

Section 1859.2. Definitions.

For the purpose of these regulations, the terms set forth below shall have the following meanings, subject to the provisions of the Act:

....

"Form SAB 50-02" means the *Existing School Building Capacity*, Form SAB 50-02 (Revised ~~09/02~~ 03/09), which is incorporated by reference.

"Form SAB 50-03" means the *Eligibility Determination*, Form SAB 50-03 (Revised ~~06/08~~ 03/09), which is incorporated by reference.

"Form SAB 50-04" means the *Application For Funding*, Form SAB 50-04 (Revised ~~04/08~~ 03/09), which is incorporated by reference.

....

Note: Authority cited: Sections 17070.35 and 17078.64, Education Code.

Reference: Sections 17009.5, 17017.6, 17017.7, 17021, 17047, 17050, 17051, 17070.15, 17070.51(a), 17070.71, 17070.77, 17071.10, 17071.25, 17071.30, 17071.33, 17071.35, 17071.40, 17071.75, 17071.76, 17072.10, 17072.12, 17072.18, 17072.33, 17073.25, 17074.10, 17074.30, 17075.10, 17075.15, 17077.40, 17077.42, 17077.45, 17078.52, 17078.56, 17078.72(k), 17079, 17079.10, 17280, 56026, and 101012(a)(8), Education Code; Section 53311, Government Code; and Section 1771.5, Labor Code.

Section 1859.35. Calculation of Existing School Building Capacity.

The district's existing school building capacity shall be determined by totaling the amount calculated in (a) and ~~with the amount determined in (b) or (c), whichever is the greater.~~

....

~~(c) A number equal to the number of pupils provided operational grants as indicated in the current report of operational grants made by the CDE pursuant to Education Code Section 42268, less the number of pupils at a school on the MTYRE calendar that has a density of at least 200 or more pupils per acre when the district has at least 40 percent of its enrollment on MTYRE as of the date of determination of the existing school building capacity of the district.~~

Note: Authority cited: Sections 17070.35 and 42270, Education Code.

Reference: Sections 17071.10, 17071.25, 17071.33, 17071.35, ~~and~~ 17071.40 and 42270, Education Code

Section 1859.51. Adjustments to the New Construction Baseline Eligibility.

The baseline eligibility for new construction determined on the Form SAB 50-03, will be adjusted as follows:

....

(j) For Small School Districts, decreased:

....

~~(2) By any increase in the number of pupils included in the latest operational grant report made by the CDE pursuant to Education Code Section 42268 beginning three years after the district's most current eligibility was approved by the Board. The reduction in eligibility shall be determined by the number of pupils included in the latest operational grant report that exceed the number of pupils included in the operational grant report in effect when the district's most current eligibility was approved by the Board or adjusted by a subsequent operational grant report after that date.~~

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Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17052, 17070.51, 17071.25, 17071.75, 17071.76, 17072.20, 17077.40, 17078.72, 17079.20, ~~and~~ 42268, and 42270, Education Code.