

**STATE ALLOCATION BOARD**

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



**Date:** July 23, 2007

**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 **Friday**, August 3, 2007 from 9:30 a.m. to 3:30 p.m. in the Legislative Office Building located at 1020 "N" Street, Room 100, Sacramento, California.

The Implementation Committee's proposed agenda is as follows:

1. Convene Meeting
2. Implementation of Chapter 35, Statutes of 2006 (Assembly Bill 127 – Nunez and Perata)  
*Continued discussion on the proposed regulations for Seismic Mitigation*
3. AB 127 – High Performance School Grants  
*Continued discussion on the additional grant for High Performance Schools, which includes a modification to the High Performance Rating Criteria.*

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 Carrie Richter at (916) 445-3159.

A handwritten signature in cursive script that reads "Maivonne Garrity".

MAVONNE GARRITY, Chairperson  
State Allocation Board Implementation Committee

MG:cr

STATE ALLOCATION BOARD  
IMPLEMENTATION COMMITTEE

Pending Items List  
August 3, 2007

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A. Future Items

- Site Sale Proceeds

*Discussion on proposed regulatory amendments regarding proceeds from the sale of a site funded in whole or part with State funds.*

B. Suspended Items

- Alternative Education Loading Standards and Funding

*Discussion on the loading standards and adequacy of the funding provided for continuation high, community day, and county community day schools under the School Facility Program.*

STATE ALLOCATION BOARD  
IMPLEMENTATION COMMITTEE  
AUGUST 3, 2007

HIGH PERFORMANCE INCENTIVE GRANT

PURPOSE OF REPORT

To discuss proposed changes to the regulations for the additional High Performance Incentive (HPI) grant, which includes a modification to the High Performance Rating Criteria (HPRC).

BACKGROUND

Assembly Bill (AB) 127, Chapter 35, Statutes of 2006 (Nunez and Perata) provides additional new construction and modernization incentives in the amount of \$100 million for the designs and materials that promote the efficient use of energy and water, natural lighting and indoor air quality and recycled materials.

At the September 2006 State Allocation Board (SAB) Meeting, the Board approved proposed regulations relating to the HPI grant. However, after the SAB approved the regulations, the Office of Administrative Law was unable to approve the regulations due to undefined criteria referenced in the regulations that is outside the purview of the Office of Public School Construction (OPSC). Therefore, the regulation was withdrawn by the OPSC. After further review, modifications were needed to ensure the criteria focused on facility components directly relating to high performance, which include maximizing energy efficiency with a goal of becoming net-zero annual energy consumption and reducing greenhouse gasses.

Staff is presenting the following proposals:

PROPOSALS AND DISCUSSION

*New Proposed Rating Criteria*

*The OPSC and the Collaborative for High Performance Schools (CHPS) are still negotiating a licensing agreement. Please be advised that the attached regulations are subject to change pending the outcome of these negotiations.*

- The revised HPRC for new construction and modernization was modeled after the CHPS rating criteria as identified in the CHPS *Best Practices Manual 2006 Edition*. The CHPS rating criteria will be used to evaluate the costs of designs and materials that promote those characteristics of high performance schools. However, staff has omitted 32 of the CHPS rating criteria from the Proposition 1D proposed model (see Attachment A). Those criteria that were given a rating factor of zero will not be used. This was done to assure the following:
  - Rating criteria is equitable (available to as many school districts as possible).
  - Funds allocated from this program focus on facility components that enhance high performance and not operational components.
  - To ensure funding is directed toward those high performance measures that are more difficult or costly to implement.

For those projects submitted under modernization, the same HPRC as new construction will be used; however, Staff realized some aspects of the high performance measures will be more difficult to implement. In order to adjust for the increased costs of implementing these measures, the rating criteria has been altered to provide more incentive points for alternative energy and energy management systems.

### *Program Overview*

New construction projects on new sites must meet all requirements (prerequisites) in all HPRC categories; then, the district may select the credits they wish to pursue. All applications must meet the 2006 CHPS performance guidelines and districts must achieve a minimum designated score of 15 points to qualify for the HPI grant. The maximum attainable points for new construction will be 54. The final score will determine the HPI grant amount which will result from multiplying the percentage attained to the base grant. (Please see Attachment B for funding distribution amounts.) The five categories used for the HPRC are as follows:

- Sustainable Sites
- Water
- Energy
- Materials
- Indoor Environmental Quality

Additions to an existing site and modernization projects must meet all requirements (prerequisites) that are within the scope of the project; then, as with new construction, districts may select the credits they wish to pursue. All applications must meet the 2006 CHPS performance guidelines and districts must achieve a minimum designated score of 15 points to qualify for the HPI grant. The maximum attainable points for these two categories will be 59.

### *Certification*

The OPSC will add a certification to page 8 of the *Application for Funding* (Form SAB 50-04) stating the district has considered the feasibility of using designs and materials for the new construction or modernization project that promotes components which enhance high performance schools.

### *Review Process*

- The DSA will oversee the review of plan designs and report the high performance rating on DSA's e-tracker.
- The OPSC will process the district's Form SAB 50-04 and award the HPI grant allowance based on the points rating achieved and verified by DSA.
- The \$100 million will remain in one fund and will not be divided into separate amounts for modernization and new construction.
- The HPI grant will be apportioned by the OPSC based upon the receipt of a complete Form SAB 50-04 in date order received.
- Should funding for the HPI grant be exhausted, the district will have the option to receive funding without this additional grant or the district could withdraw the entire project and resubmit for funding should additional funds become available.

## RECOMMENDATION

Accept the proposed regulations (see Attachment C) to be presented at the next available State Allocation Board meeting.

