

**STATE ALLOCATION BOARD**

1130 K Street, Suite 400  
Sacramento, CA 95814  
<http://www.dgs.ca.gov/opsc>



**Date:** December 24, 2004

**To:** Interested Parties

**Subject:** **NOTICE OF THE STATE ALLOCATION BOARD  
IMPLEMENTATION COMMITTEE MEETING**

Notice is hereby provided that the State Allocation Board Implementation Committee will hold a meeting on Thursday January 6, 2005 (9:30 am - 3:30 pm) in Room 100 of the Legislative Office Building, located at 1020 N Street in Sacramento.

The Implementation Committee's proposed agenda is as follows:

1. Convene Meeting
2. Williams Settlement Legislation:
  - Senate Bill 550 (Vasconcellos) School Facility Standards
  - Senate Bill 6 (Alpert) School Facility Needs Assessment Grant Program and Emergency Repair Account
  - Modifications to the School Facility and Deferred Maintenance Programs pursuant to the Williams Settlement

Any interested person may present public testimony or comments at this meeting regarding the issues scheduled for discussion. Any public input regarding unscheduled issues should be presented in writing, which may then be scheduled for a future meeting. For additional information, please contact Ms. Jackie George at (916) 445-3159.

A handwritten signature in black ink, appearing to read "Bruce B. Hancock".

BRUCE B. HANCOCK, Chairperson  
State Allocation Board Implementation Committee

BBH:LM:jg

STATE ALLOCATION BOARD  
IMPLEMENTATION COMMITTEE

Pending Items List  
January 6, 2005

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A. Future Items

- SFP – Project Rescission
- Follow-up to 180-Day Regulation: *District Funded Facilities Included in Existing School Building Capacity (approved at the May 26, 2004 State Allocation Board)*

B. Suspended Items

- None

STATE ALLOCATION BOARD  
IMPLEMENTATION COMMITTEE  
January 6, 2005

WILLIAMS SETTLEMENT – SENATE BILL 550

PURPOSE

To implement the provisions of Senate Bill (SB) 550, Chapter 900, Statutes of 2004 (Vasconcellos), impacting the Office of Public School Construction (OPSC).

BACKGROUND

SB 550 was created as a part of the settlement agreement in the case of *Williams v. State of California*. There are two parts of SB 550 which impact the OPSC, the school facilities inspection system and the Interim Evaluation Instrument (IEI).

**DISCUSSION**

On December 3, 2004 a draft version of the IEI was presented to the Implementation Committee. Listed below are the significant issues that were discussed at the meeting and the outcomes of those issues.

1. A suggestion was made to add a sentence to the General Information section of the document stating the form is intended for school district's use as well as county offices of education in determining good repair. Staff has incorporated this suggestion.
2. Staff has revised the format of the IEI based on public comments received and field testing of the form. For example, the comments section has now been placed within each category instead of being on a separate page in order to make the form more user friendly. In addition, the examples given of each category have been put into a checklist format.
3. OPSC received comments stating the list of emergency facility needs provided in SB 6 is not exhaustive of all the potential emergency facility needs and those items should not be separated out from the other items on the form. Staff has revised the IEI to no longer separate the SB 6 emergency facility needs, however they are still identified with an asterisk.

**GENERAL INFORMATION**

As part of the school accountability report card, school districts and county offices of education are required to make specified assessments of school conditions including the safety, cleanliness, and adequacy of school facilities and needed maintenance to ensure good repair. Good repair is defined to mean that the facility is maintained in a manner that ensures that it is clean, safe, and functional as determined pursuant to an interim evaluation instrument developed by the Office of Public School Construction [pursuant to Education Code (EC) Section 17002(d)(1)]. This tool is intended to assist school districts and county offices of education in that determination.

County superintendents are required to annually visit the schools in the county of his or her office that are ranked in deciles 1 to 3, inclusive, of the 2003 base Academic Performance Index pursuant to EC Section 1240(c) (The California Department of Education published a list of these schools, pursuant to EC Section 17592.70(b) on the department's Web site at www.cde.ca.gov). Further, EC Section 1240(c)(2)(E), states "the priority objective of the visits made shall be to determine the status of the condition of a facility that poses an emergency or urgent threat to the health or safety of pupils or staff as defined in district policy, or as defined by EC Section 17592.72 (c) and the accuracy of data reported on the school accountability report card with the respect to the safety, cleanliness, and adequacy of school facilities, including good repair as required by EC Sections 17014, 17032.5, 17070.75, and 17089." This tool is also intended to assist county offices of education in performing these functions.

**SPECIFIC INSTRUCTIONS**

**Parts I–XII**

Check the appropriate box that indicates a "yes", "no", or "n/a" (not applicable) response to each part. Note that a "no" response indicates a deficiency. If a deficiency is determined by the evaluator, boxes are provided to indicate additional information. In the building/classroom box, the evaluator will need to provide the location of the problem by indicating a building identification or classroom number. This identifier should correspond to the school's current fire drill site map. In the comment box, the evaluator can provide a description of the issue and any other details necessary to specifically identify the problem.

Throughout Parts I–XII emergency facility needs projects, as defined in Senate Bill 6, Chapter 899, are identified with an asterisk. If an emergency facility need is identified, school districts that meet the criteria outlined in Emergency Repair Program (ERP) Regulation Section 1859.321 may be eligible for reimbursement for the cost of repairs (see ERP Regulation Section 1859.320, et. seq.).

**Part XIV**

This section is available for the evaluator to list any other deficiencies found at the school site during the inspection.

**Part XV**

Complete and sign the certification (page 6).

**DRAFT**

**INTERIM EVALUATION INSTRUMENT**  
**SCHOOL FACILITY CONDITIONS EVALUATION**

**School Site Information**

SCHOOL DISTRICT/COUNTY OFFICE OF EDUCATION	COUNTY	
SCHOOL SITE		
REPRESENTATIVE OF DISTRICT WHO ACCOMPANIED THE EVALUATOR (IF APPLICABLE)	DATE OF REVIEW	TIME OF REVIEW

**Evaluator(s) Information**

NAME(S)	TITLE	REPRESENTS
1.		
2.		
3.		

**Part I. Gas Leaks\***

Check the appropriate box that indicates a "yes", "no", or "n/a" (not applicable) response. Note that a "no" response indicates a deficiency is present.

There is no evidence of a gas leak(s). The following are examples:	YES	NO	N/A	BUILDING/CLASSROOM	COMMENTS
a. There does not appear to be any odor caused by a gas leak.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
b. There does not appear to be any broken pipes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
c. Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

**Part II. Mechanical Systems\***

Check the appropriate box that indicates a "yes", "no", or "n/a" (not applicable) response. Note that a "no" response indicates a deficiency is present.

There is no evidence of problems with the heating, ventilation, or air conditioning systems as applicable. The following are examples:	YES	NO	N/A	BUILDING/CLASSROOM	COMMENTS
a. The heating system is working.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
b. The facilities are ventilated.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
c. The ventilation units are unobstructed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
d. The existing air conditioning system is working.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
e. Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

**Part III. Windows/Doors/Gates\* (Interior and Exterior)**

Check the appropriate box that indicates a "yes", "no", or "n/a" (not applicable) response. Note that a "no" response indicates a deficiency is present.

There is no evidence of conditions that pose a security risk. The following are examples:	YES	NO	N/A	BUILDING/CLASSROOM	COMMENTS
a. Windows are not broken or missing.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
b. Doors are not broken or missing.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
c. Gates are not broken or missing.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
d. Fencing is free of any holes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
e. Locks and other security hardware are functioning.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
f. Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

\*SB 6 EMERGENCY FACILITIES NEEDS PROJECTS

SCHOOL SITE

**Part IV. Interior Surfaces (Walls, Floors, and Ceilings)**

Check the appropriate box that indicates a "yes", "no", or "n/a" (not applicable) response. Note that a "no" response indicates a deficiency is present.

Interior surfaces appear to be clean, safe, and functional. The following are examples:	YES	NO	N/A	BUILDING/ CLASSROOM	COMMENTS
a. Walls are free of hazards from tears, holes, and water damage.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
b. Flooring is free of hazards from torn carpeting, missing floor tiles, holes, water damage and accumulated refuse.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
c. Ceiling is free of hazards from missing ceiling tiles, holes, and water damage.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
d. Interior surfaces appear to be free of mildew or mold odor and visual mold.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
e. Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

**Part V. Hazardous Materials\* (Interior and Exterior)**

Check the appropriate box that indicates a "yes", "no", or "n/a" (not applicable) response. Note that a "no" response indicates a deficiency is present.

There does not appear to be evidence of hazardous materials that may pose an immediate threat to pupils or staff. The following are examples:	YES	NO	N/A	BUILDING/ CLASSROOM	COMMENTS
a. There does not appear to be peeling, chipping, or cracking paint.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
b. There does not appear to be damaged tiles or other circumstances that may indicate asbestos exposure.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
c. There does not appear to be any indication of mold, such as odor.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
d. Hazardous chemicals and flammable materials are stored properly.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
e. Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

**Part VI. Structural Damage\***

Check the appropriate box that indicates a "yes", "no", or "n/a" (not applicable) response. Note that a "no" response indicates a deficiency is present.

There does not appear to be evidence of structural damage that has created or has the potential to create hazardous or uninhabitable conditions. The following are examples:	YES	NO	N/A	BUILDING/ CLASSROOM	COMMENTS
a. There does not appear to be any severe cracks.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
b. Ceilings and floors are not sloping or sagging.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
c. There are no missing posts or beams.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
d. There does not appear to be dry rot/mold in structural components.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
e. Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

SCHOOL SITE

**Part VII. Fire Safety**

Check the appropriate box that indicates a "yes", "no", or "n/a" (not applicable) response. Note that a "no" response indicates a deficiency is present.

1. The fire sprinklers appear to be in working order.* For example:	YES	NO	N/A	BUILDING/CLASSROOM	COMMENTS
a. There are no missing or damaged sprinkler heads.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
b. Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
2. The emergency equipment and systems appear to be functioning properly. The following are examples:	YES	NO	N/A	BUILDING/CLASSROOM	COMMENTS
a. Emergency alarms appear to be functional.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
b. Fire extinguishers are not missing or out-of-date.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
c. Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

**Part VIII. Electrical (Interior and Exterior)**

Check the appropriate box that indicates a "yes", "no", or "n/a" (not applicable) response. Note that a "no" response indicates a deficiency is present.

1. There is no evidence that any portion of the school has a power failure.*	YES	NO	N/A	BUILDING/CLASSROOM	COMMENTS
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
2. There are no apparent electrical hazards. The following are examples:	YES	NO	N/A	BUILDING/CLASSROOM	COMMENTS
a. There are no exposed electrical wires.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
b. Outlets, switch plates, junction boxes and fixtures are covered and appear to be working properly.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
c. Electrical equipment appears to be properly covered and guarded.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
d. Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
3. Lighting appears to be adequate and working properly. For example:	YES	NO	N/A	BUILDING/CLASSROOM	COMMENTS
a. Lighting appears to be adequate.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
b. Lighting is not flickering.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
c. Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

**Part IX. Pest/Vermin Infestation\***

Check the appropriate box that indicates a "yes", "no", or "n/a" (not applicable) response. Note that a "no" response indicates a deficiency is present.

There is no evidence of a major pest or vermin infestation. The following are examples:	YES	NO	N/A	BUILDING/CLASSROOM	COMMENTS
a. There are no holes in the walls, floors, or ceilings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
b. There does not appear to be any rodent droppings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
c. There is no odor caused by a pest or vermin infestation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
d. Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

SCHOOL SITE

**Part X. Drinking Fountains (Inside and Outside)**

Check the appropriate box that indicates a "yes", "no", or "n/a" (not applicable) response. Note that a "no" response indicates a deficiency is present.

Drinking fountains appear to be accessible and functioning as intended. The following are examples:	YES	NO	N/A	BUILDING/CLASSROOM	COMMENTS
a. Drinking fountains are accessible.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
b. Water pressure is adequate.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
c. There is no evidence of a leak.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
d. There is no evidence of moss or mold.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
e. The water is clear and tasteless.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
f. Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

**Part XI. Restrooms**

Check the appropriate box that indicates a "yes", "no", or "n/a" (not applicable) response. Note that a "no" response indicates a deficiency is present.

Restrooms appear to be accessible during school hours, clean, functional and in compliance with SB 892 (EC Section 35292.5). The following are the requirements of being in compliance with SB 892:	YES	NO	N/A	BUILDING/CLASSROOM	COMMENTS
a. Restrooms are maintained and cleaned regularly.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
b. Restrooms are fully operational.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
c. Restrooms are stocked with toilet paper, soap, and paper towels or functional hand dryers.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
d. Restrooms are open during school hours.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
e. Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

**Part XII. Sewer\***

Check the appropriate box that indicates a "yes", "no", or "n/a" (not applicable) response. Note that a "no" response indicates a deficiency is present.

There is no evidence of a major sewer line stoppage. The following are examples:	YES	NO	N/A	BUILDING/CLASSROOM	COMMENTS
a. There are no obvious signs of flooding in the facilities or on the school grounds.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
b. There does not appear to be any odor.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
c. Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

SCHOOL SITE

**Please note: the section below is still under review and requires further consideration.**

**Part XIII. Playground/School Grounds**

Check the appropriate box that indicates a "yes", "no", or "n/a" (not applicable) response. Note that a "no" response indicates a deficiency is present.

The playground equipment and school grounds appear to be clean, safe, and functional. The following are examples:	YES	NO	N/A	BUILDING/CLASSROOM	COMMENTS
a. School grounds do not have significant cracks or holes and are not significantly deteriorating.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
b. School grounds do not have accumulated refuse.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
c. Playground equipment is not broken or containing dangerous hardware.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
d. Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

**Part XIV. Other**

BUILDING/CLASSROOM

**Part XV. Certification:**

I am a representative of \_\_\_\_\_, and certify that the information contained herein is true and correct to the best of my knowledge and the above findings were made during my review of this school site on \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.

PRINT NAME	TITLE
SIGNATURE	DATE
TELEPHONE NUMBER	E-MAIL ADDRESS

STATE ALLOCATION BOARD  
IMPLEMENTATION COMMITTEE  
January 6, 2005

WILLIAMS SETTLEMENT - SENATE BILL 6

PURPOSE

To present proposed regulations for the implementation of Senate Bill (SB) 6, Chapter 899, Statutes of 2004 (Alpert).

BACKGROUND

SB 6 was created as part of the settlement agreement in the case of *Williams v. State of California*. The objectives of SB 6 are to identify the current conditions of the facilities (School Facilities Needs Assessment Grant Program) and provide funding for the Emergency Repair Program.

DISCUSSION

This item represents the third and final presentation of the regulatory proposal for programs created by SB 6. As such, the comments and input received by OPSC have been carefully considered and many recommendations have been incorporated into this version of the proposed regulations.

Since the last Implementation Committee meeting, the California Department of Education has published a revised list of schools with an Academic Performance Index rating within deciles 1 to 3. The estimated total grant amount for all schools on the list is less than the \$25 million allotted for the School Facilities Needs Assessment Program. The following information is provided in response to discussion and feedback during and since the last Implementation Committee meeting:

*School Facilities Needs Assessment Grant Program Regulations (Attachment A)*

- School districts and county offices of education are now referred to as Local Educational Agencies (LEAs).
- The qualifications of the inspector (Section 1859.314) have been modified. The person(s) performing or supervising the assessment must have either one of the specified licenses or the minimum required experience. In addition, the inspector may not be an employee of the LEA with jurisdiction over the eligible site(s).
- Section 1859.318 has been modified in order to provide more clarity to the “supplement, not supplant” requirements of the statute.

*School Facilities Needs Assessment Grant Program Forms (Attachment B-F)*

- In order to ensure that only schools built prior to January 1, 2000 receive grant funds (Section 1859.311), LEAs will be asked to certify via the on-line system the year of construction of each site on the CDE list before Needs Assessments funds can be released.
- The Needs Assessment instructions have been clarified with respect to several items.
- The list of building systems to be evaluated has also been revised and expanded to incorporate public comments received.
- The information reported in the completed Needs Assessments will be available for public viewing on the OPSC website.

*Emergency Repair Program (ERP) (Attachments A and G)*

- In coordination with revised “supplement, not supplant” language, Section 1859.322 has been modified. LEAs are required to reimburse the account or source of funds from which the ERP project expenditures were made.
- The criteria for replacement projects (Sections 1859.323 and 1859.323.1) have been placed in a separate section and modified to provide more clarity.
- Section 1859.324(b) was modified to clarify the dates within which ERP expenditures may be considered valid.
- Section 1859.328 has been modified in order to provide more clarity to the “supplement, not supplant” requirements of the statute.
- It has been determined that a completed Needs Assessment is not required in order to submit an ERP application.
- Applications meeting the requirements of the regulations will be accepted on a continual basis and will be presented to the State Allocation Board for approval on a monthly basis. We anticipate the timeline for processing ERP applications will be similar to the SFP, approximately 90 to 120 days from date of receipt.

ATTACHMENT A

DRAFT

TITLE 2. CALIFORNIA ADMINISTRATIVE CODE  
DIVISION 2. FINANCIAL OPERATIONS  
CHAPTER 3. DEPARTMENT OF GENERAL SERVICES  
SUBCHAPTER 4. OFFICE OF PUBLIC SCHOOL CONSTRUCTION  
SUBGROUP 5.7. RELATING TO SCHOOL FACILITIES NEEDS ASSESSMENT AND  
EMERGENCY REPAIR PROGRAM

Article 1. General Provisions and Definitions

Section 1859.300. Purpose.

These regulations implement the School Facilities Needs Assessment Grant Program and the Emergency Repair Program.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.70 and 17592.71, Education Code.

Section 1859.301. Director of General Services.

The Director of General Services, or the Director's legal designee, shall perform all acts necessary to carry out the provisions of these regulations except such functions reserved to the Board and to other agencies by law or by Sections 1859.300 through 1859.328, inclusive. These acts to be performed include, but are not limited to, entering into contracts to administer the regulations.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17070.20, Education Code.

Section 1859.302. Definitions.

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

"Act" means California Education Code (EC) Sections 17592.70 through 17592.73, inclusive, and 41207.5.

"Apportionment" means an allocation of funds by the Board for eligible School Facilities Needs Assessment Grant Program or Emergency Repair Program expenditures.

"Accepted Application(s)" means an Local Educational Agency (LEA) has submitted the application and all documents to the Office of Public School Construction (OPSC) that are required to be submitted with the application as identified in the General Information Section of the Form SAB 61-03, *Application For Reimbursement and Expenditure Report*, (New 01/05), as appropriate, and the OPSC has accepted the application.

"Board" means the State Allocation Board as established by Section 15490 of the Government Code.

"CBEDS Report" means the enrollment information provided through the California Basic Educational Data System (CBEDS) by the LEA to the California Department of Education (CDE).

"Certification of Eligibility" means the on-line worksheet provided by the OPSC and accessible through the OPSC Website at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov) for the purpose of a one-time determination of whether a school site meets the provisions of Section 1859.311(b).

"Cosmetic Repairs" means repairs that enhance the physical environment of the school and are not directly related to the mitigation of a health and safety hazard.

