

## INITIAL STATEMENT OF REASONS

### **Section 1859.2. Definitions.**

#### **Specific Purpose of the Regulation**

To provide the meaning of specific words and terms that are essential to these regulations.

#### **Need for the Regulation**

State Allocation Board (SAB) Forms are defined in this Section including their latest revision date. It was necessary to update the revision dates for the Forms SAB 50-01 and SAB 50-02 to "05/09" because changes were made to the Forms. This will assure that applicants submit the most current version of the Forms for consistency and uniformity of the School Facility Program (SFP) Regulations.

### **Section 1859.41. High School Attendance Area Reporting.**

#### **Specific Purpose of the Regulation**

To implement Senate Bill (SB) 1556, Chapter 723, Statutes of 2008 (Ducheny) by adding authority for elementary school districts meeting specified criteria to request eligibility determinations for new construction grants under the SFP based on a "high school attendance area" (HSAA) or Super HSAA basis.

#### **Need for the Regulation**

It was necessary to implement the SFP program changes required by SB 1556 by allowing elementary school districts to establish SFP eligibility on a HSAA or Super HSAA basis, pursuant to Education Code Section 17071.76(c).

Subsection (b): It was necessary to set forth the mandatory criteria that an elementary school district must meet in order to report enrollment on a HSAA or Super HSAA basis. To qualify, elementary school districts must meet the existing HSAA or Super HSAA criteria in this Section and all of the conditions in Education Code Section 17071.76(c). (Districts may file applications using one or several attendance areas rather than filing on a district wide basis thereby attaining greater new construction eligibility.)

Subsection (c): This subsection had to be re-lettered to "(c)" because of the new subsection (b) above it. It was also necessary to add clarifying language "or (b)" with subsection (a) in order to specify that the requirements apply to the new category of elementary school districts added by statute.

## **SCHOOL FACILITY PROGRAM FORMS**

### **Enrollment Certification/Projection, Form SAB 50-01 (Revised 05/09).**

#### **Specific Purpose of the Form**

To make clarifying language changes to conform to statute.

#### **Need for the Form**

Page 1, 1st column, under the sub-heading "Pupil Enrollment Projection Options", 2<sup>nd</sup> paragraph: It was necessary to add elementary school districts to the category of districts eligible to file on a HSAA or Super HSAA basis as provided by statute.

**Existing School Building Capacity, Form SAB 50-02 (Revised 05/09).**

**Specific Purpose of the Form**

To make clarifying language changes to conform to statute.

**Need for the Form**

Page 1, General Information, 3rd paragraph: It was necessary to add elementary school districts to the category of districts eligible to file on a HSAA or Super HSAA basis as provided by statute.

Page 3, Specific Instructions under Part III, #2, 1st bullet: It was necessary to add elementary school districts to the category of districts eligible to file on a HSAA or Super HSAA basis, as provided by statute.

Page 4, bottom of page: It was necessary to add three form fields for applicant school districts to print or type their name after signing, and provide an e-mail address and telephone number in order to facilitate communication between the Office of Public School Construction and the school districts.

**Technical Documents Relied Upon**

The State Allocation Board's Action item, dated May 27, 2009, entitled "Implementation of Senate Bill 1556."

**Alternatives to the Proposed Regulatory Action that would be as Effective and Less Burdensome to Private Persons**

The SAB finds that no alternatives it has considered would be more effective in carrying out the purpose of the proposed regulations or would be as effective and less burdensome to affected private persons than the proposed regulations.

**Alternatives to the Proposed Regulatory Action that would Lessen any Adverse Economic Impact on Small Business**

The SAB has determined that the proposed regulations do not affect small businesses.

**Finding of Significant Adverse Economic Impact on Businesses**

The SAB has determined that the adoption of the regulations will not affect businesses, including small businesses, because they are not required to comply with or enforce the regulations, nor will they benefit from or be disadvantaged by the regulations.

**Impact on Local Agencies or School Districts**

The SAB has determined that the proposed regulations do not impose a mandate or a mandate requiring reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. It will not require local agencies or school districts to incur additional costs in order to comply with the proposed regulations.