**ATTACHMENT A**

CHPS Criteria		Prop 1D Rating Factor		Possible Prop 1D points	
		Possible CHPS Points	New Construction	Modernization and Additions	New Construction
<b>Sustainable Sites</b>					
<b>Site Selection</b>					
SS1.0 Code Compliance	REQ	n/a	n/a	REQ	REQ
SS1.1 Environmentally Sensitive Land	1	0	0	0	0
SS1.2 Greenfields	1	0	0	0	0
SS1.3 Central Location	1	0	0	0	0
SS1.4 Joint-Use of Facilities	1	0	0	0	0
SS1.5 Joint-Use of Parks	1	0	0	0	0
SS1.6 Reduced Footprint	1	0 or 1	0 or 1	0 or 1	0 or 1
<b>Transportation</b>					
SS2.1 Public Transportation	1	0	0	0	0
SS2.2 Bicycles	1	0.5	0.5	0.5	0.5
SS2.3 Minimize Parking	1	0	0	0	0
<b>Stormwater Management</b>					
SS3.0 Construction Site Runoff Control	REQ	n/a	n/a	REQ	REQ
SS3.1 Limit Stormwater Runoff	1	0.5	0.5	0.5	0.5
SS3.2 Treat Stormwater Runoff	1	1	1	1	1
<b>Outdoor Surfaces</b>					
SS4.1 Reduce Heat Islands - Landscaping	1	0.5	0.5	0.5	0.5
SS4.2 Reduce Heat Islands - Cool Roofs	1	0.5	0.5	0.5	0.5
<b>Outdoor Lighting</b>					
SS5.1 Light Pollution Reduction	1	0	0	0	0
<b>Schools as Learning Tools</b>					
SS6.0 Educational Display	REQ	n/a	n/a	n/a	n/a
SS6.1 Demonstration Areas	1	0	0	0	0
<b>Water</b>					
<b>Outdoor Systems</b>					
WE1.0 Create Water Use Budget	REQ	n/a	n/a	REQ	REQ
WE1.1 Reduce Potable Water for Landscaping	1 - 2	1	1	1 - 2	1 - 2
<b>Indoor Systems</b>					
WE2.1 Reduce Sewage Conveyance from Toilets	1	1	1	1	1
WE2.2 Reduce Indoor Potable Water Use	1 - 2	1	1	1 - 2	1 - 2
<b>Energy</b>					
<b>Energy Efficiency</b>					
EE1.0 Minimum Energy Performance	REQ	n/a	n/a	REQ	REQ
EE1.1 Superior Energy Performance	1 - 13	1	1	1 - 13	1 - 13
EE1.2 Natural Ventilation	1	1	1	1	1
EE1.3 Energy Management System	1	n/a	3	REQ	3

**ATTACHMENT A**

		Prop 1D Rating Factor		Possible Prop 1D points	
		New Construction	Modernization and Additions	New Construction	Modernization and Additions
CHPS Criteria	Possible CHPS Points				
<b>Alternate Energy Sources</b>					
EE2.1 Renewable Energy	1 - 3	1 for each 5% to 35% maximum	3 for first 5% plus 1 for each additional 5% to 35% max	1 - 7	3 - 9
<b>Commissioning and Training</b>					
EE3.0 Fundamental Building Systems T and T	REQ	n/a	n/a	REQ	REQ
EE3.1 Enhanced Commissioning	1 - 2	0	0	0	0
<b>Materials</b>					
<b>Recycling</b>					
ME1.0 Storage and Collection of Recyclables	REQ	n/a	n/a	REQ	REQ
<b>Construction Waste Management</b>					
ME 2.0 Construction Waste Management	REQ	n/a	n/a	REQ	REQ
ME2.1 CWM @ 75% or Above Diverted	1 - 2	0.5	0.5	0.5 to 1	0.5 to 1
<b>Building Reuse</b>					
ME 3.1 Reuse of Structure and Shell	1 - 2	0	0	0	0
ME3.2 Reuse of Interior Partitions	1	0	0	0	0
<b>Sustainable Materials</b>					
ME4.1 Recycled Content	1 - 2	1	1	1 - 2	1 - 2
ME4.2 Rapidly Renewable Materials	1	1	1	1	1
ME4.3 Organically Grown Materials	1	1	1	1	1
ME4.4 Certified Wood	1	1	1	1	1
ME4.5 Salvaged Materials	1 - 2	1	1	1 - 2	1 - 2
ME4.6 Alt: Enviro Preferable Products	1 - 7	1	1	1 - 7	1 - 7
<b>Indoor Environmental Quality</b>					
<b>Lighting and Daylighting</b>					
EQ1.1 Daylighting	1 - 4	1	1	1 - 4	1 - 4
EQ1.2 View Windows	1	1	1	1	1
EQ1.3 Electric Lighting	1	0	0	0	0
<b>Indoor Air Quality</b>					
EQ2.0 Minimum Requirements	REQ	n/a	n/a	REQ	REQ
EQ2.1 Increased Ventilation Effectiveness	1 - 2	1	1	1 - 2	1 - 2
EQ2.2 Low-Emitting Materials	1 - 4	1	1	1 - 4	1 - 4
EQ2.3 Chemical & Pollutant Source Control	1	1	1	1	1
EQ2.4 Ducted Returns	1	1	1	1	1
EQ2.5 Filtration	1	1	1	1	1
<b>Acoustics</b>					
EQ3.0 Minimum Acoustical Performance	REQ	n/a	n/a	REQ	REQ
EQ3.1 Improved Acoustical Performance	3	0	0	0	0

**ATTACHMENT A**

CHPS Criteria	Possible CHPS Points	Prop 1D Rating Factor		Possible Prop 1D points	
		New Construction	Modernization and Additions	New Construction	Modernization and Additions
<b>Thermal Comfort</b>					
EQ4.0 ASHRAE 55 Code Compliance	REQ	n/a	n/a	REQ	REQ
EQ4.01 Controlability of Systems	2	1	1	1 - 2	1 - 2
<b>Policy and Operations</b>					
<b>District Level Credits</b>					
PO1.1 CHPS Resolution	1	0	0	0	0
PO1.2 Environmental Education Resolution	2	0	0	0	0
PO1.3 Periodic Assessment of Environ. Cond.	1	0	0	0	0
PO1.14 Equipment Performance	2	0	0	0	0
<b>Transportation</b>					
PO2.1 Buses	1	0	0	0	0
PO2.1 Low Emission School Buses	1	0	0	0	0
<b>Project Level Credits</b>					
PO3.1 Maintenance Plan	3	0	0	0	0
PO3.2 Green Power	2	0	0	0	0
<b>Maximum Possible Points</b>	<b>85</b>			<b>54</b>	<b>59</b>

Notes: All CHPS Prerequisites are also Prop 1D Prerequisites except SS6.0 Educational Display.  
 EE1.3 Energy Management System will be required for New Construction but will earn 3 Prop 1D points for Modernization.  
 EE2.1 Renewable Energy will receive 3 Prop 1D points for the first 5% to offset added costs of installation for existing structures.  
 Maximum Possible Points includes only 7 points available for Sustainable Materials. ME4.6 is in Lieu of ME4.1 through ME 4.5

# DRAFT

## ATTACHMENT B

### High Performance School Prop 1D Funding Calculator

High Performance School (HPS) Grant Allowance based on 2006 Base Year

Effective DSA Application Dates: August \_\_\_, 2007

To determine High Performance Grant Allowance, please enter "Number of Students" in the following block: 500

Note: Yellow cells are for input variables.	Elementary	Middle	High	Non-Severe	Severe
Award Per Pupil Grant:	\$ 8,081	\$ 8,546	\$ 10,873	\$ 16,095	\$ 24,066
Award \$ x Number of Students:	\$ 4,040,500	\$ 4,273,000	\$ 5,436,500	\$ 8,047,500	\$ 12,033,000