“Deferred Maintenance Program (DMP)” means the State deferred maintenance funding authorized by EC Sections 17582 through 17588, inclusive.

“Emergency Facilities Needs” means structures or systems that in their present condition pose an immediate threat to the health and safety of pupils and staff while at school.

“Emergency Repair Program (ERP)” means the repair program implemented under the Act, Senate Bill 6, Chapter 899, Statutes of 2004.

“Emergency Repair Program Grant” means an Apportionment provided by the State to reimburse the LEA for eligible costs, pursuant to EC Section 17592.72(c)(1) and Regulation Sections 1859.323 and 1859.323.1.

“Expended” means work has been completed, or services rendered, and a warrant has been issued for payment.

“Employee” means an individual that is a classified or certificated temporary, probationary or permanent employee receiving a warrant as payment from the LEA.

“Form SAB 61-01” means the *Needs Assessment Report*, Form SAB 61-01 (New 01/05), which is incorporated by reference.

“Form SAB 61-02” means the *Expenditure Report*, Form SAB 61-02 (New 01/05), which is incorporated by reference.

“Form SAB 61-03” means the *Application For Reimbursement and Expenditure Report*, Form SAB 61-03 (New 01/05), which is incorporated by reference.

“Interim Evaluation Instrument” means the evaluation tool developed pursuant to EC Section 17002(d)(2).

“Like-Kind Material/System” means a building material or system that is substantially identical in function to the existing building material or system to be replaced.

“LEA Representative” means a member of the LEA staff or other agent authorized to execute and file application(s) with the Board on behalf of the LEA and/or act as liaison between the Board and the LEA.

“Local Educational Agency (LEA)” means a school district or county office of education meeting the requirements of Section 14101(18)(A) or (B) of the federal Elementary and Secondary Education Act of 1965.

“Needs Assessment” means the review of the facilities conducted pursuant to the Section 1859.315(c), the Form SAB 61-01 and EC Section 17592.70.

“Needs Assessment Grant” means the funding provided pursuant to EC Section 17592.70(c) and Sections 1859.312 and 1859.313.

“Nonessential Repairs” means work that is not directly related to the mitigation of a health and safety hazard including, but not limited to, repairs to correct items not in compliance with Title 24 of the California Code of Regulations that existed prior to the Emergency Facilities Needs.

“Office of Public School Construction (OPSC)” means the State office within the Department of General Services that assists the Board as necessary and administers the School Facilities Needs Assessment Grant Program and the Emergency Repair Program.

“Pupil” means a student enrolled in any grade Kindergarten through grade twelve including individuals with exceptional needs meeting the provisions of EC Section 56026.

“Ready for Apportionment” means a review of an Accepted Application has been completed by the OPSC and it has been determined that it meets all requirements of law for an Apportionment, and the OPSC will recommend approval to the Board.

“Routine Restricted Maintenance Account” means the account into which funds are deposited by LEAs pursuant to EC Section 17070.75.

“School Facilities Emergency Repair Account” means the account established by the OPSC pursuant to EC Section 17592.71(a).

“School Facilities Needs Assessment Program” means the one-time assessment of school facilities implemented under the Act, Senate Bill 6, Chapter 899, Statutes of 2004.

“School Facility Program (SFP)” means the Leroy F. Greene School Facility Act of 1998, commencing with EC Section 17070.10.

“Section” means a section in these Subgroup 5.7 regulations.

“Unfunded List” means an information list of unfunded projects eligible pursuant to Sections 1859.320 through 1859.328, inclusive, and EC Section 17592.72.

“Web-Based Progress Report Survey” means the on-line worksheet provided by the OPSC and accessible through the OPSC Website at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov) for the purpose of submitting a one-time report on the progress made toward completing the Needs Assessment.

“Web-Based Needs Assessment” means the on-line Form SAB 61-01 provided by the OPSC and accessible through the OPSC Website at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov) for the one-time purpose of submitting the Needs Assessment data electronically.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.70, 17592.71, 17592.72 and 17592.73, Education Code.

## Article 2. School Facilities Needs Assessment Grant Program

### Section 1859.310. General.

A school site that qualifies for the School Facilities Needs Assessment Grant Program according to the provisions of EC Section 17592.70(b) shall be allocated funds by the Board in order to conduct a one-time comprehensive school facilities needs assessment. An LEA that receives funds under this Article shall be required to complete and submit a Web-Based Needs Assessment to the OPSC for each school site meeting the provisions of Section 1859.311.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.70, Education Code.

### Section 1859.311. Eligible Schools.

An LEA that has a school site meeting all of the following is eligible for the School Facilities Needs Assessment Grant Program:

- (a) The school was identified on the list published by the CDE pursuant to EC Section 17592.70(b).
- (b) The school was newly constructed prior to January 1, 2000.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.70, Education Code.

### Section 1859.312. Apportionment of Funds.

The Board shall allocate ten dollars (\$10) per Pupil, according to the 2003 CBEDS Report, for each school site identified by CDE pursuant to Section 1859.311(a). A minimum allocation of seven thousand five hundred dollars (\$7,500) shall be made for each school site. Once an Apportionment has been made by the Board and the OPSC has received the Certification of Eligibility, funds for eligible school sites will be released by OPSC to the LEA with jurisdiction over the school site(s) along with requirements for the money to be spent at the eligible school site(s) in accordance with Section 1859.313. Any school site not meeting the provisions of Section 1859.311(b) is ineligible for funding under these regulations. Apportionments shall be reduced by the grant amount allocated for ineligible school sites upon receipt of the Certification of Eligibility.

Note: Authority Cited: Section 17592.73, Education Code

Reference: Section 17592.70, Education Code.

### Section 1859.313. Use of Needs Assessment Grant Funds.

The LEA shall only use the Needs Assessment Grant funds for the following:

- (a) Unbudgeted administrative or third party costs incurred as a result of performing the Needs Assessment.

(b) Repairs identified in Part V of the Form SAB 61-01 at any eligible school site within the LEA where a Needs Assessment has been completed.

Apportionments may be rescinded or reduced by the grant amount provided for each eligible school site where the LEA fails to comply with the provisions of Sections 1859.310 and 1859.315.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.70, Education Code.

#### Section 1859.314. Qualifications of the Inspector.

The Needs Assessment must be prepared in accordance with all of the following:

(a) The person(s) performing or supervising the Needs Assessment must have general knowledge of school facilities construction, operation, and maintenance and either of the following:

(1) A minimum of three years of experience with cost estimation and building systems life cycle analysis; or

(2) An Architect, Engineer, or General Contractor license under California law.

(b) Person(s) performing the Needs Assessment must personally conduct the assessment on the school site(s).

(c) The individual(s) performing or supervising the Needs Assessment must be independent third parties and may not be Employee(s) of the LEA with jurisdiction over the school site for which the Needs Assessment is being performed.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.73, Education Code.

#### Section 1859.315. Program Reporting Requirements.

An LEA that receives School Facilities Needs Assessment Grant funds pursuant to Section 1859.312 shall:

(a) Complete a Certification of Eligibility and submit it to the OPSC. Each LEA shall submit one certification to the OPSC. Fund release(s) shall be processed by the OPSC for all eligible sites upon receipt of the complete signed and dated Certification of Eligibility.

(b) Complete a Web-Based Progress Report Survey and submit it to the OPSC by April 29, 2005. Each LEA shall submit one survey unless the Needs Assessment for all eligible school sites has been completed pursuant to subsection (c), below:

(c) Complete a Web-Based Needs Assessment for each applicable site and submit it to the OPSC by January 1, 2006.

(d) Complete Form SAB 61-02 to report all expenditures made with Needs Assessment Grant funds on a LEA-wide basis and submit it to the OPSC by September 1, 2006.

Note: Authority Cited: 17592.73, Education Code.

Reference: 17592.70, 17592.73, Education Code.

#### Section 1859.316. Needs Assessment Grant Expenditures and Audit.

The projects shall be subject to audit to ensure that expenditures incurred by the LEA were made in accordance with the provisions of Sections 1859.313 and 1859.314. Any funds not Expended on the Needs Assessment or eligible repairs at the time of submittal of the Form SAB 61-02 shall be returned to the OPSC.

After the OPSC receives the expenditure report from the LEA on the Form SAB 61-02 and the LEA is notified of an impending Needs Assessment audit, an audit of the expenditures by the OPSC shall commence within six months. The OPSC shall complete the audit within six months of the notification unless additional information requested from the LEA has not been received.

Should the OPSC conduct an audit of the expenditures and information, which may include certifications, for expenditures made pursuant to Section 1859.310 and make a finding that some or all of the expenditures were not made in accordance with the provisions of EC Section 17592.70(d), the OPSC shall recommend to the Board that the Apportionment be adjusted based on the audit findings. Upon adoption of the audit findings by the Board, the LEA must submit a warrant for any amount identified as being owed within 30 days of the Board's action. If this does not occur, the OPSC shall initiate collection procedures.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.70, Education Code.

#### Section 1859.317. Duplication of Needs Assessment Grant Expenditures.

If the LEA's expenditures for the Needs Assessment Grant involve proposed work also included in a SFP or DMP project, the LEA must ensure all of the following:

(a) No work or expenditures are duplicated.

(b) After eliminating the work to be funded with the Needs Assessment Grant from the SFP or DMP project, the remaining work continues to meet the SFP or DMP requirements.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: 17592.73, Education Code.

#### Section 1859.318. Supplement, Not Supplant, Needs Assessment Grant Funds.

**Please note: The section below is still under review and requires further consideration.**

Needs Assessment Grant funds remaining after the completion of the Needs Assessment must be used for repairs authorized in Section 1859.313(b) and must be used to supplement, not supplant, funds already available for the maintenance of school facilities. In accordance with this requirement, the LEA must comply with all of the following in the fiscal year of the Apportionment:

(a) Deposit the funding level required pursuant to EC Section 17070.75 in the Routine Restricted Maintenance Account, if participating in the SFP.

(b) Deposit an amount equal to the maximum basic grant pursuant to EC Section 17582, if participating in the DMP.

(c) If either (a) or (b) are not applicable, the district must budget an amount not less than the average maintenance budget for the three previous years.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: 17592.73, Education Code.

#### Section 1859.319. Remaining Needs Assessment Grant Funds.

Any funds unapportioned or returned to the OPSC shall be transferred into the School Facilities Emergency Repair Account.

Note: Authority Cited: Section 17592.73.

Reference: Education Code Section 41207.5.

### Article 3. Emergency Repair Program

#### Section 1859.320. General.

An LEA seeking an Emergency Repair Program Grant for reimbursement of cost for repairs or replacement of existing structural components or building systems that posed a health and safety threat to the pupils or staff while at school, as defined by EC Section 17592.72(c)(1), shall complete and file a Form SAB 61-03. Each application may consist of the repair or replacement of only one building component or system and any work directly related to that repair or replacement.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

#### Section 1859.321. Eligible Schools.

An LEA that has a school site meeting all of the following is eligible to submit a Form SAB 61-03:

- (a) The school was identified on the list published by the CDE pursuant to EC Section 17592.70(b).
- (b) The school was newly constructed prior to January 1, 2000.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

#### Section 1859.322. Emergency Repair Program Project Funding Order.

The Board shall fund ERP applications on a monthly basis in the order of receipt of an Accepted Application as follows:

- (a) If sufficient funding is available to provide funding to all applications presented that month, all applications will receive a full and final apportionment of the eligible costs.
- (b) If funding is insufficient in any given month:
  - (1) Apportionments will be provided to each application on a prorated basis with the balance placed on the Unfunded List, unless the proration will result in funding less than 25 percent of the eligible project costs. The proration shall be determined by dividing the total funds available by the total eligible costs of all applications Ready for Apportionment.
  - (2) If the proration, as determined in (1) above, will be less than 25 percent of the eligible project costs, the Board shall provide funding at 100 percent of the eligible project costs based on date order received until funds are no longer available and the remaining applications shall be placed on the Unfunded List.
  - (3) The Board will continue to accept and process applications for the purpose of developing an Unfunded List based on the order of receipt of the Accepted Applications.

When funds become available, projects on the Unfunded List will be apportioned in the order of date received. After an Apportionment has been made by the Board, funds will be released automatically by the OPSC and must be used by the LEA to reimburse the special reserve fund and the original source of funds used to make the expenditures for the ERP project.

Once eight hundred million dollars (\$800,000,000) has been apportioned by the Board, any applications that have received a prorated Apportionment will be deemed a full and final Apportionment, any applications remaining fully unfunded on the Unfunded List will be returned to the LEA, and the Unfunded List shall be dissolved.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.71, Education Code.

### Section 1859.323. Eligible Project Costs.

Reimbursement will be provided to meet the LEA share of the repair costs of Emergency Facilities Needs as defined in Education Code Section 17592.72(c)(1). Reimbursement of eligible projects costs shall be limited to the minimum work required on existing structural components or building systems to mitigate the health and safety hazard. Replacement of existing structural components or building systems is permissible provided the project is in compliance with provisions of Section 1859.323.1.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

### Section 1859.323.1. Replacement Projects

Replacement is permitted only if it is more cost-effective to replace rather than repair a structural component or building system that poses a health or safety threat to pupils or staff while at school.

For purposes of this section, it is more cost-effective to replace a structural component or building system when the estimated cost of an eligible repair is at least 75 percent of the cost of replacement. If the cost to repair the component or system is less than 75 percent of the current replacement cost and the district elects to replace the component or system, the project is not eligible for reimbursement under the ERP.

If the request is for replacement components or systems, a cost comparison must be prepared and submitted with the Form SAB 61-03 to the OPSC. The cost comparison shall consist of a repair cost estimate and a replacement cost estimate provided by qualified individual(s) or firm(s).

Replacement of a structural component or building system shall be limited to the use of a Like-Kind Material/System except in the following circumstances and as supported by a cost comparison:

- (a) The work in the project proposes to use an alternative building material or system that performs the same function as the existing building material or system that is no longer available; or
- (b) The work in the project proposes to use an alternative building material or system which is requested by the LEA and is less costly than a Like-Kind Material/System replacement.

If the request is for replacement components or systems that included structural deficiencies, the cost comparison must also include a report from a licensed design professional identifying the minimum work necessary to obtain Division of the State Architect approval.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

### Section 1859.323.2. Ineligible Expenditures.

**Please note: The section below is still under review and requires further consideration.**

An Emergency Repair Program Grant may not be used for any of the following:

- (a) New square footage, components, or building systems that did not previously exist.
- (b) Nonessential Repairs.
- (c) Cosmetic Repairs.
- (d) Land acquisition.
- (e) Furniture and equipment.
- (f) Salaries of LEA employees except when permitted pursuant to Public Contract Code Section 20114.

- (g) Costs covered under warranty or by insurance.
- (h) Costs normally borne by others including, but not limited to, public utility companies.
- (i) Costs to repair or replace facilities with structural damage as a result of disaster, such as flood, fire or earthquake, or other naturally occurring conditions.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

#### Section 1859.324. Reimbursement.

An Emergency Repair Program Grant shall be used to reimburse LEAs for eligible costs, as defined by Sections 1859.323 and 1859.323.1, that meet all of the following provisions:

- (a) If contracts for services or work were signed for the project, contracts must have been entered into on or after September 29, 2004.
- (b) Expended on or after September 29, 2004 and prior to the submittal of the Form SAB 61-03 to the OPSC.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

#### Section 1859.325. School Facility Due Diligence.

To ensure that the LEA is exercising due diligence in the administration of its facility accounts and is using an Emergency Repair Program Apportionment to supplement existing funding for the maintenance of school facilities, the OPSC may conduct a review of the LEA's facility maintenance accounts pursuant to the provisions of Section 1859.328.

In the event that the Board finds that an LEA is failing to exercise due diligence or supplanting has occurred, the Board shall notify the county superintendent of schools in which the LEA is located and may deny future funding under these regulations.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

#### Section 1859.326. Emergency Repair Program Application Expenditures and Audit.

The projects shall be subject to audit to ensure that the expenditures incurred by the LEA were made in accordance with the provisions of Sections 1859.323 through 1859.325, inclusive.

After a final Apportionment has been made, and the OPSC notifies the LEA of an impending ERP audit of the expenditures reported on the Form SAB 61-03, an audit by the OPSC shall commence within six months. The OPSC shall complete the audit within six months of the notification unless additional information requested from the LEA has not been received.

Should the OPSC conduct an audit of the expenditures and information provided by the LEA, which may include certifications, for the project and make a finding that some or all of the expenditures were not made in accordance with the provisions of EC Section 17592.72(c) and Regulation Sections 1859.323 through 1859.325, inclusive, the OPSC shall recommend to the Board that the apportionment be adjusted based on the audit findings. Upon adoption of the audit findings by the Board, the LEA must submit a warrant for any amount identified as being owed within 30 days of the Board's action. If this does not occur, the OPSC shall initiate collection procedures.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.72 and 17592.73, Education Code.

### Section 1859.327. Duplication of Emergency Repair Program Expenditures.

If the LEA's expenditures for the Emergency Repair Program Grant involve proposed work also included in a SFP or DMP project, the LEA must ensure all of the following:

- (a) No work or expenditures are duplicated.
- (b) After eliminating the work to be funded with the Emergency Repair Program Grant from the SFP or DMP project, the remaining work continues to meet the SFP or DMP requirements.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

### Section 1859.328. Supplement, Not Supplant, Emergency Repair Program Grant Funds.

**Please note: The section below is still under review and requires further consideration.**

Emergency Repair Program Grant funds must be used to supplement, not supplant, funds already available for the maintenance of school facilities. In accordance with this requirement, the LEA must comply with all of the following at the time the Approved Application is submitted to the OPSC:

- (a) Deposit the funding level required for the current fiscal year pursuant to EC Section 17070.75 in the Routine Restricted Maintenance Account, if participating in the SFP.
- (b) If participating in the DMP, the district:
  - (1) Has deposited an amount equal to the maximum basic grant, calculated pursuant to EC Section 17582, for the latest available determination; and
  - (2) Will deposit an amount equal to the maximum basic grant, calculated pursuant to EC Section 17582, for the next scheduled determination.
  - (3) Shall not transfer excess local funds in accordance with EC Section 17583 from the deposits made as specified in (1) and (2), above.
- (c) If either (a) or (b) are not applicable, the district must budget for the current year an amount not less than the average maintenance budget for the three previous years.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.72 and 17592.73, Education Code.

### Section 1859.329. Withdrawal and Amendment of Applications.

In the event an LEA has omitted expenditures from the Form SAB 61-03 at the time of submittal and the project has not received an Apportionment from the Board, the LEA may withdraw its application and resubmit a revised Form SAB 61-03. The resubmitted application will receive a new processing date by the OPSC. If the Board has already provided an Apportionment for the project, the LEA will not be able to receive additional funding for the project and the Apportionment provided by the Board will be considered full and final.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.72 and 17592.73, Education Code.

**DRAFT**

**ATTACHMENT B**

**SCHOOL FACILITIES NEEDS ASSESSMENT GRANT PROGRAM  
CERTIFICATION OF ELIGIBILITY**

Local Educational Agency	
Five-Digit Code	County
Name of LEA Representative	Title
E-Mail Address	Telephone Number

Any school that was newly built on or after January 1, 2000, is ineligible for the School Facilities Needs Assessment Program and the Emergency Repair Program funding. Please enter the year of construction of the initial school building(s) on the site for each school listed below.

