eligible applications, but their value greatly exceeded the available bonding authority. Order of funding was based on a set of priority points, locale, size of the charter school, and grade levels served by the charter school.

Once the SAB has available funds, it will convert the unfunded approvals into preliminary apportionments, after which time the applicants will have four years to convert the projects into final apportionments.

High Performance Incentive Grant Changes

The SAB adopted regulations that will promote increased access to the [High Performance Incentive](#) (HPI) grants and increase the funding associated with them. The changes include increasing the number of available credits, an increase in the funding model associated with the number of points earned via credits, and assistance for Financial Hardship districts. The regulations were presented to the SAB with two options: one would allow third party review of HPI project plans; the other option would not allow third party review. The Board approved the regulations without the third party review provision. However, OPSC Staff was asked to examine the feasibility of incorporating a third party review process and report back to the Board on this issue in the near future.

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Important Note Regarding the Project Information Worksheet (PIW):
 PIWs are required for all new construction projects (School Facility Program New Construction, Facility Hardship, Critically Overcrowded Schools, Charter Schools, and Overcrowding Relief Grant Program). As a result of the changes to the High Performance Incentive grant, once the regulations become effective, Project Information Worksheets will also be required for Modernization projects that include a High Performance Incentive grant. However, for Modernization project PIWs, it will only be required for districts to complete the PIW for the High Performance portion of the project.

Financial Hardship Unfunded Reviews

School Facility Program regulations require that a re-review of available funding be conducted for any **financial hardship** project that has been included on an unfunded list for more than 180 calendar days to determine if additional district funds are available as contribution to the district’s projects.

At its May meeting, the SAB approved emergency regulations to waive the unfunded financial hardship re-review requirement for projects added to the unfunded list due to the State’s inability to provide AB 55 loans. This unfunded list was created in March 2009 and references any projects added to that list since. These regulations will sunset on January 1, 2011 unless the SAB opts to extend them at that time.

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Implementation Committee Discussions

The following items were presented at the May 6, 2010 Implementation Committee meeting:

Agenda Item	Description	Comments/Actions
High Performance Incentive Grants	Continued discussion on proposed regulatory changes for the High Performance Incentive Grants.	An additional High Performance workgroup meeting was scheduled to further develop proposed regulations, which were presented and approved at the May State Allocation Board (SAB) meeting.
Seismic Mitigation	Gathered information from stakeholders regarding barriers to school districts accessing available Seismic Mitigation funding.	The identified barriers will be reported at a future SAB meeting.

Did you know?

Successful bond sales have resulted in the issuance of Budget Letter (BL) Number 10-09 by the Department of Finance (DOF). The DOF previously directed departments and agencies to cease making new contracts and obligations in BL's 08-33 and 09-15. BL 10-09 supersedes the restrictions in the previous budget letters and sets out a framework and process for moving forward general obligation bond funded projects. Funding to initiate new projects has not been easy to anticipate and departments will need to have bond proceeds on hand before making any binding commitments.

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- OPSC Deadlines and Key Dates

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"

E-mail this newsletter.

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Office of Public School Construction
STAFF TO THE STATE ALLOCATION BOARD

OPSC Deadlines and Key Dates

Upcoming Meetings

State Allocation Board (SAB) Meetings - [View SAB calendar](#)

- June 23, 2010 (Wednesday) 4:00 p.m.
- August 4, 2010 (Wednesday) 4:00 p.m.
- August 25, 2010 (Wednesday) 4:00 p.m.

[Webcasts of previous SAB meetings](#)

OPSC/DSA Pre-SAB Meeting Forums

Preceding SAB Meetings in the DGS Main Auditorium at 9:30 a.m.

[Webcasts of previous Pre-SAB Meeting Forums](#)

Implementation Committee Meetings - [View IMP calendar](#)

- June 3, 2010 (Thursday) 9:30 a.m.-3:30 p.m.
- July 8, 2010 (Thursday) 9:30 a.m.-3:30 p.m.
- August 5, 2010 (Thursday) 9:30 a.m.-3:30 p.m.

[Webcasts of previous IMP meetings](#)

Priority Funding Deadline

June 28, 2010 - Last day for districts opting to participate in the priority funding round to submit a request to convert an unfunded approval to an apportionment.

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