Prop 1D Points	Allowance per Point	Prop 1D Grant %	Elementary	Middle	High	Non-Severe	Severe
			Base Grant Allowance				
15.0	0.00133	2.00%	\$ 80,790	\$ 85,439	\$ 108,703	\$ 160,910	\$ 240,600
15.5	0.00134	2.07%	\$ 83,772	\$ 88,592	\$ 112,715	\$ 166,849	\$ 249,480
16.0	0.00135	2.15%	\$ 86,966	\$ 91,970	\$ 117,013	\$ 173,211	\$ 258,994
16.5	0.00135	2.23%	\$ 90,192	\$ 95,381	\$ 121,353	\$ 179,635	\$ 268,599
17.0	0.00136	2.31%	\$ 93,448	\$ 98,825	\$ 125,734	\$ 186,120	\$ 278,296
17.5	0.00137	2.39%	\$ 96,734	\$ 102,301	\$ 130,156	\$ 192,667	\$ 288,084
18.0	0.00138	2.48%	\$ 100,052	\$ 105,809	\$ 134,620	\$ 199,274	\$ 297,964
18.5	0.00138	2.56%	\$ 103,400	\$ 109,350	\$ 139,125	\$ 205,943	\$ 307,936
19.0	0.00139	2.64%	\$ 106,779	\$ 112,924	\$ 143,672	\$ 212,673	\$ 317,999
19.5	0.00140	2.73%	\$ 110,189	\$ 116,530	\$ 148,260	\$ 219,465	\$ 328,154
20.0	0.00141	2.81%	\$ 113,630	\$ 120,168	\$ 152,889	\$ 226,318	\$ 338,401
20.5	0.00141	2.90%	\$ 117,101	\$ 123,840	\$ 157,560	\$ 233,232	\$ 348,739
21.0	0.00142	2.98%	\$ 120,603	\$ 127,543	\$ 162,272	\$ 240,207	\$ 359,169
21.5	0.00143	3.07%	\$ 124,136	\$ 131,279	\$ 167,026	\$ 247,243	\$ 369,690
22.0	0.00144	3.16%	\$ 127,700	\$ 135,048	\$ 171,821	\$ 254,341	\$ 380,303
22.5	0.00144	3.25%	\$ 131,294	\$ 138,849	\$ 176,657	\$ 261,500	\$ 391,008
23.0	0.00145	3.34%	\$ 134,920	\$ 142,683	\$ 181,535	\$ 268,721	\$ 401,804
23.5	0.00146	3.43%	\$ 138,576	\$ 146,550	\$ 186,454	\$ 276,002	\$ 412,692
24.0	0.00147	3.52%	\$ 142,262	\$ 150,448	\$ 191,414	\$ 283,345	\$ 423,671
24.5	0.00147	3.61%	\$ 145,980	\$ 154,380	\$ 196,416	\$ 290,749	\$ 434,742
25.0	0.00148	3.71%	\$ 149,728	\$ 158,344	\$ 201,459	\$ 298,215	\$ 445,905
25.5	0.00149	3.80%	\$ 153,507	\$ 162,340	\$ 206,544	\$ 305,741	\$ 457,159
26.0	0.00150	3.89%	\$ 157,317	\$ 166,369	\$ 211,670	\$ 313,329	\$ 468,505
26.5	0.00151	3.99%	\$ 161,157	\$ 170,431	\$ 216,838	\$ 320,979	\$ 479,942
27.0	0.00151	4.08%	\$ 165,029	\$ 174,525	\$ 222,046	\$ 328,689	\$ 491,471
27.5	0.00152	4.18%	\$ 168,931	\$ 178,651	\$ 227,297	\$ 336,461	\$ 503,092
28.0	0.00153	4.28%	\$ 172,864	\$ 182,811	\$ 232,588	\$ 344,294	\$ 514,805
28.5	0.00154	4.38%	\$ 176,827	\$ 187,002	\$ 237,921	\$ 352,188	\$ 526,609
29.0	0.00154	4.48%	\$ 180,822	\$ 191,226	\$ 243,296	\$ 360,144	\$ 538,504
29.5	0.00155	4.57%	\$ 184,847	\$ 195,483	\$ 248,712	\$ 368,161	\$ 550,491
30.0	0.00156	4.68%	\$ 188,903	\$ 199,772	\$ 254,169	\$ 376,239	\$ 562,570
30.5	0.00157	4.78%	\$ 192,989	\$ 204,094	\$ 259,667	\$ 384,378	\$ 574,741
31.0	0.00157	4.88%	\$ 197,107	\$ 208,449	\$ 265,207	\$ 392,579	\$ 587,003
31.5	0.00158	4.98%	\$ 201,255	\$ 212,835	\$ 270,789	\$ 400,841	\$ 599,356
32.0	0.00159	5.08%	\$ 205,434	\$ 217,255	\$ 276,411	\$ 409,164	\$ 611,801
32.5	0.00160	5.19%	\$ 209,643	\$ 221,707	\$ 282,076	\$ 417,549	\$ 624,338
33.0	0.00160	5.29%	\$ 213,884	\$ 226,191	\$ 287,781	\$ 425,994	\$ 636,967
33.5	0.00161	5.40%	\$ 218,155	\$ 230,708	\$ 293,528	\$ 434,501	\$ 649,687
34.0	0.00162	5.51%	\$ 222,457	\$ 235,258	\$ 299,316	\$ 443,070	\$ 662,499
34.5	0.00163	5.61%	\$ 226,790	\$ 239,840	\$ 305,146	\$ 451,699	\$ 675,402
35.0	0.00163	5.72%	\$ 231,153	\$ 244,454	\$ 311,017	\$ 460,390	\$ 688,397
35.5	0.00164	5.83%	\$ 235,548	\$ 249,102	\$ 316,930	\$ 469,142	\$ 701,484

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## High Performance School Prop 1D Funding Calculator

### High Performance School (HPS) Grant Allowance based on 2006 Base Year

Effective DSA Application Dates: August \_\_\_\_, 2007

To determine High Performance Grant Allowance, please enter "Number of Students" in the following block: 500

Note: Yellow cells are for input variables.	<b>Elementary</b>	<b>Middle</b>	<b>High</b>	<b>Non-Severe</b>	<b>Severe</b>
Award Per Pupil Grant:	\$ 8,081	\$ 8,546	\$ 10,873	\$ 16,095	\$ 24,066
Award \$ x Number of Students:	\$ 4,040,500	\$ 4,273,000	\$ 5,436,500	\$ 8,047,500	\$ 12,033,000