For purposes of this program, the year of construction shall be considered the date the Notice of Completion was filed with the county recorder, if available. If the date of the Notice of Completion is not available, the LEA may use the year of occupancy as evidenced by documentation of historical record.

School Name <sup>1</sup>	Site Code <sup>1</sup>	Allocation <sup>1</sup>	Is the year of construction <sup>2</sup> prior to January 1, 2000?	Eligibility <sup>3</sup>
		\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Once the LEA has completed the above section for all sites and clicks the submit button, the certification page, below, will open. **The LEA must print, sign and date it, and return to the OPSC in order for funds to be released.**

**SCHOOL FACILITIES NEEDS ASSESSMENT GRANT PROGRAM  
CERTIFICATION OF ELIGIBILITY**

I, \_\_\_\_\_<sup>2</sup>, certify that the information reported to the OPSC on the Certification of Eligibility submitted on \_\_\_\_\_<sup>3</sup> is accurate. Additionally,

I understand that all the sites that received a Needs Assessment Apportionment are eligible and a School Facilities Needs Assessment Report must be performed for each school.

I understand that the LEA has \_\_\_\_\_<sup>3</sup> ineligible sites and is not required to perform a School Facilities Needs Assessment for these sites. Furthermore, I acknowledge that the LEA's Needs Assessment Apportionment shall be reduced by \$ \_\_\_\_\_<sup>3</sup>, the total grant funds allocated for ineligible sites.

LEA REPRESENTATIVE NAME (PRINT)	TELEPHONE NUMBER:
LEA REPRESENTATIVE SIGNATURE	DATE

<sup>1</sup>Information will be provided automatically from the OPSC database.

<sup>2</sup>Information must be provided by the LEA.

<sup>3</sup>Information completed by the on-line form based on the information provided by the LEA.

LOCAL EDUCATIONAL AGENCY (LEA)	
FIVE-DIGIT DISTRICT CODE	COUNTY
NAME OF THE PERSON COMPLETING THIS SURVEY	TITLE
E-MAIL ADDRESS	TELEPHONE NUMBER

**Please note: If the School Facilities Needs Assessment has been completed for all eligible schools under the jurisdiction of the Local Educational Agency (LEA), this progress report survey does not need to be completed.**

Each LEA with jurisdiction over eligible school site(s) shall complete one survey and submit it to the OPSC by April 29, 2005.

Please complete the following statements regarding the eligible school sites. Eligible schools meet the following criteria:

- A school identified by the California Department of Education (CDE) as schools ranked in deciles 1 to 3, inclusive on the 2003 Academic Performance Index (see the list of eligible schools on the CDE's Web site at [www.cde.ca.gov](http://www.cde.ca.gov)); and
- A school newly constructed prior to January 1, 2000.

**Statement 1. The required assessments have been completed and submitted to the OPSC for the following number of schools:** \_\_\_\_\_

The following statements pertain to schools for which the assessments have not been completed and submitted to the OPSC:

**Statement 2. The LEA has designated individual(s) to perform the assessment(s) for the following number of schools:** \_\_\_\_\_

**Statement 3. Of the schools reported in Statement 2, the designated individual(s) began conducting the assessment(s) for the following number of schools:** \_\_\_\_\_

**Statement 4. Provide an estimated date for the submittal of the completed assessment(s) for all the schools under your jurisdiction:** \_\_\_\_\_

## ATTACHMENT D

### GENERAL INFORMATION

This Form is to be used to perform a one-time school site Needs Assessment for each eligible school as defined by Regulation Section 1859.311. Do not complete a Needs Assessment for any school that was newly constructed on or after January 1, 2000.

The Form shall be completed and submitted to the OPSC via the internet with a certification document which requires an original signature to be mailed to the OPSC. Both submittals must be received by the OPSC no later than January 1, 2006.

### SPECIFIC INSTRUCTIONS

#### Part I.

Needs Assessment Identification Number. This number is assigned to each school that is required to submit the School Facility Needs Assessment Report. The number is generated by the OPSC at the time of fund release and is automatically provided by the on-line program.

Section A. Complete the physical site address field. Indicate whether the site is owned or leased by the Local Educational Agency (LEA). For Special Education programs operated in multiple locations under a single County-District-School (CDS) code, indicate "multiple locations" in lieu of a physical site address.

Section B. Indicate the name and contact information for each person that participated in the completion of the assessment.

Section C. Complete this section as follows:

- a. No input required. Information in this field is automatically provided.
- b. Indicate the existing site size measured in Useable Acres as defined by School Facility Program Regulation Section 1859.2.
- c. No input required. Represents pupil density utilizing data from the fields above.
- d. Indicate if this site operates on a multitrack year-round calendar, and, if so, what type.
- e. Indicate what type of facility is used for pupil dining; do not include space also designated for classroom instruction.

#### Part II. Facility Inventory

List each building separately. Use the "Add Building" button to enter information for additional buildings on site.

- a. Enter the building identification (a number, letter or name) as indicated on the site map to be submitted to the OPSC with the certification page of the Form. The building identification must be unique and cannot be used to identify another building on the same site. Include all buildings on the site that house pupils and staff as part of the regular school curriculum.
- b. Indicate whether the building is owned or leased by the LEA.
- c. Indicate whether the building is of permanent or portable construction. For a definition of portable classroom please refer to Education Code Section 17070.15(j).
- d. Indicate the total enclosed square footage of the building. For multilevel buildings, include the square footage at each level.

- e. Indicate the year of original construction. For purposes of this program, the year of construction shall be considered the date the Notice of Completion was filed with the county recorder, if available. If the date of the Notice of Completion is not available, the LEA may use the year of occupancy as evidenced by historical record.
- f. Indicate the year of the last building modernization project regardless of the modernization project funding source. For purposes of the assessment, modernization means any improvements made to extend the useful life, or to enhance the physical environment of the building. If the building has not been modernized, leave the box blank.
- g. Indicate whether the modernization project was funded with State bond funds (partially or entirely), under the provisions of the Lease-Purchase Program (Leroy F. Greene State School Building Lease-Purchase Law of 1976) or School Facility Program (Leroy F. Greene School Facilities Act of 1998).
- h. Select the type of facility from the drop-down menu provided. If there is more than one type of facility housed in the same building, click the "Add Facilities to Building" button and select from the new drop-down menu.
- i. When indicating "Classrooms" (i), enter the number of classrooms by grade level. For purposes of the assessment, a classroom means a teaching station that was constructed or reconstructed to serve as an area in which to provide pupil instruction including, but not limited to, standard classrooms, industrial arts/art rooms, business educational labs, science labs, homemaking labs, special education classrooms, and music classrooms.

Upon completion of (a) through (i), the on-line system will provide a summary of the following elements:

- The age and number of portable classrooms at the school.
- The pupil capacity of the site measured by multiplying the number of classrooms by the appropriate State loading standard.

### **Part III. Useful Life of Major Building Systems**

Use this section to identify useful life remaining of all major building systems for each building identified in Part II of the Form.

- a. Select from the drop-down box the building inspected. Use "campus-wide" in lieu of a particular building identification for systems that encompass the entire campus. Identify more than one building if necessary for systems that are present throughout multiple buildings on campus. Use the individual building identification for each building that contains a unique building system.
- b. Select from the drop-down box the type of building system inspected.
- c. Select from the drop-down box the type of a sub-system inspected.
- d. Select from the drop-down box the appropriate element or material inspected. If there is no applicable selection listed in the drop-down box, use the option "other."
- e. Enter the number of years representing the useful life remaining of each component. Use zero to indicate whether the component is at the end or past its expected useful life.

### **Part IV. Five-Year Costs to Maintain Functionality**

**Part A.** Complete this section by estimating the costs for each of the five years to maintain functionality of each building to provide a healthy, safe, and suitable learning environment. When choosing the building from the "Cost Estimate for Building" drop down menu, the "Campus-Wide" option should only be utilized when a single building component is located throughout the entire campus.

For purposes of this section, accessibility includes any needed work to provide for proper accessibility to all instructional spaces including paving and other maintenance of all areas immediately surrounding the building entrance.

**Part B.** This is a summary page generated from the detailed listing of five-year maintenance costs identified in Part A. No manual input is necessary.

### **Part V. Necessary Repairs**

Use this form to identify the necessary repairs at the school site including any health and safety items. Use the "Add New Item" button to add as many repair items as necessary. Use the drop down box to select the building identification for a location of the repair. Use more than one building identification if the project encompasses more than one building. Use the drop down box to select from the type of building components (the list of items identified in Part IV) or use the option "other" to identify the repair.

Repair cost estimates should include all related project costs. The dollar values assigned to the costs of the repairs are to be included in the district's first year cost estimate to maintain functionality of the facilities in Part IV of the Form.

### **Part VI. Certification**

Complete, print, and sign the certification portion of the Form. Mail the completed certification to the OPSC at the following address:

Office of Public School Construction  
1130 K Street, Suite 400  
Sacramento, CA 95814

Attach a site diagram of the school which must identify all buildings on the site on paper not to exceed 11" x 17". For Special Education programs operated in multiple locations under a single CDS code, provide a summary of all buildings identified in the assessment with corresponding physical addresses for all buildings as well as the CDS codes of the school sites on which the Special Education buildings are located, if applicable.



**SCHOOL FACILITIES NEEDS ASSESSMENT REPORT**

SCHOOL FACILITIES NEEDS ASSESSMENT GRANT PROGRAM  
SAB 61-01 (NEW 01/05)

**Part II - Facility Inventory**

a. Building ID	b. Leased/Owned*	c. Construction Type*	d. Bldg Square Footage	e. Year of Construction	f. Year of Modernization	g. State Funded Modernization	h. Facility Type**	i. Number of Classrooms				
								K-6	7-8	9-12	Non-Severe	Severe
A	Owned	Permanent	25,000	1956	1986	Yes	Classrooms		5	15		
							Library					
							Nurse's Office					
B	Owned	Permanent	40,000	1956	1986	Yes	Classrooms			10		
							Multi-purpose					
							Counselling					
C	Owned	Permanent	30,000	1956	N/A	N/A	Admin					
							Classrooms		7			
D	Leased	Portable	1,920	1989	N/A	N/A	Classrooms				2	
E	Owned	Permanent	20,000	1980	N/A	N/A	Gym					

\*a drop-down box will be provided for each category with available selections.

EXAMPLE

\*\*A drop-down box will be provided for each building to include as many types of facilities as needed, to accommodate buildings that contain more than one type of facility (classrooms and a library in one building, for example)

**Add Building**

**Add Facility to Building**

Portable Classrooms Summary	
Age	Number
15	2
<b>TOTAL</b>	<b>2</b>

Pupil Capacity	K-6	7-8	9-12	Non-Severe	Severe
		0	324	675	26
<b>TOTAL</b>	<b>1025</b>				

**SCHOOL FACILITIES NEEDS ASSESSMENT REPORT**

SCHOOL FACILITIES NEEDS ASSESSMENT GRANT PROGRAM

SAB 61-01 (NEW 01/05)

**Part III - Useful Life of Major Building Systems**

*(Refer to the Attachment for list of systems to be evaluated)*

a. Building	b. Building System*	c. Sub-System*	d. Elements/ Materials**	e. Useful Life Remaining (years)
A	Structural	Foundation	Concrete	0
A	Roofing	Roofing	Single-Ply	0
A	Interior Systems	Flooring	Sheet Vinyl	0
A	Mechanical	HVAC	Central Type (Central Boiler - Hydronic Heating/Cooling Tower)	2
A, B, C, E	Plumbing	Waste Piping	Cast Iron	1
A	Electrical	Building Transformer	Dry Type	2
A	Fire & Life Safety	Auto. Sprinkler System	Other	3
Campus-Wide	Structural	Roof Framing	Wood	12
B	Mechanical	HVAC	Split System	8

*\*The inspector will be able to select from the list of appropriate systems .*

*\*The inspector will be able to select from the list of appropriate sub-systems.*

*\*\*The inspector will be able to select from the list of appropriate elements or materials and/or use the option "other" if a specific element or material is not available in the drop-down box.*

**Add an Item**

EXAMPLE

**Part IV - Five-Year Costs to Maintain Functionality****A. Cost Detail**

COST ESTIMATE FOR BUILDING

*(A drop down box will be provided with the selection of buildings identified in Part II.)*

Building Component	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	Total Estimate
Roofing						\$ -
Framing						\$ -
Flooring						\$ -
Siding						\$ -
Windows						\$ -
Doors						\$ -
Painting						\$ -
Potable/Drinking Water						\$ -
Sewer						\$ -
Gas						\$ -
Lighting						\$ -
Electrical Power						\$ -
HVAC/HV						\$ -
Fire & Life Safety						\$ -
Security						\$ -
Accessibility						\$ -
Playground & Field Areas						\$ -
Other						\$ -
<b>Total Cost Estimate</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Summary

*The cost estimate information will be automatically compiled and summarized in Part IV -B.***B. Cost Summary**

BUILDING	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	TOTAL
	\$	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$	\$
<b>TOTAL</b>	\$	\$	\$	\$	\$	\$

*The building description in Part II, Facility Inventory, provides the detail on facilities housed in each building, such as classrooms, admin. space, etc. The data assembled in the OPSC internal database may be queried to generate cost information for certain facility types, such as classrooms.*

**SCHOOL FACILITIES NEEDS ASSESSMENT REPORT**

SCHOOL FACILITIES NEEDS ASSESSMENT GRANT PROGRAM

SAB 61-01 (NEW 01/05)

**Part V - Necessary Repairs**

Repair Item Number	Building Component	Location*	Description of the Deficiency	Description of the Repair	Estimate of the Repair
1	Interior Construction	Building A	Broken glass windows	Install new window	\$ 1,480.00
2	Roofing	Campus-wide	Extensive areas of missing tiles	Install missing tiles where needed	\$ 5,800.00
3	Plumbing system	Bulding G	Cracked and leaky toilet	Replace existing toilet	\$ 450.00
<b>TOTAL</b>					<b>\$ 7,730.00</b>

*\*A drop-down box will be provided to select from the list of building components.*

*\*A drop-down box will be provided to select from the list of buildings identified in Part II.*

**Add New Item**

EXAMPLE

**SCHOOL FACILITIES NEEDS ASSESSMENT REPORT**

SCHOOL FACILITIES NEEDS ASSESSMENT GRANT PROGRAM

SAB 61-01 (NEW 01/05)

**Part VI - Certification**

Needs Assessment Identification Number

LEA:	COUNTY:
SCHOOL NAME:	CDS CODE:
PHYSICAL SCHOOL ADDRESS:	

PLEASE SUBMIT A SITE DIAGRAM IDENTIFYING ALL BUILDINGS ON THE SITE.

I certify, as the LEA Representative, that the information reported on this form is true and correct and that:

- I am designated as an authorized LEA Representative by the governing board of the LEA or the designee of the Superintendent of Public Instruction;
- The information reported in Part III, IV, V was provided by individual(s) and/or entities which have demonstrated to me that he/she/they/its employees possess(es) the necessary qualifications as specified in the Regulation Section 1859.314.

SIGNATURE

DATE

LEA Representative Contact Information:

NAME:	TITLE:
REPRESENTATIVE OF:	
PHONE NUMBER:	E-MAIL ADDRESS:
MAILING ADDRESS:	

SAVE

EDIT

PRINT REPORT

SUBMIT

PRINT CERTIFICATION

Printed on \_\_\_\_\_

Submitted on \_\_\_\_\_

**DRAFT**

**ATTACHMENT E  
SCHOOL FACILITIES NEEDS ASSESSMENT REPORT**

**MAJOR BUILDING SYSTEMS AVAILABLE IN A WEB-BASED NEEDS ASSESSMENT**

Form SAB 61-01, School Facilities Needs Assessment Grant Program  
Section III. Useful Life of Major Building Systems.

*The following table summarizes the types of building systems, sub-systems and corresponding elements and materials that will be available to select in Part III of the web-based Form SAB 61-01. The inspector(s) will be required to estimate useful life remaining of all the components identified in the table below.*

<b>Building System</b>	<b>Sub-System</b>	<b>Elements/Materials</b>
Structural	Foundation	Concrete
		Other
	Wall Framing	Wood
		Other
	Floor Framing	Wood
		Other
	Roof Framing	Wood
		Other
Roofing	Roofing	Built-Up Roofing
		Roll Roofing
		Single-Ply Roofing
		Elastomeric Roofing
		Composition Shingles Roofing
		Sheet Metal Roofing
		Foam Roofing
		Tile Roofing
	Other	
	Flashing & Sheet Metal	Gutters
		Downspouts
		Expansion Joints
		Other
	Exterior Envelope	Siding
Hardboard Siding		
Wood Board Siding		
Lath & Plaster		
Other		
Exterior Doors		Doors
		Frames
		Hardware
		Other
Windows		Frames
		Glass & Glazing
		Other
Soffits & Overhangs		

Building System	Sub-System	Elements/Materials
Interior Systems	Wall Finishes	Painted Gypsum Wallboard
		Ceramic Tile
		Paneling
		Tackable Wall Panels
		Other
	Flooring	Carpet
		VCT
		Sheet Vinyl
		Wood
		Tile
		Other
	Ceilings	Lay-in Acoustical Tile
		Glue-on Acoustical
		Painted Gypsum Wallboard
		Other
	Interior Doors	Doors
Frames		
Hardware		
Other		
Plumbing	Plumbing Fixtures	
	Water Piping	Galvanized Steel Pipe
		Copper pipe
		Other
	Waste Piping	Cast Iron
		Other
	Water Heater	Gas Fired Water Heater
		Electric Water Heater
		Other
	Gas Piping	Black Steel
		Other
Electrical Equipment	Lighting	Fixtures
		Flood Lighting
		Other
		Bus Duct
	Power	Switchboards
		Panels and Breakers
		Bus Duct
		Capacitor
		Switch Units
		Other
	Building Transformer	Dry Type
		Other
	Low Voltage Systems	Telephone
		Data
		CCTV
Public Address System		
Security System		
Other		

Building System	Sub-System	Elements/Materials
Mechanical	Heating Ventilation and Air Conditioning (HVAC)	Central Type (Central Boiler - Hydronic Heating / Cooling Tower)
		Central Type (Central Boiler - Hydronic Heating/ DX Cooling)
		Multi Zone package roof top unit (Gas Heat/ DX Cool)
		Multi Zone package roof top unit (Electric Heat/ DX Cool)
		Single Zone package roof top unit (Gas Heat/ DX Cool)
		Single Zone package roof top unit (Electric Heat/ DX Cool)
		Split system (Furnace heat/ Condensing unit cool)
		Other
	Heating and Ventilation (HV)	Central Boiler Hydronic Heating with unit heaters
		Central Boiler Hydronic Heating with radiant under floor piping
		Furnace (gas fired)
		Unit Heaters – Electrical
		Unit Heaters - Gas
		Other
	Ventilation & Exhaust System	Exhaust fans
Kitchen Hood and Exhaust Systems		
Other		
Conveying Systems	Elevators	
	Chair Lifts	
	Other	
Fire & Life Safety	Automatic Fire Sprinkler Systems	Wet Type
		Dry Type
		Other
		None
	Fire Pumps	Diesel Generator
		Other
	Fire Alarm System	Manual
		Automatic
		None



LOCAL EDUCATIONAL AGENCY (LEA)		FIVE-DIGIT DISTRICT CODE NUMBER
BUSINESS ADDRESS		COUNTY
PREPARER'S NAME (TYPED)	PREPARER'S TITLE (TYPED)	TELEPHONE NUMBER/E-MAIL ADDRESS
LEA REPRESENTATIVE'S NAME (TYPED)	LEA REPRESENTATIVE'S TITLE (TYPED)	TELEPHONE NUMBER/E-MAIL ADDRESS

**INSTRUCTIONS**

Refer to Title 2, California Code of Regulation Sections 1859.300 through 1859.318

	AMOUNT
<b>1. State Funds</b> Enter the total amount of State apportionments received pursuant to Section 1859.312 for all eligible school sites.	\$
<b>2. Interest Earned</b> Enter the amount of interest earned on State funds for all eligible school sites.	\$
<b>3. Expenditure for Performing Needs Assessment</b> Enter the total amount of State funds spent to complete the Form SAB 61-01 for all eligible school sites. Provide a listing of expenditures on page 2 of this form.	\$
<b>4. Expenditures for Repairs Identified on Needs Assessment</b> Enter the total amount of State funds spent for repairs identified in Part V of the Form SAB 61-01. Provide a listing of each expenditure on page 2 of this form.	\$
<b>5. Remaining Funds</b>	\$

This form is due by September 1, 2006. Additional information may be requested to complete the audit.