Prop 1D Points	Allowance per Point	Prop 1D Grant %	Elementary	Middle	High	Non-Severe	Severe
			Base Grant Allowance				
36.0	0.00165	5.94%	\$ 239,973	\$ 253,781	\$ 322,884	\$ 477,956	\$ 714,662
36.5	0.00166	6.05%	\$ 244,428	\$ 258,493	\$ 328,879	\$ 486,830	\$ 727,932
37.0	0.00167	6.16%	\$ 248,915	\$ 263,238	\$ 334,916	\$ 495,766	\$ 741,293
37.5	0.00167	6.27%	\$ 253,432	\$ 268,015	\$ 340,994	\$ 504,763	\$ 754,746
38.0	0.00168	6.38%	\$ 257,980	\$ 272,825	\$ 347,113	\$ 513,822	\$ 768,291
38.5	0.00169	6.50%	\$ 262,559	\$ 277,668	\$ 353,274	\$ 522,942	\$ 781,927
39.0	0.00170	6.61%	\$ 267,169	\$ 282,542	\$ 359,476	\$ 532,123	\$ 795,655
39.5	0.00170	6.73%	\$ 271,809	\$ 287,450	\$ 365,720	\$ 541,365	\$ 809,474
40.0	0.00171	6.84%	\$ 276,480	\$ 292,390	\$ 372,005	\$ 550,668	\$ 823,385
40.5	0.00172	6.96%	\$ 281,182	\$ 297,362	\$ 378,331	\$ 560,033	\$ 837,388
41.0	0.00173	7.08%	\$ 285,915	\$ 302,367	\$ 384,699	\$ 569,459	\$ 851,482
41.5	0.00173	7.19%	\$ 290,678	\$ 307,405	\$ 391,108	\$ 578,947	\$ 865,668
42.0	0.00174	7.31%	\$ 295,473	\$ 312,475	\$ 397,559	\$ 588,495	\$ 879,946
42.5	0.00175	7.43%	\$ 300,298	\$ 317,577	\$ 404,051	\$ 598,105	\$ 894,315
43.0	0.00176	7.55%	\$ 305,153	\$ 322,712	\$ 410,584	\$ 607,776	\$ 908,776
43.5	0.00176	7.67%	\$ 310,040	\$ 327,880	\$ 417,159	\$ 617,509	\$ 923,328
44.0	0.00177	7.80%	\$ 314,957	\$ 333,080	\$ 423,775	\$ 627,303	\$ 937,972
44.5	0.00178	7.92%	\$ 319,905	\$ 338,313	\$ 430,433	\$ 637,158	\$ 952,708
45.0	0.00179	8.04%	\$ 324,884	\$ 343,578	\$ 437,132	\$ 647,074	\$ 967,535
45.5	0.00179	8.16%	\$ 329,893	\$ 348,876	\$ 443,872	\$ 657,051	\$ 982,454
46.0	0.00180	8.29%	\$ 334,934	\$ 354,206	\$ 450,654	\$ 667,090	\$ 997,465
46.5	0.00181	8.41%	\$ 340,005	\$ 359,569	\$ 457,477	\$ 677,190	\$ 1,012,567
47.0	0.00182	8.54%	\$ 345,106	\$ 364,965	\$ 464,341	\$ 687,352	\$ 1,027,760
47.5	0.00182	8.67%	\$ 350,239	\$ 370,393	\$ 471,247	\$ 697,574	\$ 1,043,046
48.0	0.00183	8.80%	\$ 355,402	\$ 375,853	\$ 478,195	\$ 707,858	\$ 1,058,423
48.5	0.00184	8.92%	\$ 360,596	\$ 381,346	\$ 485,183	\$ 718,203	\$ 1,073,891
49.0	0.00185	9.05%	\$ 365,821	\$ 386,872	\$ 492,213	\$ 728,610	\$ 1,089,451
49.5	0.00186	9.18%	\$ 371,077	\$ 392,430	\$ 499,285	\$ 739,077	\$ 1,105,103
50.0	0.00186	9.31%	\$ 376,363	\$ 398,020	\$ 506,398	\$ 749,606	\$ 1,120,847
50.5	0.00187	9.45%	\$ 381,681	\$ 403,643	\$ 513,552	\$ 760,197	\$ 1,136,682
51.0	0.00188	9.58%	\$ 387,028	\$ 409,299	\$ 520,748	\$ 770,848	\$ 1,152,608
51.5	0.00189	9.71%	\$ 392,407	\$ 414,987	\$ 527,985	\$ 781,561	\$ 1,168,627
52.0	0.00189	9.85%	\$ 397,817	\$ 420,708	\$ 535,263	\$ 792,335	\$ 1,184,736
52.5	0.00190	9.98%	\$ 403,257	\$ 426,461	\$ 542,583	\$ 803,170	\$ 1,200,938
53.0	0.00191	10.12%	\$ 408,728	\$ 432,247	\$ 549,944	\$ 814,067	\$ 1,217,231
53.5	0.00192	10.25%	\$ 414,230	\$ 438,065	\$ 557,347	\$ 825,025	\$ 1,233,616
54.0	0.00192	10.39%	\$ 419,762	\$ 443,916	\$ 564,791	\$ 836,044	\$ 1,250,092
54.5	0.00193	10.53%	\$ 425,325	\$ 449,800	\$ 572,276	\$ 847,124	\$ 1,266,660
55.0	0.00194	10.67%	\$ 430,919	\$ 455,715	\$ 579,803	\$ 858,266	\$ 1,283,319
55.5	0.00195	10.80%	\$ 436,544	\$ 461,664	\$ 587,371	\$ 869,469	\$ 1,300,071
56.0	0.00195	10.94%	\$ 442,200	\$ 467,645	\$ 594,980	\$ 880,733	\$ 1,316,913
56.5	0.00196	11.08%	\$ 447,886	\$ 473,658	\$ 602,631	\$ 892,059	\$ 1,333,848
57.0	0.00197	11.23%	\$ 453,603	\$ 479,704	\$ 610,324	\$ 903,445	\$ 1,350,874

# DRAFT

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Award \$ x Number of Students:	\$ 4,040,500	\$ 4,273,000	\$ 5,436,500	\$ 8,047,500	\$ 12,033,000

			Elementary	Middle	High	Non-Severe	Severe
Prop 1D Points	Allowance per Point	Prop 1D Grant %	Base Grant Allowance				
57.5	0.00198	11.37%	\$ 459,351	\$ 485,783	\$ 618,057	\$ 914,893	\$ 1,367,991
58.0	0.00198	11.51%	\$ 465,130	\$ 491,894	\$ 625,833	\$ 926,403	\$ 1,385,201
58.5	0.00199	11.66%	\$ 470,939	\$ 498,038	\$ 633,649	\$ 937,973	\$ 1,402,502
59.0	0.00200	11.80%	\$ 476,779	\$ 504,214	\$ 641,507	\$ 949,605	\$ 1,419,894

## ATTACHMENT C

### PROPOSED AMENDMENTS TO THE PROGRAM REGULATIONS State Allocation Board Meeting, August 22, 2007

#### SCHOOL FACILITY PROGRAM

Amend Regulation Section 1859.2.

Section 1859.2. Definitions.

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

"High Performance Rating Criteria" (HPRC) means the standard used to evaluate the costs of designs and materials that promote high performance schools. The HPRC will be using the Collaborative for High Performance Schools (CHPS) rating criteria model as identified in the CHPS *Best Practices Manual 2006 Edition*. For the purposes of the SFP, the HPRC contained in these regulations have been modified to focus on facility related components.