Submit completed form to:  
**Department of General Services**  
**Office of Public School Construction**  
**Attn: Needs Assessment Audits**  
**1130 K Street, Suite 400**  
**Sacramento, CA 95814-2928**

**CERTIFICATION**

I certify, as the LEA Representative, that the information reported on this form is true and correct and that:

- I am designated as an authorized LEA representative by the governing board of the LEA; and,
- Under penalty of perjury, under the laws of the State of California, the foregoing statements are true and correct, and that the Public Contract Code was adhered to in the use of these grant funds; and,
- This form is an exact duplicate (verbatim) of the form provided by the Office of Public School Construction. In the event a conflict should exist, then the language in the OPSC form will prevail.

SIGNATURE OF LEA REPRESENTATIVE	DATE
---------------------------------	------

LOCAL EDUCATIONAL AGENCY (LEA)

COUNTY

**LEA NEEDS ASSESSMENT EXPENDITURES**

Enter the Date, the Payee, the Amount and Description/Purpose.

DATE	PAYEE	AMOUNT	DESCRIPTION/PURPOSE
<b>TOTAL</b>			

**LEA NEEDS ASSESSMENT REPAIR EXPENDITURES**

Enter the Date, the Needs Assessment ID Number, the Repair Number, the Amount Paid and Description/Purpose of the repair.

DATE	NEEDS ASSESSMENT ID NO.	REPAIR NO.	AMOUNT PAID	DESCRIPTION/PURPOSE
<b>TOTAL</b>				

# APPLICATION FOR REIMBURSEMENT AND EXPENDITURE REPORT

## EMERGENCY REPAIR PROGRAM

### GENERAL INFORMATION

An Local Educational Agency (LEA) may use this form to apply for reimbursement of Emergency Facilities Needs repairs under the Emergency Repair Program (ERP) at eligible school sites as defined by Section 1859.321. For purposes of this apportionment the following documentation must be submitted with this form:

#### Part A

- Documentation substantiating the health and safety threat, which may include but is not limited to the following:
  - Photos showing the condition of the project prior to the repair work being performed
  - Copy of the Interim Evaluation Instrument (IEI) identifying the health and safety hazard
  - Copies of complaints made by parents, students, or staff referencing the problem
- A cost comparison prepared pursuant to Section 1859.323 (if applicable).
- Division of the State Architect (DSA) approved specifications and plans (if applicable). The plans must clearly delineate the scope of eligible ERP work in the project.

#### Part B

- Copy of all construction contracts and schedule of values
- Copy of all change orders (if applicable)
- Copy of all purchase orders or purchase agreements (if applicable)
- Copy of architect agreement and schedule of fees

The closeout audit will be performed after the final apportionment is made by the Board in accordance with Regulation Section 1859.326. For audit purposes, additional documentation may be requested at a later date.

### SPECIFIC INSTRUCTIONS

#### Part A. Project Information

##### 1. Type of Health and Safety Project

Check the appropriate box to indicate if the LEA had to repair or replace the building system or component to mitigate the health and/or safety threat. The LEA may only check replacement if the project meets the requirements of Section 1859.323.1.

##### 2. Type of Project

Check the box indicating the type of building system or structural component the application is addressing. The LEA may check only one building system or structural component project per application. Multiple applications may be submitted per school site.

##### 3. Type of Facility

Check the box(es) that identify the location(s) where the repair work was performed.

##### 4. School Construction Date

Indicate the year of construction for the original buildings on campus.  
NOTE: The LEA may not submit a Form SAB 61-03 for a school site which was newly constructed on or after January 1, 2000.

##### 5. Statement of Condition

Provide a concise statement of the conditions that posed a threat to the health and safety of the students and staff at the school site.

##### 6. Description of Work/Scope of Project

Provide a detailed narrative of the repairs that were required to mitigate the threat to the health and safety of students and staff as defined by Sections 1859.323 and 1859.323.1.

##### 7. Project Costs

Provide a breakdown of eligible project cost information based on the LEAs actual expenditures. The total should match the total amount of expenditures listed in Part B of the form. This must include only costs directly related to and necessary for the eligible project as defined by Sections 1859.323 and 1859.323.1.

#### Part B. Expenditure Report

List the total expenditures for the project.

##### 1. Planning

- **School Site:** enter the school site.
- **LEA:** enter the LEA.
- **County:** enter the county.
- **Application Number:** enter the application number.
- **Date:** enter the date.
- **Payee:** enter the payee.
- **Warrant Number:** enter the warrant number.
- **Architect/Engineering Fees:** enter the fees as negotiated in the architect's agreement to design and engineer the construction project.
- **DSA Fees:** enter the fees as determined by the DSA as required by law.
- **Inspections:** enter the amount paid for inspection services provided.
- **Other Costs:** enter any other planning costs.
- **Description/Purpose:** enter the description/purpose.

##### 2. Construction

- **School Site:** enter the school site.
- **LEA:** enter the LEA.
- **County:** enter the county.
- **Application Number:** enter the application number.
- **Date:** enter the date.
- **Payee:** enter the payee.
- **Warrant Number:** enter the warrant number.
- **Main Construction:** enter the amount paid to the main building contractor.
- **Construction Management:** enter the amount paid to the construction manager of the project to supervise the building construction.
- **Demolition:** enter any costs associated with the demolition of existing buildings in preparation for construction.
- **Other Construction:** enter any construction costs not included in the main construction contract.
- **Interim Housing:** enter the amount paid for interim housing units to house students during building modernization.
- **Hazardous Waste Removal:** enter the costs to remove hazardous material from the school site including Department of Toxic Substances Control (DTSC) fees, California Department of Education (CDE) fees, preliminary endangerment assessment costs, phase one environmental site assessment costs, and the response/removal action plan costs as required by DTSC.
- **Description/Purpose:** enter the description/purpose.

#### Certifications

The LEA representative must complete this section.

**APPLICATION FOR REIMBURSEMENT AND EXPENDITURE REPORT  
EMERGENCY REPAIR PROGRAM**

SAB 61-03 (NEW 01/05)

LOCAL EDUCATIONAL AGENCY (LEA)	APPLICATION NUMBER
SCHOOL NAME	FIVE-DIGIT CODE (SEE CALIFORNIA PUBLIC SCHOOL DIRECTORY)
COUNTY	SEVEN-DIGIT CODE (SEE CALIFORNIA PUBLIC SCHOOL DIRECTORY)

**Part A. Project Information**

**1. Type of Health and Safety Project (check one)**

- Repair
- Replacement

**2. Type of Project (check one)**

- Sewer
- Gas
- Water
- Electrical
- HVAC
- Fire/Life Safety
- Other \_\_\_\_\_

**3. Type of Facility (check all that apply)**

- Classrooms/Instructional
- Dining Space
- Counseling Area
- Library
- Administrative Space
- Gymnasium
- Multi-Purpose
- Accessibility
- Restrooms
- Subsidiary Facilities

**4. School Construction Date**

Year of original construction: \_\_\_\_\_

**5. Statement of Condition**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**6. Description of Work/Scope of Project**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**7. Project Costs**

- I. Planning Cost: \$ \_\_\_\_\_
- II. Repair/Replacement Cost: \$ \_\_\_\_\_
- III. Testing: \$ \_\_\_\_\_
- IV. Inspection: \$ \_\_\_\_\_
- IV. Total Project Reimbursement: \$ \_\_\_\_\_





**APPLICATION FOR REIMBURSEMENT AND EXPENDITURE REPORT  
EMERGENCY REPAIR PROGRAM**

**Certifications**

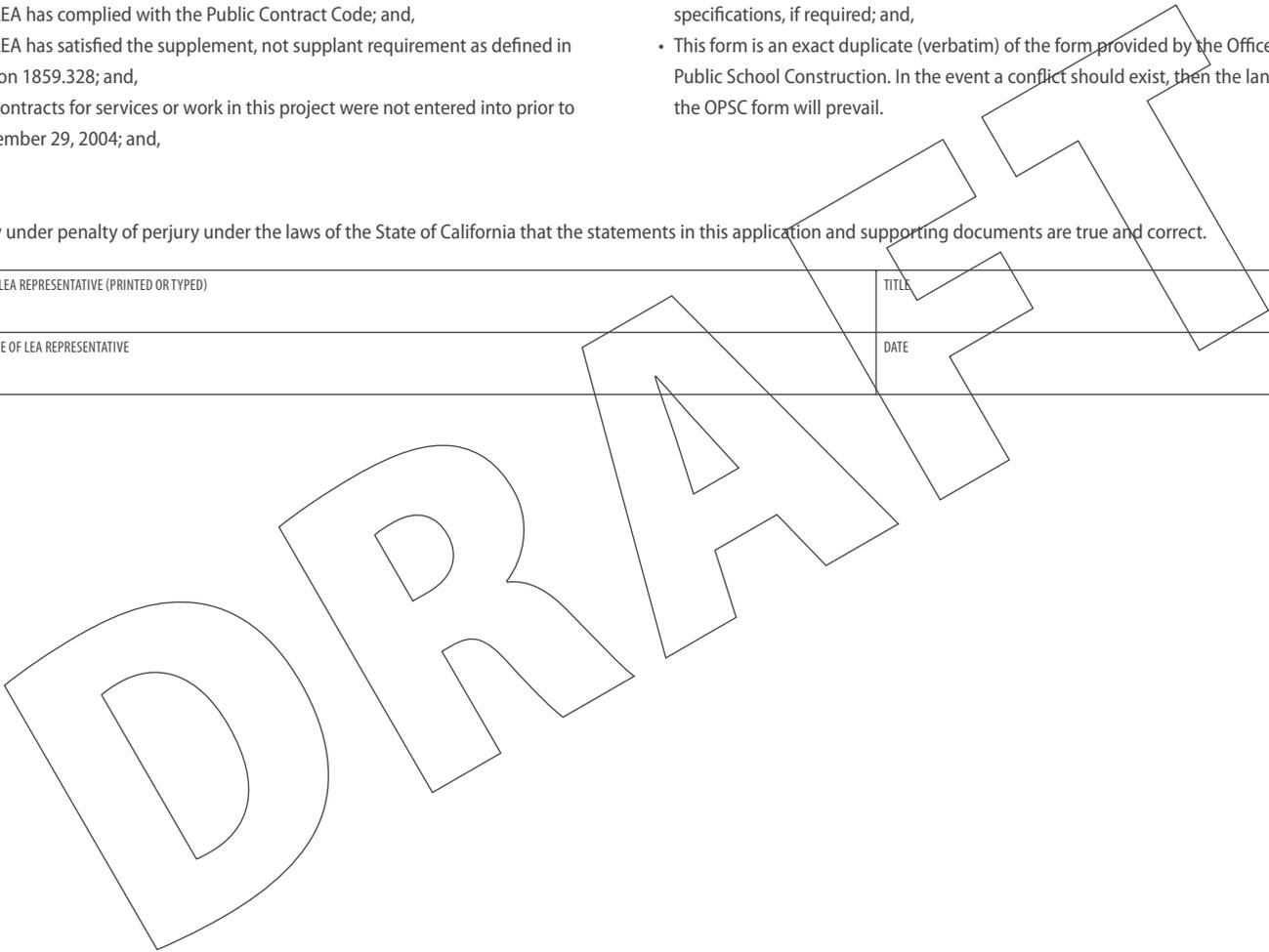
I certify, as the LEA Representative, that the information reported on this form is true and correct and that:

- I am designated as an authorized representative by the governing board of the LEA; and,
- The repairs in this project were necessary to mitigate conditions that posed a threat to the health and safety of pupils or staff while at school; and,
- The LEA has complied with all laws pertaining to the repair of its school facilities;
- The LEA has complied with the Public Contract Code; and,
- The LEA has satisfied the supplement, not supplant requirement as defined in Section 1859.328; and,
- The contracts for services or work in this project were not entered into prior to September 29, 2004; and,

- The LEA understands that expenditures occurring after the submittal of this application are ineligible for reimbursement; and,
- The grant amount provided by the SAB shall be deemed full and final apportionment; and,
- The LEA understands that some or all of the ERP funding for the project may be returned to the SAB as a result of an Audit pursuant to Regulation Section 1859.326;
- The LEA has obtained the Division of State Architect's approval of the plans and specifications, if required; and,
- This form is an exact duplicate (verbatim) of the form provided by the Office of Public School Construction. In the event a conflict should exist, then the language in the OPSC form will prevail.

I certify under penalty of perjury under the laws of the State of California that the statements in this application and supporting documents are true and correct.

NAME OF LEA REPRESENTATIVE (PRINTED OR TYPED)	TITLE
SIGNATURE OF LEA REPRESENTATIVE	DATE



STATE ALLOCATION BOARD  
IMPLEMENTATION COMMITTEE  
January 6, 2005

MODIFICATIONS TO THE SCHOOL FACILITY PROGRAM AND DEFERRED MAINTENANCE  
PROGRAM AS A RESULT OF THE WILLIAMS SETTLEMENT

PURPOSE

To present the proposed regulation amendments to the School Facility Program (SFP) and the Deferred Maintenance Program (DMP) in order to implement the Williams Settlement.

BACKGROUND

Senate Bill (SB) 6, Chapter 899, Statutes of 2004 (Alpert) and SB 550, Chapter 900, Statutes of 2004 (Vasconcellos) were created as a part of the settlement agreement in the case of *Williams v. State of California*.

DISCUSSION

The Emergency Repair Program (ERP) was created through the passage of SB 6 and provides up to \$800 million for the program over several years. This program provides reimbursement of eligible costs, to qualifying school districts, for emergency repairs to mitigate specific conditions at facilities that pose a threat to the health and safety of pupils and staff. Through implementing SB 6 it was brought to our attention that the financial hardship districts under the SFP may be affected. Therefore, SFP Regulation Section 1859.81(a) *Financial Hardship* has been revised (see Attachment A) to accommodate financial hardship districts when applying for ERP funding.

SB 550 requires the Office of Public School Construction (OPSC) to define "good repair" by developing the Interim Evaluation Instrument. In addition, school districts are required to establish a school facilities inspection system as a condition of participation in the SFP and the DMP, pursuant to Education Code Section 17070.75(e) after July 1, 2005. The purpose of the inspection system is to ensure that schools are kept in good repair. To meet this requirement, school districts will be required to certify that an inspection system has been established. The OPSC has included a certification to the following forms (see Attachment B):

- *Application for Funding*, (Form SAB 50-04)
- *Application for Joint-Use Funding*, (Form SAB 50-07)
- *Application for Charter School Preliminary Apportionment*, (Form SAB 50-09)
- *Deferred Maintenance Five Year Plan*, (Form SAB 40-20)

RECOMMENDATIONS

Present the proposed regulations amendments to the State Allocation Board as shown on the attachments.

ATTACHMENT A  
PROPOSED AMENDMENTS TO THE  
SCHOOL FACILITY PROGRAM REGULATIONS

Section 1859.81. Financial Hardship.

Except for Joint-Use Projects, a district is eligible for financial hardship to fund all or a portion of its matching share requirement after demonstrating both of the following:

- (a) The district is financially unable to provide all necessary matching funds for an eligible project. To determine this, an analysis shall be made of the district's financial records by the OPSC including data and records maintained by the CDE and the County Office of Education. The analysis shall consist of a review of the district's latest Independent Audit regarding funds available from all capital facility accounts, including, but not limited to, developer fees, funds generated from capital facility certificates of participation, federal grants, redevelopment funds, sale proceeds from surplus property, the appraised value of facilities approved for replacement pursuant to Section 1859.82, bond funds either encumbered, unencumbered or authorized but unsold, and savings from other SFP projects. All funds thus identified that have not been expended or encumbered by a contractual agreement for a specific capital outlay purpose prior to the initial request for financial hardship status shall be deemed available as a matching contribution.

After the initial request for financial hardship status is granted, no further encumbrances will be approved by the OPSC and all prospective revenue made available to the district's capital facility accounts shall be deemed available as matching contribution on the subsequent financial hardship review, with the exception of:

- (1) Approved interim housing expenditures.
- (2) Funding to pay for previously recognized multi-year encumbrances approved at the initial financial hardship approval.
- (3) Funding that is transferred into a Special Reserve Fund and is used for the express purpose of the Federal Renovation Program when the amount expended out of that fund does not exceed the maximum Federal Renovation Grant amount.
- (4) Funding that is transferred into a Special Reserve Fund and is used for the express purpose of the Emergency Repair Program when the amount expended out of that fund does not exceed the maximum Emergency Repair Grant amount.
- (45) All other capital facility funding for a period of three years when no subsequent financial hardship request is made during this period. The three-year period begins with the date of the most recent financial hardship new construction or modernization adjusted grant funding apportionment.

The financial hardship analysis is subject to approval by the Board.

- (b) From the funds deemed available as a matching contribution, the district may retain \$19,776 per classroom in each enrollment reporting period for the cost to provide interim housing for the currently unhoused pupils of the district. The amount shown shall be adjusted annually in the manner prescribed in Section 1859.71. The number of classrooms needed for interim housing for the currently unhoused pupils shall be the sum of the positive numbers determined in (b)(7) as follows:
  - (1) Determine the current enrollment of the district by grade level as shown on the latest Form SAB 50-01.
  - (2) Determine the New Construction Grants apportioned by grade level for all SFP projects and LPP funded under the provisions of Sections 1859.12 or 1859.13 where the district has submitted Form SAB 50-06 indicating that the project is 100 percent complete.
  - (3) Subtract (b)(2) from (b)(1).
  - (4) Determine the number of classrooms by grade level reported in Part 1, Line 8 on Form SAB 50-02.
  - (5) Multiply the classrooms determined in (b)(4) by 25 for K-6, 27 for 7-12, 13 for Non-Severe and 9 for Severe.
  - (6) Subtract the product determined in (b)(5) from the difference determined in (b)(3) by grade level.
  - (7) Divide the difference by grade level determined in (b)(6) by 25 for K-6, 27 for 7-12, 13 for Non-Severe and 9 for Severe and round up to the nearest whole number.

From the funds deemed available as a matching contribution, the district may also retain \$19,776 per portable toilet unit in each reporting period for the cost to provide necessary interim toilet facilities for the currently unhoused pupils

of the district. The amount shown shall be adjusted annually in the manner prescribed in Section 1859.71. The number of toilet facilities needed for interim housing shall be the sum of the positive numbers determined in (b)(7) divided by eight rounded up to the nearest whole number.

If the district's available funds, as determined by the OPSC analysis less costs for interim housing, is less than its matching share, the district will be deemed to have met the requirements of this Subsection.

- (c) The district has made all reasonable efforts to fund its matching share of the project by demonstrating it is levying the developer fee justified under law or an alternative revenue source equal to or greater than the developer fee otherwise justified under law at the time of request for hardship and the district meets at least one of the following:
- (1) The current outstanding bonded indebtedness of the district, at the time of request for financial hardship status, is at least 60 percent of the district's total bonding capacity. Outstanding bonded indebtedness includes that part of general obligation bonds, Mello-Roos Bonds, School Facility Improvement District Bonds and certificates of participation which the district is paying a debt service that was issued for capital outlay school facility purposes.
  - (2) The district had a successful registered voter bond election for at least the maximum amount allowed under Proposition 39 within the previous two years from the date of request for financial hardship status. The proceeds from the bond election that represent the maximum amount allowed under the provisions of Proposition 39 must be used to fund the district's matching share requirement for SFP project(s).
  - (3) It is a County Superintendent of Schools.
  - (4) The district's total bonding capacity at the time of the request for financial hardship status is \$5 million or less.
  - (5) Other evidence of reasonable effort as approved by the SAB.

If the district's request for financial hardship status is denied by the Board, the district may be deemed eligible for rental payments of \$2,000 per year per classroom under the Emergency School Classroom Law of 1979 for a two year period when relocatable classroom buildings are available and the district provides financial documentation that it is unable to afford the full rental amount and any other information satisfactory to the Board that the rental reduction is necessary. The number of classrooms eligible for the \$2,000 rental payments shall be the sum of the numbers determined in (c)(5)(B) as follows:

- (A) Determine the number of pupils by grade level that the district requested a New Construction Grant on the Form SAB 50-04 that were denied financial hardship status.
- (B) Divide the number by grade level determined in (c)(5)(A) by 25 for K-6, 27 for 7-12, 13 for Non-Severe and 9 for Severe and round up to the nearest whole number.

If the district meets the financial hardship requirements in this Section, the amount of financial hardship is equal to the district's matching share less funds deemed available in (a).

Once a district has been notified by the OPSC that it meets the requirements of financial hardship in this Section, the district may file Form SAB 50-04 under the provisions of financial hardship anytime within a period of 180 calendar days from the date of the OPSC notification.

If the district does not submit Form SAB 50-04 under the provisions of financial hardship within 180 calendar days of the OPSC notification of approval of financial hardship status, the district must re-qualify for financial hardship status under the provisions of this Section by submittal of a new request for financial hardship status.

If the district submits Form SAB 50-04 within 180 calendar days of the OPSC notification of approval of financial hardship and the project(s) has been included on an unfunded list for more than 180 calendar days, a review of the district's funds pursuant to (a) will be made to determine if additional district funds are available to fund the district's matching share of the project(s).

Financial hardship approval status by the OPSC for a separate design and/or site apportionment does not apply to any subsequent funding for the project(s).

Note: Authority cited: Sections 17070.35, ~~and~~ 17075.15, and 17592.73 Education Code.

Reference: Sections 17075.10 and 17075.15, Education Code.

Insert  
Attachments B1 - B4  
Here

**GENERAL INFORMATION**

Once the Board has determined or adjusted the district's eligibility for either new construction or modernization funding, on Form SAB 50-03 the district may file an application for funding by use of this form. The Board will only provide new construction funding if this form is submitted prior to the date of occupancy of any classrooms included in the construction contract. If the district has a pending reorganization election that will result in the loss of eligibility for the proposed project, the district may not file an application for funding until the Board has adjusted the district's new construction baseline eligibility as required in Section 1859.51. This may be accomplished by completion of Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03.

For purposes of Education Code Section 17073.25, the California Department of Education (CDE) is permitted to file modernization applications on behalf of the California Schools for the Deaf and Blind.

Requests for funding may be made as follows:

A separate apportionment for site acquisition for a new construction project for environmental hardship pursuant to Section 1859.75.1. For purposes of this apportionment, the following documents must be submitted with this form (as appropriate):

- Form 50-01, Form SAB 50-02 and Form SAB 50-03 (if not previously submitted).
- Contingent site approval letter from the CDE.
- Preliminary appraisal of property.
- Approval letter from the Department of Toxic Substances Control.

A separate apportionment for site acquisition and/or design costs for a new construction project pursuant to Section 1859.81.1. This apportionment is available only to districts that meet the financial hardship criteria in Section 1859.81. Districts may apply for a separate apportionment for the design and for site acquisition on the same project. For purposes of this apportionment, the following documents must be submitted with this form (as appropriate):

- Form SAB 50-01, Form SAB 50-02, and Form SAB 50-03 (if not previously submitted).
- Contingent site approval letter from the CDE (site apportionment only).
- Preliminary appraisal of property (site apportionment only).

A separate apportionment for district-owned site acquisition cost pursuant to Section 1859.81.2. For purposes of this apportionment, the following documents must be submitted with this form (as appropriate):

- Form SAB 50-01, Form 50-02, and Form SAB 50-03 (if not previously submitted).
- Site approval letter from the CDE.
- Appraisal of district-owned site.
- Cost benefit analysis as prescribed in Section 1859.74.6 or a copy of the Board finding that the non-school function on the district-owned site must be relocated.

A separate apportionment for design cost for a modernization project pursuant to Section 1859.81.1. This apportionment is available only to districts that meet the financial hardship criteria in Section 1859.81. For purposes of this apportionment, the Form SAB 50-03 must accompany this form (if not previously submitted).

A New Construction Adjusted Grant pursuant to Section 1859.70. If the funding request includes site acquisition, the proposed site must either be owned by the district, in escrow, or the district has filed condemnation proceedings and received an order of possession of the site. For purposes of this apportionment, the following documents must be submitted with this form (as appropriate):

- Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03 (if not previously submitted).
- Site/plan approval letter from the CDE.
- Appraisal of property if requesting site acquisition funds.
- Plans and specifications (P&S) for the project that were approved by the DSA. Submittal of plans may be on CD-ROM or "Zip Drive" readable in AutoCAD 14. The specifications may be provided on a diskette that is IBM compatible.
- Cost estimate of proposed site development, if requesting site development funding.
- If this request is pursuant to Section 1859.77.2 and the district's housing plan is other than those listed in the certification section of this form, a copy of the school board resolution and the approved housing plan.

- If the site apportionment is requested pursuant to Regulation Section 1859.74.5, a cost benefit analysis as prescribed in Regulation Section 1859.74.6 or a copy of the Board finding that the non-school function on the district-owned site must be relocated.

Modernization Adjusted Grant pursuant to Section 1859.70. For purposes of this apportionment, the following documents must be submitted with this form (as appropriate):

- Form SAB 50-03 (if not previously submitted).
- P&S for the project that were approved by the DSA.
- DSA approval letter for elevator to meet handicapped compliance, if funding is requested.
- Plan approval letter from the CDE.
- Districtwide enrollment data on Form SAB 50-01 when requesting project assistance (if not previously submitted).
- If the request includes funding for 50 year old permanent buildings pursuant to Section 1859.78.6, a site diagram identifying all buildings to be modernized in the project. The diagram must specify those buildings that are at least 50 years old.

Prior to acceptance of an application for funding that includes a financial hardship request, the district must have its financial hardship status "pre-approved" by the Office of Public School Construction (OPSC). To apply for a financial hardship "pre-approval", consult the OPSC Web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov).

If the district is requesting New Construction funding after the initial baseline eligibility was approved by the Board and the district's current CBEDS enrollment reporting year is later than the enrollment reporting year used to determine the district's baseline eligibility or adjusted eligibility, the district must complete a new Form SAB 50-01 based on the current year CBEDS enrollment data, and submit it to the OPSC with this form. A small district with 2,500 or less enrollment as defined in Section 1859.2 will not have its eligibility reduced for a period of three years from the date the district's baseline eligibility was approved by the Board as a result of reduction in projected enrollment.

For a list of the documents that must be submitted in order for the OPSC to deem a funding request for new construction or modernization complete and ready for OPSC processing, consult the OPSC Web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov).

For purposes of completing this form for a Final Charter School Apportionment, a charter school shall be treated as a school district.

**SPECIFIC INSTRUCTIONS**

The district must assign a Project Tracking Number (PTN) to this project. The same PTN is used by the OPSC, the DSA and the CDE for all project applications submitted to those agencies to track a particular project through the entire state application review process. If the district has already assigned a PTN to this project by prior submittal of the P&S to either the DSA or the CDE for approval, use that PTN for this application submittal. If no PTN has been previously assigned for this project, a PTN may be obtained from the OPSC Web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov) "PT Number Generator."

**1. Type of Application**

Check the appropriate box that indicates the type of School Facility Program (SFP) grant the district is requesting for purposes of new construction, modernization, a separate design and/or site apportionment, site apportionment as an environmental hardship or New Construction (Final Apportionment). If the application is for modernization of a California School for the Deaf or Blind, the CDE shall check the box identified as Modernization of California Schools for the Deaf/Blind. If the request is for a separate design apportionment, the CDE shall check the appropriate box. If the eligibility for this project was established as a result of the need for new or replacement facilities pursuant to Section 1859.82 (a) and (b), or rehabilitation pursuant to Section 1859.83 (e), check the appropriate box.

If this request is for an addition to an existing site and advance funding for the evaluation and RA costs, check the appropriate box and refer to Section 1859.74.4.

If this request is to convert a Preliminary Apportionment or a Preliminary Charter School Apportionment to a Final Apportionment, check the New Construction (Final Apportionment or Final Charter School Apportionment) box.

If the district is requesting a separate site and/or design apportionment, complete boxes 2a, 3, 4, the site acquisition data in box 5 (d and e), and boxes 12, 13, 14, 15 and 18 only.

## 2. Type of Project

- a. Select the type of project that best represents this application request and enter the number of pupils assigned to the project for each grade group. Include pupils to be housed in a new or replacement school authorized by Section 1859.82 (a). The amount entered cannot exceed the district's baseline eligibility determined on Form SAB 50-03 and will be the basis for the amount of the new construction or modernization grants provided for the project.

If this request is for a Final Apportionment, the pupils assigned to the project must be at least 75 percent, but not more than 100 percent, of the pupils that received the Preliminary Apportionment. Refer to Section 1859.147.

- b. Check the box if the project is eligible for funding for 50 year or older permanent buildings and report, at the option of the district:
- The total number of classrooms or the total square footage building area to be modernized as part of the project. Refer to Section 1859.78.6(b)(1)(A) or (b)(2)(A).
  - The total number of permanent classrooms or the total permanent square footage building area to be modernized as part of the project that is at least 50 years old. Refer to Section 1859.78.6(b)(1)(B) or (b)(2)(B).
- c. Indicate if this request is for funding of a 6–8 school.
- d. Check the box(es) if the district requests and the project qualifies for additional funding for fire code requirements authorized in Sections 1859.71.2 or 1859.78.4.
- e. Check the applicable box if the district is requesting additional pupil grants assigned to the project that exceed the capacity of the project or if the pupils assigned represent eligibility determined at another grade level and check the appropriate box to indicate under which regulation the district is applying. The pupil capacity of the project may be determined by multiplying the classrooms reported in box 3 by 25 for K–6; 27 for 7–8, 9–12 grades, 13 for non-severe and 9 for severe.
- f. If the request is for replacement facilities pursuant to Section 1859.82 (a) or (b) on the same site, check the facility hardship box.

## 3. Number of Classrooms

Enter the:

- Number of classrooms as shown on the plans and specifications (P&S). If there was demolition at the site, report the net increase in the number of classrooms showing in the P&S.
- Master plan site size, as recommended by the California Department of Education.
- Recommended site size, as determined by the California Department of Education.
- Existing Useable Acres already owned at that location (if any).
- Proposed Useable Acres that was/will be purchased as part of the application (if any).

## 4. Financial Hardship Request

Check the box if the district is requesting financial hardship assistance because it is unable to meet its matching share requirement. Refer to Section 1859.81 for eligibility criteria. Districts requesting financial assistance must have received a pre-approval for financial hardship status by the OPSC. Consult the OPSC Web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov) for details and necessary documentation needed in order to determine eligibility.

## 5. New Construction Additional Grant Request

Check the appropriate box(es) if the district requests an augmentation to the new construction grant for “additional” grants for the items listed or for replacement facilities

pursuant to Section 1859.82 (a) and (b). Refer to Sections 1859.72 through 1859.76 and 1859.82 (a) and (b) for eligibility criteria. Enter the:

- a. Therapy area in square feet as provided in Section 1859.72.
- b. Multilevel classrooms in the P&S pursuant to Section 1859.73.
- c. Check the box if the district is requesting project assistance pursuant to Section 1859.73.1. If the district has not submitted a request for new construction baseline eligibility on a district-wide basis, it must submit a current Form SAB 50-01 based on district-wide enrollment data with this form.
- d. Indicate the site scenario that best represents the project request. If no RA is required, refer to Section 1859.74. If a RA is required on a site that is not leased or an addition to an existing site, refer to Section 1859.74.2. If RAs are required on a leased site or an addition to an existing site, refer to Sections 1859.74.3 or 1859.74.4, respectively. The limitation of 50 percent may be exceeded when unforeseen circumstances exist, the CDE determines that the site is the best available site, and substantiation that the costs are the minimum required to complete the evaluation and RA.
  - (1) Enter 50 percent of the actual cost.
  - (2) Enter 50 percent of the appraised value of the site. If the request is made pursuant to Regulation Section 1859.74.5, enter 50 percent of the appraised value.
  - (3) Enter 50 percent of the allowable relocation cost.
  - (4) Enter two percent of the lesser of the actual cost or appraised value of the site (minimum \$25,000).
  - (5) Enter 50 percent of the Department of Toxic Substances Control (DTSC) fee for review and approval of the phase one environmental site assessment and preliminary endangerment assessment reports. Refer to Sections 1859.74, 1859.74.1, 1859.74.5, 1859.75, 1859.75.1 and 1859.81.1.

A project that received site acquisition funds under the Lease-Purchase Program (LPP) as a priority two project is not eligible for site acquisition funds under the SFP. A district-owned site acquired with LPP, SFP or Proposition 1A funds is not eligible for funding under Regulation Section 1859.74.5.
- e. Enter 50 percent of the amount allowable for hazardous materials/waste removal and/or remediation for the site acquired pursuant to Sections 1859.74.2, 1859.74.3, 1859.74.4, 1859.75.1 or 1859.81.1. If an RA is required, check the box.
- f. Enter 50 percent of eligible service-site development, off-site development including pedestrian safety paths and utilities costs allowed pursuant to Section 1859.76. Attach cost estimates of the proposed site development work which shall be supported and justified in the P&S. All cost estimates shall reflect 100 percent of the proposed work.
- g. If the district is requesting replacement facilities on the same site, enter the square footage requested as provided in Section 1859.82 (a) or (b).
- h. Enter the square feet of eligible replacement area as provided by Section 1859.73.2.
- i. If the district is requesting an Additional Grant for Energy Efficiency pursuant to Section 1859.71.3, enter the percentage of energy efficiency that exceeds Title 24 requirements as prescribed in Section 1859.71.3 (a)(3).

## 6. Modernization Additional Grant Request

- a. Check the box if the district is requesting project assistance allowance pursuant to Section 1859.78.2. If the district has not submitted a request for new construction baseline eligibility on a district-wide basis, it must submit a current Form SAB 50-01 based on district-wide enrollment data with this form.
- b. If the district is requesting an Additional Grant for Energy Efficiency pursuant to Section 1859.78.5, enter the percentage of energy efficiency that exceeds Title 24 requirements as prescribed in Section 1859.78.5 (a)(3).
- c. Check the box if the district requests an additional grant for site development utility cost necessary for the modernization of 50 years or older permanent building(s). Enter 60 percent of the eligible costs allowable pursuant to Section 1859.78.7(a).

**7. Excessive Cost Hardship Request**

Check the appropriate box to request an augmentation to the New Construction or Modernization Grants for an excessive cost hardship for the items listed. Refer to Section 1859.83 for eligibility criteria. Requests for excessive cost grants for a new two-stop elevator(s) and for additional stops in a modernization project are allowed only if required by the Division of the State Architect (DSA). Attach copy of the DSA letter that requires that the elevator(s) be included in the project for handicapped access compliance.

If the request is for rehabilitation mitigation, report 80 percent or 60 percent (as appropriate) of health/safety rehabilitation mitigation cost for a modernization project as authorized by Section 1859.83 (e).

**8. Project Priority Funding Order**

Enter the priority order of this project in relation to other new construction applications submitted by the district on the same date. If applications are not received on the same date, the OPSC will assign a higher district priority to the application received first. Check the box(es) if the project meets the criteria outlined in Section 1859.92(c)(3),(4) and (6), as appropriate. This information is needed for purposes of priority points.

**9. Prior Approval Under the LPP**

If the project the district is requesting SFP grants for received a Phase P, S, or C approval under the LPP, report the application number of that project, regardless if the project actually received funding or was included on an "unfunded" list. Failure to report this information may delay the processing of the application by the OPSC.

**10. Prior Apportionment Under the SFP**

If the project received a separate apportionment under the SFP for either site and/or design, or site environmental hardship, enter the application number of the project. Failure to report this information may delay the processing of the application by the OPSC.

**11. Preliminary Apportionment to a Final Apportionment**

If this request is to convert a Preliminary Apportionment to a Final Apportionment, enter the application number of the Preliminary Apportionment. Failure to report this information may delay the processing of the application by the OPSC.

**12. Alternative Developer Fee**

The district must report certain alternative fees collected pursuant to Government Code Section 65995.7, as of the date of application submittal to the OPSC. Refer to Section 1859.77 for details. Districts are advised that the OPSC may perform an audit of the developer fees collected prior to application approval by the Board.

**13. Adjustment to Baseline Eligibility**

Complete only for new construction projects.

Pursuant to Section 1859.51 certain adjustments to the district's new construction baseline eligibility must be made each time a district submits Form SAB 50-04, to the OPSC for SFP grants. These adjustments are made automatically by the OPSC based on information reported by the district on this form.