"High Performance School Account" means the funds set aside by the Board for purposes of Education Code Section 101012(a)8.

Adopt Regulation Section 1859.70.4.

Section 1859.70.4. Available Funding for High Performance.

The Board shall set aside \$100 million pursuant to Education Code Section 101012(a)(8) for the costs of designs and materials that promote in new construction and modernization projects, the efficient use of energy and water, the maximum use of natural lighting and indoor air quality, the use of recycled materials and materials that emit a minimum of toxic substances, the use of acoustics conducive to teaching and learning, and other characteristics of high performance schools.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Section 101012(a)(8), Education Code.

Adopt Regulation Section 1859.71.6.

Section 1859.71.6. New Construction Additional Grant for High Performance Incentive

(a) In addition to any other funding authorized by these Regulations, the Board shall provide the grant amounts identified in Subsection (b) if all the following are met:

(1) The project includes all the prerequisites in each of the five HPRC to include Sustainable Sites, Water, Energy, Materials and Indoor Environmental Quality and related subcategory credits.

(2) Once the prerequisites in (a)(1) have been met, the district may select the criteria and credits it wishes to pursue to determine point award. Category, criteria and associated points are as follows:

(A) Sustainable Sites.

1. Site Selection:

a. Code compliance equals prerequisite.

b. Reduced footprint equals one point. If project qualifies for additional grant pursuant to Regulation Section 1859.73, point value equals zero.

2. Transportation:

a. Bicycles equals 0.5 points.

3. Stormwater Management:

a. Construction site runoff control equals prerequisite.

b. Limit stormwater runoff equals 0.5 point;

c. Treat stormwater runoff equals one point.

4. Outdoor Surfaces:

a. Reduce heat islands – landscaping equals 0.5 point;

b. Reduce heat islands – cool roofs equals 0.5 point.

(B) Water.

1. Outdoor Systems:

a. Create water use budget equals prerequisite.

b. Reduce potable water for landscaping equals one to two points.

2. Indoor Systems:

a. Reduce sewage conveyance from toilets equals one point;

b. Reduce indoor potable water use equals one to two points.

(C) Energy.

1. Energy Efficiency:

a. Minimum energy performance equals prerequisite.

b. Superior energy performance equals one to 13 points;

c. Natural ventilation equals one point;

d. Energy management system equals prerequisite.

2. Alternate Energy Sources: Renewable energy equals one to seven points: One point for each five percent of the site's annual power consumption that is produced on site not to exceed 35 percent.

3. Commissioning and Training:

a. Fundamental building systems testing and training equals prerequisite.

(D) Materials

1. Recycling: Storage and collection of recyclables equals prerequisite.

2. Construction Waste Management:

a. Construction waste management equals prerequisite.

b. Construction waste management at 75 percent or above diverted equals 0.5 to one point.

3. Sustainable Materials:

a. Recycled content equals one to two points;

b. Rapidly renewable materials equals one point;

c. Organically grown materials equals one point;

d. Certified wood equals one point;

e. Salvaged materials equals one to two points.

f. Alternative: environmentally preferable products in lieu of a. through e. above equals one to seven points.

(E) Indoor Environmental Quality.

1. Lighting and Daylighting:

a. Daylighting equals one to four points;

b. View Windows equals one point.

2. Indoor Air Quality:

- a. Minimum requirements equals prerequisite.
- b. Increased ventilation effectiveness equals one to two points;
- c. Low-emitting materials equals one to four points;
- d. Chemical and pollutant source control equals one point;
- e. Ducted returns equals one point;
- f. Filtration equals one point.
- 3. Acoustics: Minimum acoustical performance equals prerequisite.
- 4. Thermal Comfort:
  - a. American Society of Heating, Refrigerating and Air-Conditioning Engineers 55 code compliance equals prerequisite.
  - b. Controllability of systems equals one to two points.
- (3) The project must have been accepted by DSA on or after May 20, 2006, and the points standard must be within the range from 15 to 54 points, as verified by the DSA.
- (4) The DSA has reviewed the proposed project and concurs with the points specified in the HPRC.
- (5) The project will not receive funding from the Energy Efficiency Account.
- (b) To determine the High Performance Incentive grant, multiply the New Construction Grant by the percentage allowance in accordance with the eligible high performance points as follows:

High Performance Points	Grant Percentage Increase
15.0	2.00
15.5	2.07
16.0	2.15
16.5	2.23
17.0	2.31
17.5	2.39
18.0	2.48
18.5	2.56
19.0	2.64
19.5	2.73
20.0	2.81
20.5	2.90
21.0	2.98
21.5	3.07
22.0	3.16
22.5	3.25
23.0	3.34
23.5	3.43
24.0	3.52
24.5	3.61
25.0	3.71
25.5	3.80
26.0	3.89
26.5	3.99
27.0	4.08
27.5	4.18
28.0	4.28
28.5	4.38
29.0	4.48
29.5	4.57

High Performance Points	Grant Percentage Increase
30.0	4.68
30.5	4.78
31.0	4.88
31.5	4.98
32.0	5.08
32.5	5.19
33.0	5.29
33.5	5.40
34.0	5.51
34.5	5.61
35.0	5.72
35.5	5.83
36.0	5.94
36.5	6.05
37.0	6.16
37.5	6.27
38.0	6.38
38.5	6.50
39.0	6.61
39.5	6.73
40.0	6.84
40.5	6.96
41.0	7.08
41.5	7.19
42.0	7.31
42.5	7.43
43.0	7.55
43.5	7.67
44.0	7.80
44.5	7.92

High Performance Points	Grant Percentage Increase
45.0	8.04
45.5	8.16
46.0	8.29
46.5	8.41
47.0	8.54
47.5	8.67
48.0	8.80
48.5	8.92
49.0	9.05
49.5	9.18
50.0	9.31
50.5	9.45
51.0	9.58
51.5	9.71
52.0	9.85
52.5	9.98
53.0	10.12
53.5	10.25
54.0	10.39
54.5	10.53
55.0	10.67
55.5	10.80
56.0	10.94
56.5	11.08
57.0	11.23
57.5	11.37
58.0	11.51
58.5	11.66
59.0	11.80

If there are no funds remaining in the High Performance School Account or the funds remaining in the High Performance School Account are insufficient to fully fund the additional grant authorized in Subsection (b), the district may either withdraw its application and resubmit it should additional funds be made available in the High Performance School Account or continue with the new construction project and accept a full and final apportionment without the additional grant authorized by Subsection (b).

Note: Authority cited: Section 17070.35, Education Code.

Reference: Section 101012(a)(8), Education Code.

Adopt Regulation Section 1859.77.4.

Section 1859.77.4. Addition to an Existing Site and Modernization Grant for High Performance Incentive.