- Report all additional classroom(s) provided after the district submitted its request for determination of its new construction baseline eligibility for the grades shown. Refer to Section 1859.51.
- If the eligibility for this project was determined on a high school attendance area (HSAA) or Super HSAA pursuant to Section 1859.41, enter the number of pupils by grade level type that were included in the latest report by the CDE pursuant to Education Code Section 42268 that received operational grants in that HSAA or Super HSAA.

**14. Pending Reorganization Election**

Complete only for new construction projects. Indicate if there is a pending reorganization election that will result in a loss of eligibility for this project. If the answer is "yes", the district must complete Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03, to adjust the district's new construction baseline eligibility as a result of the reorganization and submit them with this form.

**15. Joint-Use Facility/Leased Property**

Check the box if:

- the facilities to be constructed/modernized as part of this project will be for joint use by other governmental agencies
- the new construction or modernization grants will be used for facilities located or to be located on leased property.

**16. Architect of Record or Licensed Architect Certification**

The architect of record or the licensed architect must complete this section.

**17. Architect of Record or Design Professional Certification**

The architect of record or the appropriate design professional must complete this section.

**18. Certification**

The district representative must complete this section.

The school district named below applies to the State Allocation Board via the Office of Public School Construction for a grant under the provisions of Chapter 12.5, Part 10, Division 1, commencing with Section 17070.10, et seq., of the Education Code and the Regulations thereto.

SCHOOL DISTRICT		APPLICATION NUMBER
SCHOOL NAME		PROJECT TRACKING NUMBER
COUNTY	DISTRICT REPRESENTATIVE'S E-MAIL ADDRESS	HIGH SCHOOL ATTENDANCE AREA (HSAA) OR SUPER HSAA (IF APPLICABLE)

**1. Type of Application—Check Only One**

- New Construction
- New Construction (Final Apportionment)
- New Construction (Final Charter School Apportionment)
- Modernization
- Modernization of California Schools for Deaf/Blind

**Separate Apportionment**

- Site Only—New Construction [Section 1859.81.1]
- Site Only (District owned)—New Construction [Section 1859.81.2]
- Site Only—Environmental Hardship [Section 1859.75.1]
- Design Only—New Construction [Section 1859.81.1]
- Design Only—Modernization
- Design Only—Modernization of California Schools for Deaf/Blind
- Facility Hardship [Section 1859.82(a)]
- Facility Hardship [Section 1859.82(b)]
- Rehabilitation [Section 1859.83(e)]
- Advance Funding for Evaluation and RA

**2. Type of Project**

- a.  Elementary School  
 Middle School  
 High School
- Pupils Assigned:**  
 K–6: \_\_\_\_\_  
 7–8: \_\_\_\_\_  
 9–12: \_\_\_\_\_  
 Non-Severe: \_\_\_\_\_  
 Severe: \_\_\_\_\_
- b.  50 years or older building funding (Modernization only)  
 Total Classrooms/Square Footage: \_\_\_\_\_  
 Classroom/Square Footage at least 50 years old: \_\_\_\_\_
- c. Is this a 6–8 school?  Yes  No  
 If you answered yes, how many K–6 pupils reported above are sixth graders? \_\_\_\_\_
- d.  Automatic Fire Detection/Alarm System  
 Automatic Sprinkler System
- e. Is this a use of grant request pursuant to Section 1859.77.2?  Yes  No  
 Is this request pursuant to Section 1859.77.2(c)?  Yes  No  
 If yes, enter date of successful bond election: \_\_\_\_\_  
 Is this a use of grant request pursuant to Section 1859.77.3?  Yes  No  
 Is this request pursuant to Section 1859.77.3(c)?  Yes  No  
 If yes, enter date of successful bond election: \_\_\_\_\_
- f.  Facility Hardship (no pupils assigned)

**3. Number of Classrooms:**

Master Plan Acreage Site Size (Useable): \_\_\_\_\_  
 Recommended Site Size (Useable): \_\_\_\_\_  
 Existing Acres (Useable): \_\_\_\_\_  
 Proposed Acres (Useable): \_\_\_\_\_

**4. Financial Hardship Request—Must Have Pre-Approval by QPSC**

**5. New Construction Additional Grant Request—New Construction Only**

- a. Therapy: \_\_\_\_\_  
 Toilets (sq. ft.) \_\_\_\_\_  
 Other (sq. ft.) \_\_\_\_\_
- b. Multilevel Construction (CRS): \_\_\_\_\_
- c.  Project Assistance
- d. Site Acquisition:  
 Leased Site  
 Additional Acreage to Existing Site  
 Addition to Existing Site
- (1) 50 percent Actual Cost: \$ \_\_\_\_\_  
 (2) 50 percent Appraised Value: \$ \_\_\_\_\_  
 (3) 50 percent Relocation Cost: \$ \_\_\_\_\_  
 (4) 2 percent (min. \$25,000): \$ \_\_\_\_\_  
 (5) 50 percent DTSC Fee: \$ \_\_\_\_\_
- e. 50 percent hazardous waste removal: \$ \_\_\_\_\_  
 Response Action (RA)
- f. Site Development  
 50 percent Service-Site: \$ \_\_\_\_\_  
 50 percent Off-Site: \$ \_\_\_\_\_  
 50 percent Utilities: \$ \_\_\_\_\_
- g. Facility Hardship Section 1859.82(a) or (b)  
 Toilet (sq. ft.): \_\_\_\_\_  
 Other (sq. ft.): \_\_\_\_\_
- h. Replacement area  
 Toilet (sq. ft.): \_\_\_\_\_  
 Other (sq. ft.): \_\_\_\_\_
- i.  Energy Efficiency: \_\_\_\_\_ %

**6. Modernization Additional Grant Request—Modernization Only**

- a.  Project Assistance
- b.  Energy Efficiency: \_\_\_\_\_ %
- c.  Site Development—60 percent utilities: \$ \_\_\_\_\_

**7. Excessive Cost Hardship Request**

- New Construction Only**
- Geographic Percent Factor: \_\_\_\_\_ %
- New School Project
- Small Size Project
- Urban/Security/Impacted Site;
- If a new site, \$ \_\_\_\_\_ per Useable Acre [Section 1859.83(d)(2)(C)]

**7. Excessive Cost Hardship Request—continued**

**Modernization Only**

- Rehabilitation/Mitigation [Section 1859.83(e)]: \$ \_\_\_\_\_
- Geographic Percent Factor: \_\_\_\_\_ %
- Handicapped Access/Fire Code (3 percent)
- Number of 2-Stop Elevators: \_\_\_\_\_
- Number of Additional Stops: \_\_\_\_\_
- Small Size Project
- Urban/Security/Impacted site

**8. Project Priority Funding Order—New Construction Only**

Priority order of this application in relation to other new construction applications submitted by the district at the same time: # \_\_\_\_\_

- Project meets:
- Density requirement pursuant to Section 1859.92(c)(3).
  - Stock plans requirement pursuant to Section 1859.92(c)(4).
  - Energy efficiency requirement pursuant to Section 1859.92(c)(6).

**9. Prior Approval Under the LPP**

New Construction: 22/ \_\_\_\_\_  
 Modernization: 77/ \_\_\_\_\_

**10. Prior Apportionment Under the SFP**

Site/Design—New Construction: 50/ \_\_\_\_\_  
 Design—Modernization: 57/ \_\_\_\_\_

**11. Preliminary Apportionment to Final Apportionment**

Preliminary Apportionment Application Number: # \_\_\_\_\_

**12. Alternative Developer Fee—New Construction Only**

Alternative developer fee collected and reportable pursuant to Regulation Section 1859.77: \$ \_\_\_\_\_

**13. Adjustment to Baseline Eligibility—New Construction Only**

- a. Additional Classroom(s) provided:
- K-6: \_\_\_\_\_
  - 7-8: \_\_\_\_\_
  - 9-12: \_\_\_\_\_
  - Non-Severe: \_\_\_\_\_
  - Severe: \_\_\_\_\_
- b. Operational Grant (HSAA) only:
- K-6: \_\_\_\_\_
  - 7-8: \_\_\_\_\_
  - 9-12: \_\_\_\_\_
  - Non-Severe: \_\_\_\_\_
  - Severe: \_\_\_\_\_

**14. Pending Reorganization Election—New Construction Only**  Yes  No

**15. Joint-Use Facility/Leased Property**

- a.  Joint-Use Facility
- b.  Leased Property

**16. Architect of Record or Licensed Architect Certification**

I certify as the architect of record for the project or as a licensed architect that:

- The P&S for this project were submitted to the OPSC by electronic medium (i.e., CD-ROM, zip disk or diskette) or as an alternative, if the request is for a modernization Grant, the P&S were submitted in hard copy to the OPSC.
- Any portion of the P&S requiring review and approval by the Division of the State Architect (DSA) were approved by the DSA on \_\_\_\_\_ (enter DSA approval date). (If the P&S were not approved by the DSA enter N/A.)
- Any portion of the P&S not requiring review and approval by the DSA meets the requirements of the California Code of Regulations, Title 24, including any handicapped access and fire code requirements.
- If the request is for a Modernization Grant, the P&S include the demolition of more classrooms than those to be constructed in the project, the difference is \_\_\_\_\_ classroom(s). (Indicate N/A if there are none.)
- If the request is for a Modernization Grant, the P&S include the construction of more classrooms than those to be demolished in the project, the difference is \_\_\_\_\_ classroom(s). (Indicate N/A if there are none.)

\_\_\_\_\_  
 ARCHITECT OF RECORD OR LICENSED ARCHITECT (PRINT NAME)

\_\_\_\_\_  
 SIGNATURE

\_\_\_\_\_  
 DATE

**17. Architect of Record or Design Professional Certification**

I certify as the architect of record for the project or the appropriate design professional, that:

- If the request is for a New Construction Grant, I have developed a cost estimate of the proposed project which indicates that the estimated construction cost of the work in the P&S including deferred items (if any) relating to the proposed project, is at least 60 percent of the total grant amount provided by the State and the district's matching share, less site acquisition costs. This cost estimate does not include site acquisition, planning, tests, inspection, or furniture and equipment and is available at the district for review by the OPSC.
- If the request is for a Modernization Grant, I have developed a cost estimate of the proposed project which indicates that the estimated construction cost of the work in the P&S, including deferred items and interim housing (if any) relating to the proposed project, is at least 60 percent of the total grant amount provided by the State and the district's matching share. This cost estimate does not include planning, tests, inspection or furniture and equipment and is available at the district for review by the OPSC.

\_\_\_\_\_  
 ARCHITECT OF RECORD OR DESIGN PROFESSIONAL (PRINT NAME)

\_\_\_\_\_  
 SIGNATURE

\_\_\_\_\_  
 DATE

**18. Certification**

I certify, as the District Representative, that the information reported on this form, with the exception of items 16 and 17, is true and correct and that:

I am an authorized representative of the district as authorized by the governing board of the district; and,

- A resolution or other appropriate documentation supporting this application under Chapter 12.5, Part 10, Division 1, commencing with Section 17070.10, et. seq., of the Education Code was adopted by the school district's governing board or the designee of the Superintendent of Public Instruction on, \_\_\_\_\_; and,
- The district has established a "Restricted Maintenance Account" for exclusive purpose of providing ongoing and major maintenance of school buildings and has developed an ongoing and major maintenance plan that complies with and is implemented under the provisions of Education Code Section 17070.75 and 17070.77 (refer to Sections 1859.100 through 1859.102); and,
- The district has considered the feasibility of the joint use of land and facilities with other governmental agencies in order to minimize school facility costs; and,
- The district will comply with all laws pertaining to the construction or modernization of its school building; and,
- Facilities to be modernized have not been previously modernized with Lease-Purchase Program, Proposition 1A Funds or School Facility Program state funds; and,
- All contracts entered on or after November 4, 1998 for the service of any architect structural engineer or other design professional for any work under the project have been obtained pursuant to a competitive process that is consistent with the requirements of Chapter 10 (commencing with Section 4525) of Division 5, of Title 1, of the Government Code; and,
- If this request is for new construction funding, the district has received approval of the site and the plans from the CDE. Plan approval is not required if request is for separate design apportionment; and,
- If this request is for modernization funding, the district has received approval of the plans for the project from the CDE. Plan approval is not required if request is for separate design apportionment; and,
- The district has or will comply with the Public Contract Code regarding all laws governing the use of force account labor; and,
- This district has or will comply with Education Code Section 17076.11 regarding at least a 3 percent expenditure goal for disabled veteran business enterprises; and,
- The district matching funds required pursuant to Sections 1859.77.1 or 1859.79 has either been expended by the district, deposited in the County School Facility Fund or will be expended by the district prior to the notice of completion for the project; and,
- The district has received the necessary approval of the plans and specifications from the Division of the State Architect unless the request is for a separate site and/or design apportionment; and,
- If the district is requesting site acquisition funds as part of this application, the district has complied with Sections 1859.74 through 1859.75.1 as appropriate; and,
- With the exception of an apportionment made pursuant to Section 1859.75.1, the district understands that the lack of substantial progress toward increasing the pupil capacity or renovation of its facilities within 18 months of receipt of any funding shall be cause for the rescission of the unexpended funds (refer to Section 1859.105); and,
- If the apportionment for this project was made pursuant to Section 1859.75.1, the district understands that the lack of substantial progress toward increasing the pupil capacity or renovation of its facilities within 12 months of receipt of any funding shall be cause for the rescission of the unexpended funds (refer to Section 1859.105.1); and,
- The district understands that funds not released within 18 months of apportionment shall be rescinded and the application shall be denied (refer to Section 1859.90); and,
- The statements set forth in this application and supporting documents are true and correct to the best of my knowledge and belief; and,

- All school facilities purchased or newly constructed under the project for use by pupils who are individuals with exceptional needs, as defined in Education Code Section 56026, shall be designed and located on the school site so as to maximize interaction between those individuals with exceptional needs and other pupils as appropriate to the needs of both; and,
- This form is an exact duplicate (verbatim) of the form provided by the OPSC. In the event a conflict should exist, the language in the OPSC form will prevail; and,
- The district understands that some or all of the State funding for the project must be returned to the State as a result of an audit pursuant to Sections 1859.105, 1859.105.1, 1859.106; and,
- The district has complied with the provisions of Sections 1859.76 and 1859.79.2 and that the portion of the project funded by the State does not contain work specifically prohibited in those Sections; and,
- If the SFP grants will be used for the construction or modernization of school facilities on leased land, the district has entered into a lease agreement for the leased property that meets the requirements of Section 1859.22; and,
- If the application contains a "Use of New Construction Grant" request, the district has adopted a school board resolution and housing plan at a public hearing at a regularly scheduled meeting of the governing board on \_\_\_\_\_ as specified in Sections 1859.77.2, or 1859.77.3, as appropriate. The district's approved housing plan is as indicated (check all that apply):
  - 1. The district will construct or acquire facilities for housing the pupils with funding not otherwise available to the SFP as a district match within five years of project approval by the SAB and the district must identify the source of the funds. [Applicable for Sections 1859.77.2(a) and (b) and 1859.77.3(a) and (b)]
  - 2. The district will utilize higher district loading standards providing the loading standards are within the approved district's teacher contract and do not exceed 33:1 per classroom. [Applicable for Sections 1859.77.2(a) and (b) and 1859.77.3(a) and (b)]
  - 3. The pupils requested from a different grade level will be housed in classrooms at an existing school in the district which will have its grade level changed, to the grade level requested, at the completion of the proposed SFP project. [Applicable for Sections 1859.77.2(b) and 1859.77.3(b)]
- If the district requested additional funding for fire code requirements pursuant to Sections 1859.71.2 or 1859.78.4, the district will include the automatic fire detection/ alarm system and/or automatic sprinkler system in the project prior to completion of the project; and
- If this request is for a Large New Construction Project or a Large Modernization Project, the district has consulted with the career technical advisory committee established pursuant to Education Code Section 8070 and it has considered the need for vocational and career technical facilities to adequately meet its program needs in accordance with Education Code Sections 51224, 51225.3(b) and 52336.1; and
- If the district is requesting an Additional Grant for Energy Efficiency pursuant to Sections 1859.71.3 or 1859.78.5, the increased costs for the energy efficiency components in the project exceeds the amount of funding otherwise available to the district; and
- If this application is submitted after January 1, 2004 for modernization funding, the district has considered the potential for the presence of lead-containing materials in the modernization project and will follow all relevant federal, state, and local standards for the management of any identified lead; and
- Beginning with the 2005/2006 fiscal year, the district has complied with Education Code Section 17070.75(e) by establishing a facilities inspection system to ensure that each of its schools is maintained in good repair.

SIGNATURE OF DISTRICT REPRESENTATIVE

DATE

**GENERAL INFORMATION**

This form is used by a district to request State funding for a joint-use project under the provisions of Education Code Sections 17077.40, 17077.42 and 17077.45. Requests for funding may be made as follows:

1. A Type I Joint-Use Project pursuant to Section 1859.122. The following documents must be submitted with this form in order for the Office of Public School Construction (OPSC) to accept the application for processing:
  - Joint-use agreement, that complies with the requirements of Education Code Section 17077.42.
  - Plans and Specifications (P&S) for the joint-use project approved by the Division of the State Architect (DSA). Submittal of plans may be on CD-ROM or "Zip Drive" readable in AutoCAD 14. The specifications may be provided on a diskette that is IBM compatible.
  - Cost estimate of proposed site development, if requesting site development funding.
  - Plan approval letter for the joint-use project from the California Department of Education (CDE).
  - A cost estimate to construct the joint-use project, if the district is requesting Extra Cost funding pursuant to Section 1859.125.1.
2. A Type II Joint-Use Project pursuant to Section 1859.122.1 or 1859.122.2. The following documents must be submitted with this form in order for the OPSC to accept the application for processing:
  - Joint-use Agreement, that complies with the requirements of Education Code Section 17077.42.
  - P&S for the joint-use project approved by the DSA if the joint-use project will be part of a qualifying School Facility Program (SFP) Modernization project or preliminary plans if the joint-use project will not be part of a qualifying SFP Modernization project. Submittal of plans may be on CD-ROM or "Zip Drive" readable in AutoCAD 14. The specifications may be provided on a diskette that is IBM compatible.
  - Cost estimate of proposed site development, if requesting site development funding.
  - Plan approval letter from the CDE.

**SPECIFIC INSTRUCTIONS**

The district must assign a Project Tracking Number (PTN) to this project. The same PTN is used by the OPSC, the DSA and the CDE for all project applications submitted to those agencies which assists those agencies to track a particular project through the entire state application review process. If the district has already assigned a PTN to this project by prior submittal of the P&S to either the DSA or the CDE for approval, use that PTN for this application submittal. If no PTN has been previously assigned for this project, a PTN may be obtained from the OPSC Web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov) "P.T. Number Generator."

**1. Type of Application**

Check the box that indicates the type of joint-use project funding requested. Refer to Sections 1859.122, 1859.122.1 and 1859.122.2 for eligibility criteria.

**2. Pupils Served**

Check the box that indicates the highest pupil grade level that is or will be served by the joint-use project. If the joint-use project will serve more than one school site, the CDE shall determine the highest pupil grade level to be served by the joint-use project.

**3. Qualifying SFP Project Application Number**

If the request is for a Type I or II Joint-Use Project which will be part of a qualifying SFP project, indicate the SFP application number or the project tracking number of the qualifying SFP project. Refer to Section 1859.123 and/or 1859.123.1.