- (a) In addition to any other funding authorized by these Regulations, the Board shall provide the grant amounts identified in Subsection (b) if all the following are met:
- (1) The project includes all the prerequisites in each of the five HPRC to include Sustainable Sites, Water, Energy, Materials and Indoor Environmental Quality, that are within the scope of the project, and related subcategory credits.
  - (2) Once the prerequisites in (a)(1) have been met, the district may select the criteria and credits it wishes to pursue to determine point award. The category, criteria and associated points are as indicated in Section 1859.71.6 (a), with the exception of (a)(2)(C)1.d. and 2.that have an amended point allowance as follows:
    - (A) Energy Efficiency: Energy management system equals three points.
    - (B) Alternate Energy Sources: Renewable energy equals three to nine points: Three points for the first five percent plus one point for each additional five percent thereafter of the site's annual power consumption that is produced on site not to exceed 35 percent.
  - (3) The project must have been accepted by DSA on or after May 20, 2006, and the points standard must be within the range from 15 to 59 points, as verified by the DSA.
  - (4) The DSA has reviewed the proposed project and concurs with the points specified in the HPRC.
  - (5) The project will not receive funding from the Energy Efficiency Account.
- (b) To determine the High Performance Incentive grant, multiply the Modernization Grant by the percentage allowance in accordance with the eligible high performance points as shown using the table in Regulation Section 1859.71.6 (b).

If there are no funds remaining in the High Performance School Account or the funds remaining in the High Performance School Account are insufficient to fully fund the additional grant authorized in Subsection (b), the district may either withdraw its application and resubmit it should additional funds be made available in the High Performance School Account or continue with the addition to an existing site/modernization project and accept a full and final apportionment without the additional grant authorized by Subsection (b).

Note: Authority cited: Section 17070.35, Education Code.

Reference: Section 101012(a)(8), Education Code.

# APPLICATION FOR FUNDING SCHOOL FACILITY PROGRAM

SAB 50-04 (REV 06/06/09/07)

## GENERAL INFORMATION

Once the Board has determined or adjusted the district's eligibility for either new construction or modernization funding, 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:

1. 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 SAB 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.
2. 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).
3. 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 SAB 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.
4. 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).
5. 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.
- If this is a request for funding under the Small High School Program, pursuant to Regulation Section 1859.93.2, the district must also provide a CDE Small High School academic reform strategy approval.
- If this request is fully or partially based on eligibility derived from an Alternative Enrollment Projection, a justification of how the project relieves overcrowding, including but not limited to, the elimination of the use of Concept 6 calendars, four track year-round calendars, or bussing in excess of 40 minutes.

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.
- Cost estimate of the proposed site development necessary for the Reconfiguration of an existing high school.
- 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. In addition, if the district's request is fully or partially based on eligibility derived from an Alternative Enrollment Projection, the district must update the Alternative Enrollment Projection to correspond with the CBEDS enrollment data for the current year. 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.

# APPLICATION FOR FUNDING SCHOOL FACILITY PROGRAM

SAB 50-04 (REV 06/06/09/07)

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 SFP handbook and other information located on 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 the modernization of school facilities and includes facilities that are eligible for an additional apportionment pursuant to Section 1859.78.8, include a site diagram with this application that specifies the age of each facility eligible for modernization. The diagram should also indicate the date of its original DSA plan approval and the date the facility received its prior modernization apportionment. If known include the project modernization number on the diagram. 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 21 only.

### 2. Type of Project

- Select the type of project that best represents this application request and enter the total 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.

- 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 eligible classrooms or the total eligible square footage building area at the site. 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 that is at least 50 years old and not been previously modernized with state funds. Refer to Section 1859.78.6(b)(1)(B) or (b)(2)(B).
  - Enter the greater percentage as calculated under Regulation Section 1859.78.6(b)(1)(C) or Regulation Section 1859.78.6(b)(2)(C).
  - If this project includes eligible 50 year or older pupil grants, enter the appropriate number assigned to the project for each grade group. The number of pupils entered cannot exceed the cumulative number of 50 year or older permanent buildings pupil grants requested for all modernization funding applications for the site as determined by using the percentage factor above.
- If this request includes pupil grants generated by an Alternative Enrollment Projection Method, enter the number of pupils by grade level.
- Indicate if this request is for funding of a 6–8 school and/or an Alternative Education School.
- 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.
- 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:

- Therapy area in square feet as provided in Section 1859.72.
- Multilevel classrooms in the P&S pursuant to Section 1859.73.
- 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.
- 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.
  - Enter 50 percent of the actual cost.
  - 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.
  - Enter 50 percent of the allowable relocation cost.
  - Enter two percent of the lesser of the actual cost or appraised value of the site (minimum \$25,000).
  - 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. If the district is submitting a funding request for new construction under the Small High School Program, enter the 60 percent values.

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.

- 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.
- Enter 50 percent of eligible service-site development, off-site development including pedestrian safety paths and utilities costs allowed pursuant to Section 1859.76. If the district is submitting a funding request for new construction under the Small High School Program, enter the 60 percent values. 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.

Check the box if the district is requesting an Additional Grant for General Site Development pursuant to Section 1859.76

- 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).

- Enter the square feet of eligible replacement area as provided by Section 1859.73.2.
- 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).
- Check the box(es) if the district requests and the project qualifies for additional funding for fire code requirements authorized in Section 1859.71.2.
- If the district is requesting an Additional Grant for High Performance Incentive pursuant to Section 1859.70.4, enter the number of high performance points as prescribed in Section 1859.71.6.

**6. Modernization Additional Grant Request**

- 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.
- 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).
- 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).
- Check the box if the district is requesting a Separate Apportionment for Reconfiguration pursuant to Section 1859.78.9. Enter the full value of the Reconfiguration request, not to exceed an aggregate of \$500,000 for all high school entities created.
- Check the box(es) if the district requests and the project qualifies for additional funding for fire code requirements authorized in Section 1859.78.4.
- If the district is requesting an Additional Grant for High Performance Incentive pursuant to Section 1859.70.4, enter the number of high performance points as prescribed in Section 1859.77.4.

**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 the excessive cost grant for a new Alternative Education school pursuant to Section 1859.83(c)(2) and the district wishes to request less than the maximum allowance, please submit a letter along with application indicating the desired amount.

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

# APPLICATION FOR FUNDING SCHOOL FACILITY PROGRAM

SAB 50-04 (REV 06/06/09/07)

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 New Construction Baseline Eligibility

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 new construction or modernization grants. These adjustments are made 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, or indicate N/A if there are none. Refer to Section 1859.51(i).
- 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. Project Progress Dates

Complete this section for new construction/modernization projects:

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

## 17. Labor Compliance Program

Indicate whether the district is subject to a Labor Compliance Program that has been approved by the Department of Industrial Relations pursuant to Labor Code Section 1771.7 by checking the appropriate box.

## 18. Construction Delivery Method

Check the box that best represents the construction delivery method that the district has or will use for this project, if known.