**4. Joint-Use Facility Square Footage**

Enter the square footage of the non-toilet area, toilet area and total area of the joint-use facility.

**5. Eligible Square Footage**

Enter the eligible square footage of the joint-use project as determined by Section 1859.124.

**6. Type I Joint-Use Project Extra Cost**

If the request is for Extra Cost for a Type I Joint-Use Project, report: 50 percent of the estimated cost to construct the square footage in the joint-use project.

**7. Site Development Cost**

Enter 50 percent of service site development and utilities that meet the requirements of Sections 1859.125(a)(3) or 1859.125.1(a)(1)(B).

**8. Project Assistance**

Check the box if the district is requesting project assistance pursuant to Section 1859.73.1. This project assistance is available only for Type II Joint-Use Projects, not part of a qualifying SFP Modernization project.

**9. Excessive Cost Hardship**

Check the box(es) if the district qualifies and is requesting Excessive Cost Hardship funding for:

- (a) Geographic Percent Factor. Enter the percentage factor shown in the Geographic Percentage Chart for the location of the project. Refer to Section 1859.83(a).
- (b) Small Size Project. If the request is for a Type I or II Joint-Use Project, which will be part of a qualifying SFP project, check the box and enter the pupils assigned to the qualifying SFP project pursuant to Section 1859.123 and/or 1859.123.1. If request is for Type II Joint-Use Project, and will not be part of a qualifying SFP Modernization project, just check the box.
- (c) Urban location, enter the:
  - Existing Useable Acres, if the qualifying SFP New Construction project pursuant to Section 1859.123 is an addition to an existing school.
  - The proposed Useable Acres that was/will be purchased as part of the qualifying SFP New Construction project pursuant to Section 1859.123.
  - Master plan acreage size as recommended by the CDE.

**10. District Project Priority**

Enter the funding priority order of this application in relation to other district joint-use projects submitted to the OPSC on the same date. If the applications are not received on the same date, the OPSC will assign a higher district funding priority to that district application received first.

**11. Project Progress Dates**

Enter the following project progress dates:

- (a) Date the initial construction contract was signed for this project. If a construction contract has not been executed, enter N/A.
- (b) Issue date of the Notice to Proceed for the construction phase of the project, or enter N/A if a Notice to Proceed has not been issued.

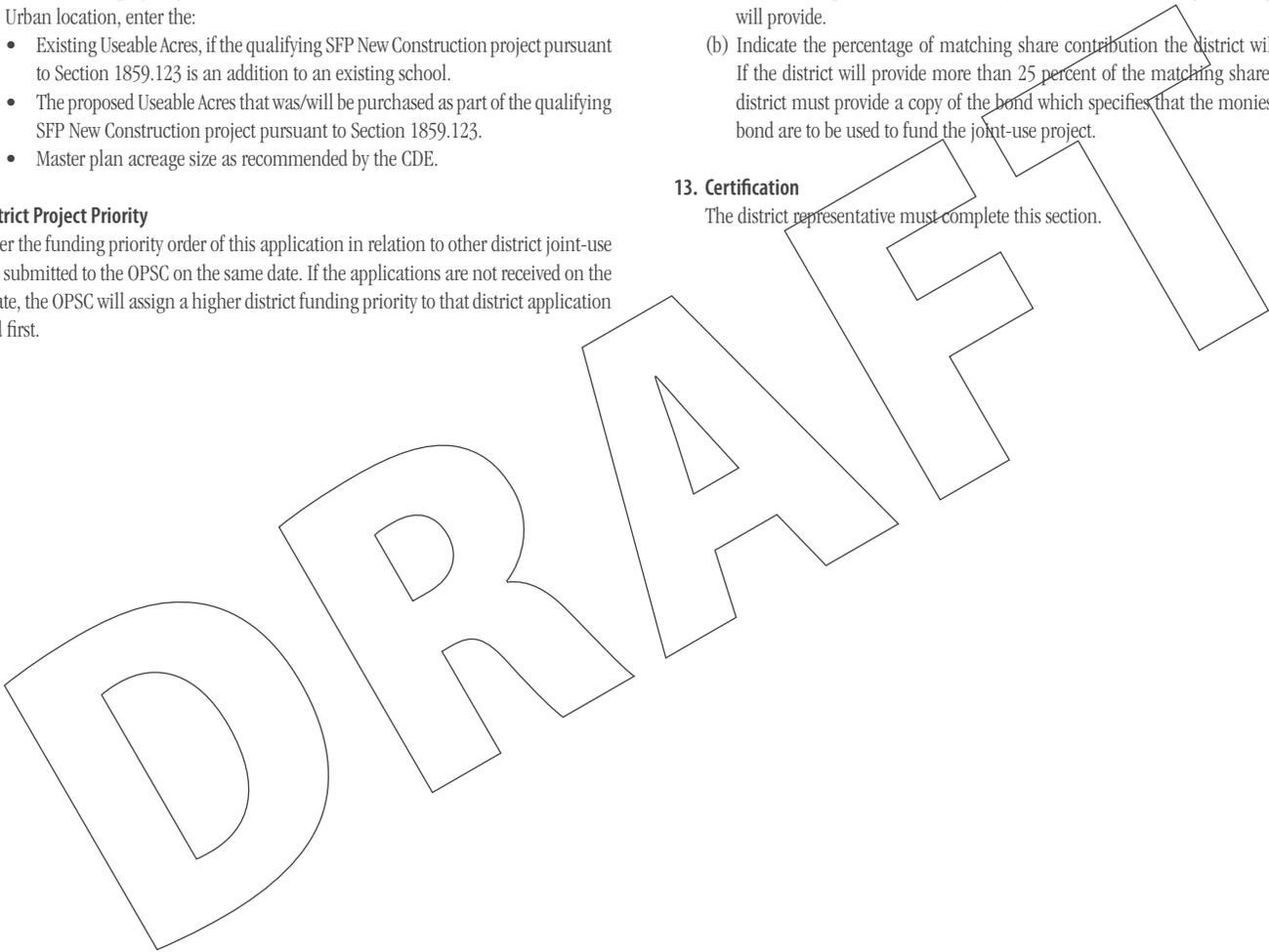
**12. Matching Share**

Indicate the percentage each party will contribute towards the matching share.

- (a) Indicate the percentage of matching share contribution the joint-use partner(s) will provide.
- (b) Indicate the percentage of matching share contribution the district will provide. If the district will provide more than 25 percent of the matching share, then the district must provide a copy of the bond which specifies that the monies from the bond are to be used to fund the joint-use project.

**13. Certification**

The district representative must complete this section.



APPLICATION FOR JOINT-USE FUNDING

SCHOOL FACILITY PROGRAM

The school district named below applies to the State Allocation Board via the Office of Public School Construction for a Joint-Use Project Grant(s) under the provisions of Chapter 12.5, Part 10, Division 1, Article 10.6, commencing with Section 17077.40, et seq., of the Education Code and the Regulations thereto.

SCHOOL DISTRICT	APPLICATION NUMBER
SCHOOL NAME	PROJECT TRACKING NUMBER
COUNTY	

1. Type of Application—Check Only One

- Type I Joint-Use Project
- Type II Joint-Use Project—reconfigure existing school buildings
- Type II Joint-Use Project—construct new school buildings

2. Pupils Served—Check Only One

- Elementary School
- Middle School
- High School

3. Qualifying SFP Project Application Number

Application Number: # \_\_\_\_\_  
 Project Tracking Number: # \_\_\_\_\_

4. Joint-Use Facility Square Footage

Non-Toilet Facilities (sq. ft.): \_\_\_\_\_  
 Toilet Facilities (sq. ft.): \_\_\_\_\_  
 Total Joint-use Facilities (sq. ft.): \_\_\_\_\_

5. Eligible Square Footage

6. Type I Joint-Use Project Extra Cost

Fifty percent of Construction Cost: \$ \_\_\_\_\_

7. Site Development Cost

Fifty percent of Service Site: \$ \_\_\_\_\_  
 Fifty percent of Utilities: \$ \_\_\_\_\_

8. Project Assistance

- Type II Joint-Use Project only—not part of a qualifying SFP Modernization project

9. Excessive Cost Hardship

- a.  Geographic Percent Factor: \_\_\_\_\_ %
- b.  Small Size Project (Pupils): \_\_\_\_\_
- c.  Urban
  - Existing Acres (Useable): \_\_\_\_\_
  - Proposed Acres (Useable): \_\_\_\_\_
  - CDE Master Plan: \_\_\_\_\_

10. District Project Priority

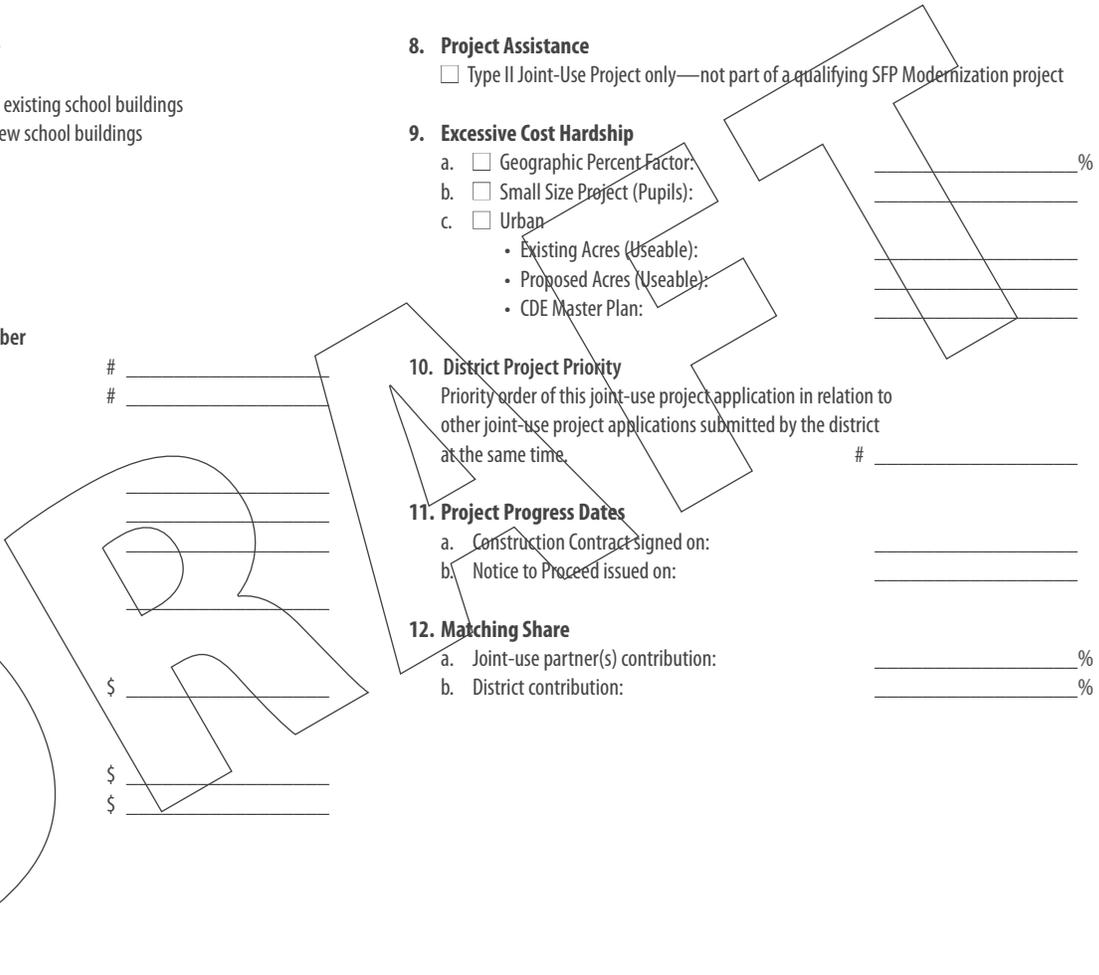
Priority order of this joint-use project application in relation to other joint-use project applications submitted by the district at the same time. # \_\_\_\_\_

11. Project Progress Dates

- a. Construction Contract signed on: \_\_\_\_\_
- b. Notice to Proceed issued on: \_\_\_\_\_

12. Matching Share

- a. Joint-use partner(s) contribution: \_\_\_\_\_ %
- b. District contribution: \_\_\_\_\_ %



13. CERTIFICATION

I certify, as the District Representative, that the information reported on this form is true and correct and that I am the authorized representative of the district as authorized by the Governing Board of the District; and,

- A resolution or other appropriate documentation supporting this application under Chapter 12.5, Part 10, Division 1, Article 10.6, commencing with Section 17077.40, et. seq., of the Education Code was adopted by the School District's Governing Board on \_\_\_\_\_; and,
- The district has established a "Restricted Maintenance Account" for exclusive purpose of providing ongoing and major maintenance of school buildings and has developed an ongoing and major maintenance plan that complies with and is implemented under the provisions of Education Code Sections 17070.75 and 17070.77 (Refer to Sections 1859.100 through 1859.102); and,
- The district will comply with all laws pertaining to the construction of its school building; and,
- All contracts entered into for the service of any architect structural engineer or other design professional for any work under the project have been obtained pursuant to a competitive process that is consistent with the requirements of Chapter 10 (commencing with Section 4525) of Division 5, of Title 1, of the Government Code; and,
- If the request is for a Type I or II Joint-Use Project, which is part of a qualifying SFP project, the district has received approval of the plans from the CDE and approval of the P&S from the DSA; and,
- If this request is for a Type II Joint-Use Project, and is not part of a qualifying SFP Modernization project, the district has completed the preliminary plans for the project and has received preliminary approval of the plans from the CDE; and,
- The district has or will comply with the Public Contract Code regarding all laws governing the use of force account labor; and,
- This district has or will comply with Education Code Section 17076.11 regarding at least a 3 percent expenditure goal for disabled veteran business enterprises; and,
- The joint-use partners' financial contribution for the project required pursuant to Section 1859.127 has either been received and expended by the district, deposited in the County School Facility Fund or will be received and expended by the district prior to the notice of completion for the project; and,
- The district understands that the lack of substantial progress toward increasing the pupil capacity of its facilities within 18 months of receipt of any funding shall be cause for the rescission of the unexpended funds (refer to Section 1859.105); and,

- If the request is for a Type I or II Joint-Use Project, which is part of a qualifying SFP Modernization project, the district understands that funds not released within 18 months of apportionment shall be rescinded and the application shall be denied (refer to Section 1859.90); and,
- If the request is for a Type II Joint-Use Project, and is not part of a qualifying SFP Modernization project, the district understands that funds not released within 18 months from the date the DSA approved P&S are submitted to the OPSC, the apportionment shall be rescinded and the application shall be denied (refer to Section 1859.90); and,
- The statements set forth in this application and supporting documents are true and correct to the best of my knowledge and belief; and,
- This form is an exact duplicate (verbatim) of the form provided by the OPSC. In the event a conflict should exist, the language in the OPSC form will prevail; and,
- The district understands that some or all of the State funding for the project must be returned to the State as a result of an audit pursuant to Sections 1859.105 and 1859.106; and,
- The district has complied with the provisions of Section 1859.76 and that the portion of the project funded by the State does not contain work specifically prohibited in that Section; and,
- If the joint-use project grant will be used for the construction of school facilities on leased land, the district has entered into a lease agreement for the leased property that meets the requirements of Section 1859.22; and,
- The district has complied with the applicable Joint-Use Program Eligibility Criteria outlined in Sections 1859.122, 1859.122.1 and 1859.122.2 as appropriate; and,
- The district has or will initiate and enforce a Labor Compliance Program that has been approved by the Department of Industrial Relations, pursuant to Labor Code Section 1771.7, if the project is funded from Proposition 47 and the Notice to Proceed for the construction phase of the project is issued on or after April 1, 2003; and,
- If the joint-use project will serve more than one school site, the CDE has determined the highest grade level that will be served by the joint-use project; and,
- Beginning with the 2005/2006 fiscal year, the district has complied with Education Code Section 17070.75(e) by establishing a facilities inspection system to ensure that each of its schools is maintained in good repair.

SIGNATURE OF DISTRICT REPRESENTATIVE

DATE

**GENERAL INSTRUCTIONS**

This Form is used to request a preliminary apportionment for the new construction of charter school facilities. This Form may be submitted by either a charter school directly or by a school district on behalf of a charter school, provided the school is within the geographical boundaries of the district. The apportionment will be a reservation of funds for the project to allow time to receive the necessary approvals from other State entities and shall be converted to a Final Charter School Apportionment based on Sections 1859.165 through 1859.166.1.

The charter school must assign a Project Tracking Number (PTN) to this project. The same PTN is used by the OPSC, the Division of the State Architect (DSA) and the California Department of Education (CDE) for all project applications submitted to those agencies, which assist those agencies to track a particular project through out the entire state application review process. If a PTN has already been assigned to this project by prior submittal of the plans and specifications to either the DSA or the CDE for approval, use that PTN for this application submittal. If no PTN has been previously assigned for this project, a PTN may be obtained from the Office of Public School Construction (OPSC) Web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov) "P.T. Number Generator." (Obtain from school district.)

Prior to submitting this Form, the Board must determine or adjust the appropriate district's eligibility for new construction funding on the Form SAB 50-03. If the district that is providing eligibility to the charter school has a pending reorganization election that will result in the loss of eligibility for the proposed project, the district may not file this application until the Board has adjusted the district's new construction baseline eligibility as required in Section 1859.51. This may be accomplished by completion of Form SAB 50-01, Form SAB 50-02, and Form SAB 50-03. The following documents must be submitted with this Form (as appropriate):

- Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03 (if not previously submitted by the school district).
- An Appraisal or Preliminary Appraisal of the property, or documentation supporting the Median Cost of the property, if requesting site acquisition funds. See Section 1859.163.2(a).
- Supporting documentation for relocation expenses and Department of Toxic Substance Control (DTSC) costs, if requesting amounts other than the 215 percent standard allowance. See Section 1859.163.2(b).
- A cost estimate for site development using the historical data of School Facility Program projects within the district or adjacent school districts within the General Location, if requesting amounts other than the standard allowance of \$70,000 per acre. See Section 1859.163.1(a)(3).

For purposes of determining an amount for site acquisition pursuant to Section 1859.164.2(b), the following documents must be submitted with this form (as appropriate):

- Contingent site approval letter from the CDE.
- Preliminary appraisal of property.

This request is available only to Charter Schools that have current financial soundness status from the California School Finance Authority. Charter Schools may apply for a separate amount for the design and for the site acquisition on the same project. Charter Schools may apply for a separate amount for the design of the project by submittal of Form SAB 50-05.

For a complete list of the application submittal guidelines, consult the OPSC Web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov).

If the charter school or district is requesting a Preliminary Apportionment after the initial baseline eligibility was approved by the Board and the district's current California Basic Education Data System (CBEDS) enrollment reporting year is later than the enrollment reporting year used to determine the district's baseline eligibility or adjusted eligibility, the district must complete a new Form SAB 50-01, based on the current year CBEDS enrollment data, and submit it to the OPSC with this Form. The district must also update its eligibility by separation of Special Day Class from regular K-12 grade level pupils by submitting a revised Form SAB 50-02 and Form SAB 50-03, if it has not already done so. A Small School District with 2,500 or less enrollment as defined in Section 1859.2 will have its eligibility adjusted as provided in Section 1859.51(j).

**SPECIFIC INSTRUCTIONS**

A preliminary application may be submitted by either a school district on behalf of a charter school or a charter school on its own behalf if the charter school has notified both the superintendent and the governing board of its intent to do so in writing at least 30 days prior to submission of the preliminary application. See Education Code Section 17078.53 (c)(1) and (2). The notice shall be sent by certified mail through the U.S. Postal Service and indicate to the school district the number of pupils the charter school intends to apply for. Please indicate method of filing by checking appropriate box. If the eligibility being requested from the school district is on a HSAA basis, the proposed project shall be constructed within the boundaries of that attendance area.

Prior to submitting a request for a preliminary apportionment the appropriate chartering entity must have either approved a charter petition or a material revision to a charter for the school in which the application references.

**1. Type of Application**

Check the appropriate box that indicates the type of request the Charter School is applying for with this form. If the Charter School is requesting a determination of eligible site acquisition costs from a Preliminary Charter School Apportionment previously approved by the Board, complete boxes 2, 3 and the site acquisition data in 4b.

**2. Type of Project**

- a. Select the type of project that best represents this application request and enter the number of pupils assigned to the project for each grade group. Include pupils to be housed in an addition to an existing school or a new school project. The amount entered cannot exceed the lesser of district's available new construction baseline eligibility determined on Form SAB 50-03, as adjusted by Section 1859.51 or the limits established in Section 1859.162(c). The amount entered will be the basis for the amount of the Preliminary Charter School Apportionment provided for the project.
- b. Enter the name of the school district where the charter school is physically located.
- c. Is this request an addition to an existing site? Yes or No. If yes, enter school name.

**3. Number of Classrooms/Useable Acres**

Enter the:

- Estimated number of classrooms in the proposed project.
- Existing Useable Acres (if addition to existing site).
- Estimated Proposed Useable Acres to be acquired for the project.

The proposed Useable Acres requested shall not exceed the net useable acres included in an appraisal, preliminary appraisal or multiplying the pupils assigned by 0.00888 for elementary school pupils, 0.0105 for middle school pupils and 0.01236 for high school pupils. Assign Severely Disabled and Non-severely Disabled Individuals with Exceptional Needs as either elementary, middle or high school pupils based upon the type of project selected in item 1. See Section 1859.74.1.

**4. Increase in Preliminary Apportionment**

Complete the appropriate Sections if the district is requesting an increase in the Preliminary Apportionment for the items listed. Refer to Sections 1859.163.1 and 1859.163.2.

- a. Check the box if the district request additional funding due to multilevel construction. See Section 1859.163.1(a)(2).
- b. Site Acquisition:
  - (1) Enter 50 percent of the appraised value or the preliminary appraised value or the Median Cost of the property. See Section 1859.163.2(a). If the purchase price of the site is being determined using the median cost of the Charter School General Location enter the nearest street intersection to the charter school site.

- (2) To determine an allowance for relocation cost and DTSC cost, the charter school may request 15 percent of the property value determined above or specific or historic values of these costs. See Section 1859.163.2(b). If specific or historic values are reported, the charter school must submit appropriate documentation to support the amount reported.
- (3) Enter 50 percent of the amount allowable for hazardous material/waste removal and/or remediation for the site acquired. This amount may not exceed the limit set in Section 1859.163.2(d).
- c. To determine an allowance for site development, the charter school may request \$70,000 per proposed Usable Acres or a specific or historic value of the estimated costs. See Section 1859.163.1(a)(3). If specific or historic estimated costs are used, the district must submit appropriate cost estimate of the proposed work conforming to Section 1859.76.
- d. Check the box if this request is for a small size project. See Section 1859.163.1(a)(4).
- e. Check the box if the proposed project qualifies for an urban location allowance. See Section 1859.163.1(a)(5).
- f. Check the box if the proposed project is eligible for an increase due to geographic location. See Section 1859.163.1(a)(6).

**5. Priority Order**

Enter the priority order of this application in relation to other applications for Preliminary Charter School Apportionment submitted on the same date by the same applicant within the same school district.

**6. Charter School Information**

The information requested in (d) and (e) below can be obtained from the Charter School Information Listing posted on the OPSC's Web site.

- Enter the charter school enrollment currently being served by the applicant for the purpose of calculating if the Charter School is Small, Medium, or Large. See Section 1859.2.
- Indicate if the charter school operates as not for profit. If yes, must comply with the definition of Non-Profit Entity in Section 1859.2.
- Enter the locale code of the charter school as identified in the definitions for "Rural," "Suburban," or "Urban." See Section 1859.2.
- To determine if the charter school is low income, enter the percentage of pupils at the charter school participating in the Free/Reduced Lunch Program. See Section 1859.2 and 1859.164.1(a).
- If the charter school has submitted an additional application for this project under the requirements of Section 1859.162.1, enter the application number for that project.

**7. Certification**

The authorized representative for the charter school, or the school district representative on behalf of the charter school must complete this certification section.

- Part A – The authorized representative for the charter school, must complete this section if filing on its own behalf; or,
- Part B – The authorized school district representative must sign and date if filing on behalf of the charter school.

DRAFT

The school district or charter school named below applies to the State Allocation Board via the Office of Public School Construction for a Preliminary Charter School Apportionment under the provisions of Chapter 12.5, Part 10, Division 1, Article 12, commencing with Section 17078.50, et seq, of the Education Code and the Regulations thereto.

<input type="checkbox"/> SCHOOL DISTRICT APPLYING ON BEHALF OF CHARTER SCHOOL <input type="checkbox"/> CHARTER SCHOOL APPLYING ON ITS BEHALF	PRELIMINARY APPLICATION NUMBER
PROPOSED PROJECT NAME	PROJECT TRACKING NUMBER
COUNTY	HIGH SCHOOL ATTENDANCE AREA (IF APPLICABLE)
SCHOOL BOARD APPROVAL DATE OF CHARTER PETITION OR MATERIAL REVISION	

**1. Type of Application—Check Only One**

- Preliminary Charter School Apportionment
- Site Acquisition Costs [Section 1859.164.2(b)]

**2. Type of Project**

- a.  Elementary School
- Middle School
- High School

**Pupils Assigned:**

- K-6 \_\_\_\_\_
- 7-8 \_\_\_\_\_
- 9-12 \_\_\_\_\_
- Non-Severe \_\_\_\_\_
- Severe \_\_\_\_\_

b. Name of school district that pupils are coming from: \_\_\_\_\_

c. Addition to existing site?  Yes  No  
If yes, enter school name: \_\_\_\_\_

**3. Number of Classrooms/Useable Acres**

Number of Classrooms: \_\_\_\_\_

Existing Acres (Useable): \_\_\_\_\_

Proposed Acres (Useable): \_\_\_\_\_

**4. Increase in Preliminary Apportionment**

- a.  Multilevel Construction
- b. Site Acquisition:
  - (1) 50 percent appraised value or median cost: \$ \_\_\_\_\_  
Enter the nearest street intersection to the Charter School General Location if determined by median cost: \_\_\_\_\_
  - (2) Relocation/DTSC Cost:
    - 15 percent
    - 50 percent of specific or historical cost: \$ \_\_\_\_\_
  - (3) Hazardous material clean-up: \$ \_\_\_\_\_
- c. Site Development
  - \$70,000 per proposed useable acre
  - 50 percent of specific or historical cost: \$ \_\_\_\_\_
- d.  Small Size Project
- e.  Urban Allowance
- f.  Geographical Percentage Factor: \_\_\_\_\_ %

**5. Priority Order**

# \_\_\_\_\_

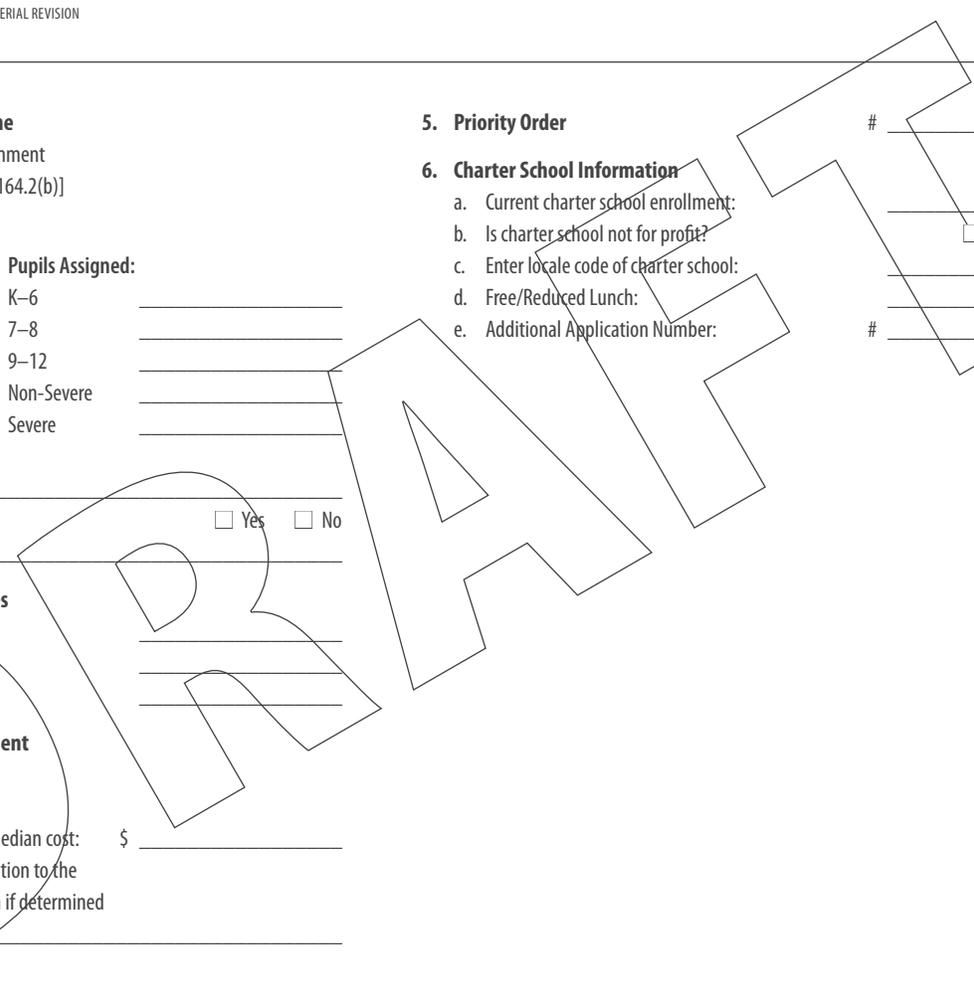
# \_\_\_\_\_

# \_\_\_\_\_ %

# \_\_\_\_\_

**6. Charter School Information**

- a. Current charter school enrollment: \_\_\_\_\_
- b. Is charter school not for profit?  Yes  No
- c. Enter locale code of charter school: \_\_\_\_\_
- d. Free/Reduced Lunch: \_\_\_\_\_ %
- e. Additional Application Number: \_\_\_\_\_



7. Certification

I certify that the information reported on this form is true and correct and that:

- I am an authorized representative of the charter school designated by the governing board or equivalent authority of the charter school and have notified both the Superintendent and the governing board of the school district in writing, at least 30 days prior to the date of this application, of our intent to submit a preliminary application (complete Part A below); or,
- I am an authorized school district representative submitting this application on behalf of a charter school pursuant to Education Code Section 17078.53 (c)(1) (complete Part B below). If this box is checked the following certifications shall apply to the school district.
- A resolution or other appropriate documentation supporting this application under Article 12, Chapter 12.5, Part 10, Division 1, Title 2, commencing with Section 17078.50, et. seq., of the Education Code was adopted by the School District's Governing Board or the governing board or other equivalent authority of the charter school on, \_\_\_\_\_; and,
- The charter school has or will establish a "Restricted Maintenance Account" for exclusive purpose of providing ongoing and major maintenance of school buildings and has developed an ongoing and major maintenance plan that complies with and is implemented under the provisions of Education Code Section 17070.75 and 17070.77 (Refer to Sections 1859.100 through 1859.102); and,
- The charter school has or will consider the feasibility of the joint use of land and facilities with other governmental agencies in order to minimize school facility costs; and,
- The charter school will comply with all laws pertaining to the construction of its school building; and,
- All contracts entered for the service of any architect, structural engineer or other design professional for any work under the project have been obtained pursuant to a competitive process that is consistent with the requirements of Chapter 10 (commencing with Section 4525) of Division 5, of Title 1, of the Government Code; and,

- The charter school has or will comply with the Public Contract Code regarding all laws governing the use of force account labor; and,
- This charter school has or will comply with Education Code Section 17076.11 regarding at least a 3 percent expenditure goal for disabled veteran business enterprises; and,
- The charter school understands that the lack of substantial progress toward increasing the pupil capacity of its facilities within the timelines prescribed for a Preliminary Charter School Apportionment shall be cause for rescission of the Preliminary Charter School Apportionment; and,
- The charter school acknowledges this request may be subject to the material inaccuracy penalty provisions in Section 1859.104.1; and
- All school facilities purchased or newly constructed under the project for use by pupils who are individuals with exceptional needs, as defined in Education Code Section 56026, shall be designed and located on the school site so as to maximum interaction between these individuals with exceptional needs and other pupils as appropriate to the needs of both; and,
- If the Preliminary Charter School Apportionment is requested for the construction of school facilities on leased land, the charter school has or will execute a lease agreement for the leased property that meets the requirements of Section 1859.22; and,
- The charter school understands that when the Preliminary Charter School Apportionment is converted to a Final Charter School Apportionment, the funding available for the Final Charter School Apportionment is subject to the provisions of Section 1859.167; and,
- Beginning with the 2005/2006 fiscal year, the district has complied with Education Code Section 17070.75 (e) by establishing a facilities inspection system to ensure that each of its schools is maintained in good repair; and,
- The statements set forth in this application and supporting documents are true and correct to the best of my knowledge and belief; and,
- This form is an exact duplicate (verbatim) of the form provided by the OPSC. In the event a conflict should exist, then the language in the OPSC form will prevail.

Part A Charter School Filing on its Own Behalf

NAME OF REPRESENTATIVE		TITLE
ADDRESS		
TELEPHONE	FAX NUMBER	E-MAIL
SIGNATURE OF AUTHORIZED CHARTER SCHOOL REPRESENTATIVE		DATE

Part B School District Filing on Behalf of Charter School

SIGNATURE OF AUTHORIZED DISTRICT REPRESENTATIVE	DATE
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**FIVE YEAR PLAN****DEFERRED MAINTENANCE PROGRAM**

SAB 40-20 (REV 08/0301/05)

**GENERAL INFORMATION**

This Form is a summary of proposed deferred maintenance projects the applicant district plans on completing annually over the next five fiscal years using the Basic Grant, pursuant to Education Code Section 17591. The fiscal year the plan commences is determined by the fiscal year in which it was filed. New and revised plans are accepted on a continuous basis for the current fiscal year up to the last working day in June. Revisions are not accepted for prior fiscal years.

**SPECIFIC INSTRUCTIONS****Part I—Authorized District Representative**

Complete to designate or change the authorized district representative. Enter the name of the district employee that can act on behalf of the district. A consultant who is on contract with the district to communicate with the OPSC on behalf of the district's board may be listed.

**Part II—Estimated Fiscal Year Data**

ITEM	DESCRIPTION	INSTRUCTIONS
1	Number of Projects	List the number of eligible projects in each of the project categories shown (refer to Regulation Section 1866.4.1).
2–6	Current and subsequent fiscal years	Enter the total estimated costs in each project category for each fiscal year identified for the projects reported in column 1.
7	Total Estimated Cost	For each project category enter the totals of columns 2–6.
8	Grand Total	Total all columns.
9	Remarks	Include any additional information for each category. If the district is applying for extreme hardship grants for any of the projects listed on the plan, identify those projects in this space. If additional space is needed, you may attach a separate sheet with your remarks to this form.
10	School Information	List the facilities where deferred maintenance projects are planned as reported in column 1 on this Five Year Plan (refer to Regulation Section 1866.4.1). If additional space is needed, you may attach a separate sheet.
11	Certification	Review and complete (refer to Regulation Section 1866.4 and EC Section 17584.1).

When completed mail this form to:

Office of Public School Construction  
Attn: Deferred Maintenance Program  
1130 K Street, Suite 400  
Sacramento, CA 95814

NOTE: Any Five Year Plan, SAB 40-20, not conforming to State Allocation Board (SAB) guidelines will be returned to the district. If you need assistance in completing this form, please contact the Office of Public School Construction, at 916.445.3160.

SCHOOL DISTRICT	FIVE-DIGIT DISTRICT CODE NUMBER (SEE CALIFORNIA PUBLIC SCHOOL DIRECTORY)
COUNTY	CURRENT FISCAL YEAR

**The district:**

- has not previously submitted a Five Year Plan.
- is submitting this updated/revise Five Year Plan which supersedes the plan currently on file with SAB.

**Part I—Authorized District Representative**

The following individual has been designated as a district representative by the school board minutes:

DISTRICT REPRESENTATIVE	TITLE
BUSINESS ADDRESS	TELEPHONE NUMBER
E-MAIL ADDRESS	FAX NUMBER

**Part II—Estimated Fiscal Year Data**

PROJECT CATEGORY	1. NUMBER OF PROJECTS	2. CURRENT FISCAL YEAR	3. SECOND FISCAL YEAR	4. THIRD FISCAL YEAR	5. FOURTH FISCAL YEAR	6. FIFTH FISCAL YEAR	7. TOTAL ESTIMATE COST
Asbestos							
Classroom Lighting							
Electrical							
Floor Covering							
HVAC							
Lead							
Painting							
Paving							
Plumbing							
Roofing							
Underground Tanks							
Wall Systems							
<b>8. Grand Total</b>							

**9. Remarks**

**10. List the school names where deferred maintenance projects are planned in this Five Year Plan:**

**11. Certifications**

I certify as District Representative that:

- this work does not include ineligible items and that all work will be completed in accordance with program requirements, applicable laws and regulations. The district shall maintain proper documentation in the event of an audit; and,
- the district understands that should an audit reveal that these funds were expended for other than eligible deferred maintenance costs, the SAB will require the district to return all inappropriately expended funds; and,
- the plans and proposals for expenditures of funds as outlined in this report were discussed in a public hearing at a regularly scheduled school board meeting on \_\_\_\_\_; and the district has complied with all the other requirements of Education Code Sections 17584.1 and 17584.2; and,
- Beginning with the 2005/2006 fiscal year, the district has complied with Education Code Section 17070.75 (e) by establishing a facilities inspection system to ensure that each of its schools is maintained in good repair; and,
- This Form is an exact duplicate (verbatim) of the form provided by the OPSC. In the event a conflict should exist, then the language in the OPSC form will prevail.
- I certify under penalty of perjury under the laws of the State of California that the statements in this application and supporting documents are true and correct.

SIGNATURE OF DISTRICT REPRESENTATIVE

DATE