## 19. Architect of Record or Licensed Architect Certification

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

## 20. Architect of Record or Design Professional Certification

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

## 21. Certification

The district representative must complete this section. For additional information regarding district certifications, refer to the SFP handbook located on the OPSC web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov).

APPLICATION FOR FUNDING
SCHOOL FACILITY PROGRAM

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.

Form with fields: 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

- Checkboxes for: New Construction, New Construction (Final Apportionment), New Construction (Final Charter School Apportionment), New Construction (Small High School Program), Modernization, Modernization of California Schools for Deaf/Blind

Separate Apportionment

- Checkboxes for: Site Only—New Construction, Site Only (District owned)—New Construction, Site Only—Environmental Hardship, Design Only—New Construction, Design Only—Modernization, Design Only—Modernization of California Schools for Deaf/Blind, Facility Hardship, Rehabilitation, Advance Funding for Evaluation and RA

2. Type of Project

- Checkboxes for: Elementary School, Middle School, High School

Total Pupils Assigned:

- Fields for: K-6, 7-8, 9-12, Non-Severe, Severe

b. 50 Years or Older Building Funding (Modernization Only)

Total Eligible Classrooms/Square Footage:
Classroom/Square Footage at Least 50 Years Old:
Ratio of 50 Years Old Classrooms/Square Footage: %
From 2a above, how many are 50 Year or Older Pupil Grants?

- Fields for: K-6, 7-8, 9-12, Non-Severe, Severe

c. Included in 2a above, how many pupils are generated by the Alternative Enrollment Projection? (New Construction Only)

- Fields for: K-6, 7-8, 9-12, Non-Severe, Severe

d. Is this a 6-8 school? Yes No

If you answered yes, how many K-6 pupils reported above are sixth graders?

Is this an Alternative Education School? Yes No

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 OPSC

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: \$

General Site

g. Facility Hardship Section 1859.82(a) or (b)

Toilet (sq. ft.):

Other (sq. ft.):

**APPLICATION FOR FUNDING  
SCHOOL FACILITY PROGRAM**

- h. Replacement area
  - Toilet (sq. ft.): \_\_\_\_\_
  - Other (sq. ft.): \_\_\_\_\_
- i.  Energy Efficiency: \_\_\_\_\_ %
- j.  Automatic Fire Detection/Alarm System
- Automatic Sprinkler System
- k.  High Performance Incentive (Indicate Points): \_\_\_\_\_

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

- a.  Project Assistance
- b.  Energy Efficiency: \_\_\_\_\_ %
- c.  Site Development—60 percent utilities: \$ \_\_\_\_\_
- d.  Separate Apportionment for Reconfiguration (for Small High School Program only): \$ \_\_\_\_\_
- e.  Automatic Fire Detection/Alarm System
- Automatic Sprinkler System
- f.  High Performance Incentive (Indicate Points): \_\_\_\_\_

**7. Excessive Cost Hardship Request**

**New Construction Only**

- Geographic Percent Factor: \_\_\_\_\_ %
- New School Project [Section 1859.83(c)(1)]
- New School Project [Section 1859.83(c)(2)]
- New School Project [Section 1859.83(c)(3)]
- Small Size Project
- Urban/Security/Impacted Site:  
If a new site, \$ \_\_\_\_\_ per Useable Acre [Section 1859.83(d)(2)(C)]

**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 New Construction Baseline Eligibility**

- 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. Project Progress Dates**

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

**17. Labor Compliance Program**

Will you be required to initiate and enforce a Labor Compliance Program pursuant to Labor Code Section 1771.7 for this project?  Yes  No

**18. Construction Delivery Method**

- Design-Bid-Build
- Design-Build
- Developer Built
- Lease Lease-Back
- Energy Performance Contract
- Other: \_\_\_\_\_

**APPLICATION FOR FUNDING  
SCHOOL FACILITY PROGRAM**

**19. 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).
- 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

**20. 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

**21. Certification**

I certify, as the District Representative, that the information reported on this form, with the exception of items 19 and 20, 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,
- Pursuant to Education Code Section 17070.755, the district has made a priority of the funds in the restricted maintenance account, established pursuant to Education Code Section 17070.75, to ensure that facilities are functional and meet local hygiene standards; 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,
- If this funding request is for the modernization of portable classrooms eligible for an additional apportionment pursuant to Education Code Section 17073.15, the district certifies that (check the applicable box below):
  - 1. The state modernization funds will be used to replace the portable classrooms and permanently remove the displaced portables from the classroom use within six months of the filing of the Notice of Completion for the project; or,
  - 2. It has provided documentation to the Office of Public School Construction which indicates that modernizing the portable classrooms eligible for an additional apportionment is better use of public resources than the replacement of these facilities.
- 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,

# APPLICATION FOR FUNDING SCHOOL FACILITY PROGRAM

SAB 50-04 (REV 06/06/09/07)

- 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 51226.1; 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
- 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 Propositions 47 or 55 and the Notice to Proceed for the construction phase of the project is issued on or after April 1, 2003; 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
- If this application is submitted pursuant to Section 1859.93.2, the district certifies that it has an academic reform strategy scored by the CDE, and is available at the district office for OPSC verification; and
- If this application is submitted pursuant to Section 1859.93.2, the district certifies the enrollment at the Small High School will not exceed 500 pupils for a minimum of two complete school years after the Occupancy of the last Small High School funded, as outlined in Section 1859.104(e)(2); and
- If this application is submitted pursuant to Section 1859.78.9, the district certifies the enrollment at the resulting Small High Schools will not exceed 500 pupils for a minimum of two complete school years after the Occupancy of the Small High Schools; and
- If this application is submitted pursuant to Section 1859.78.9 or Section 1859.93.2, the district certifies that it will meet all reporting requirements as specified in Section 1859.104(e)(1) and/or (2); and
- The district has considered the feasibility of using designs and materials for the new construction or modernization project that promote the efficient use of energy and water, maximum use of natural light and indoor air quality, the use of recycled materials and materials that emit a minimum of toxic substances, the use of acoustics conducive to teaching and learning, and the other characteristics of high performance schools.

SIGNATURE OF DISTRICT REPRESENTATIVE

DATE

STATE ALLOCATION BOARD  
IMPLEMENTATION COMMITTEE MEETING  
AUGUST 3, 2007

SEISMIC MITIGATION CRITERIA

PURPOSE OF REPORT

To discuss the criteria for determining qualifying facilities for the seismic provision of Proposition 1D, and to present proposed regulations.

BACKGROUND

Assembly Bill (AB) 127 was signed into law on May 20, 2006, placing Proposition 1D on the ballot which was approved by the voters on November 7, 2006. Proposition 1D provides amendments to Education Code Section 17075.10 and the Facility Hardship Program, and authorizes up to \$199.5 million for seismic mitigation of school facilities that are the most vulnerable of "Category 2" buildings and pose an unacceptable risk of injury during a seismic event.

DISCUSSION

This item is continued from the July 21, 2006, August 18, 2006, and December 1, 2006 Implementation Committee meetings. Due to time constraints, a discussion on this topic did not occur at the December 1, 2006 meeting. It was requested that comments be provided to the Office of Public School Construction to be heard at the next meeting; however, no comments were received. Subsequent to the December 1, 2006 meeting, the DSA has worked to refine and modify the criteria that addresses the funding made available. The criteria are presented as Attachment A.

Additionally, Staff sought clarification from the parties involved during the bond development regarding the use of the authorized funding for seismic mitigation. As a result, Staff is proposing that all eligible project costs to mitigate the "most vulnerable" schools as defined by the DSA, including ancillary project costs (i.e. design, testing, inspection, abatement of lead paint and asbestos, building code upgrades for fire/life safety requirements, Americans with Disabilities Act (ADA) accessibility requirements, or other repairs or mitigations required by the DSA when a retrofit occurs) must be funded from the \$199.5 million available. Proposed regulations are included as Attachment B.

A clarifying regulation amendment that was previously discussed as part of the July 21, 2006 Implementation item, is also included in Attachment B. The proposed amendment would provide an adjustment to the modernization eligibility in instances where a building has or may generate modernization eligibility but is demolished and replaced as a facility hardship or seismic replacement.

RECOMMENDATIONS

1. Accept the DSA report.
2. Accept the proposed regulations and proceed with the proposed regulations to the August State Allocation Board meeting.

## Attachment A

**TITLE:** Implementation of AB 127, Chapter 35, Statutes of 2006, regarding State funding for mitigation of seismic hazards in the “most vulnerable” K-12 school facilities.

**BACKGROUND:** AB 127 allows State funding up to \$199.5 million (total funding about \$400 million when combined with school district matching funds) to be used as hardship assistance for mitigation of seismic hazards. The funding would be for retrofit or replacement as justified, of the “most vulnerable” buildings with a Category 2 type of structural system as defined in the report “Seismic Safety Inventory of California Public Schools” (AB 300, Chapter 622, Statutes of 1999). All buildings in the AB 300 inventory were designed according to a code earlier than the 1976 California Building Code in which many major modifications to the building code were made in response to lessons learned from the 1971 San Fernando Earthquake.

**DISCUSSION/ANALYSIS:** The Category 2 building types listed in the AB 300 report are not expected to perform as well as other building types based on their structural performance in prior earthquakes. The report revealed there are an estimated 7,500 Category 2 public school buildings in California. These buildings require detailed seismic evaluation to determine if they can achieve life-safety performance when subjected to major earthquake induced ground motions. The AB 300 report estimated \$4.7 billion would be needed for seismic evaluation and rehabilitation of all Category 2 buildings. A methodology for determining the “most vulnerable” buildings of the Category 2 building types is needed to comply with AB 127 requirements. The “most vulnerable” buildings of the 7,500 vulnerable buildings are a very select group.

**RECOMMENDATION:** The Division of the State Architect, through interviews of experts in the field of seismic evaluation of existing buildings and engineering geologists of the California Department of Conservation, suggests that the requirements listed below provide an objective methodology for determining if a building qualifies as one of this select group of “most vulnerable” of the Category 2 buildings. The “most vulnerable” school buildings are regarded by the experts as having a high potential for catastrophic collapse in the event of a large nearby earthquake. The following methodology can be used to identify the “most vulnerable” buildings for which the estimated total cost for structural retrofitting can be mitigated with the limited funding resources currently made available through the voter-approved Proposition.

1) Of the twelve Category 2 building types listed in the AB 300 report, the following four building types were determined to be more likely than the others to not meet the performance objectives when subjected to strong ground shaking:

- C1 – Concrete Moment Frame – These buildings consist of a frame assembly of cast-in-place concrete beams and columns.
- PC1A - Precast/Tilt-up Concrete Shear Wall with Flexible Roof – These buildings are one or more stories in height and have precast concrete perimeter wall panels that are cast on site and tilted into place.
- PC2 - Precast Concrete Frame and Roofs with Concrete Shear Walls – These buildings consist of a frame assembly of precast concrete girders and columns with cast-in-place or precast concrete walls.

- URM - Unreinforced Masonry Bearing Wall Buildings (retrofitted with gunite walls, but with no upgrade of floor and roof connections to walls) – These buildings were originally constructed as unreinforced masonry and were subsequently retrofitted using outdated design and construction standards rendering the retrofit of limited value.

2) The building is situated where the ground shaking intensity exceeds a very high threshold. The ground shaking intensity at a specific building location can be determined using the National Seismic Hazards Maps. An overlay of the hazard maps with the AB 300 building inventory database (which has the locations of the four Category 2 building types listed above) would reveal the number of buildings, square feet of floor area and estimated cost for retrofits based on any threshold selected. Given the limited funding resources currently made available by the voters through the Proposition, the selection of the ground shaking intensity threshold could be set such that the estimated total cost for structural retrofitting of the eligible buildings could be mitigated within those funds provided, inclusive of the local matching share.

3) The building must be designed for occupancy by students and teachers.

4) A structural engineer must provide a report acceptable to the DSA that provides an engineering analysis of:

- The lateral force-resisting system showing that the building does not meet collapse prevention performance objectives, and
- The specific deficiencies and reasoning for concluding that the building has a high potential for catastrophic collapse.

## Estimating the costs for retrofit of the “most vulnerable” school facilities

DSA has reviewed the AB 300 inventory database to provide a rough estimate of the likely number of buildings in the inventory that would qualify for funding using the following criteria:

- 1) Most Vulnerable of the Category 2 buildings: C1, PC1A, PC2 and URM \*
- 2) Horizontal Acceleration Response: **1.55 g or more**  
(Based on National Seismic Hazards Maps)

Total number of Most Vulnerable Buildings: **142 Buildings**  
Total Square Feet: 1.76 Million Square Feet

The following cost estimate uses costs as shown in the AB 300 report for evaluation, design, construction, project management, etc.

Seismic Rehabilitation Costs (\$60/sq ft) x (1,760,000 sq ft)	\$106 Million
Soft Costs (29%)	<u>\$ 31 Million</u>
Costs in the AB 300 report are in 2002 dollars.	Total \$137 Million

Cost indexing 2002 – 2007 (23%)  
Based on Engineering News Record data  
Cost in 2007 dollars approximately \$169 Million

The above costs are for work directly associated with the structural strengthening alone, including the work necessary to remove and replace architectural finishes and mitigation of any nonstructural elements directly affected by the structural rehabilitation.

The costs of the seismic rehabilitation projects are estimated to double for additional costs associated with code required improvements (such as, asbestos and lead paint removal, disabled access upgrades, fire/life safety upgrades, etc.) that are triggered when a major reconstruction occurs.

Cost for structural strengthening and code required improvements:

$$2 \times \$169 \text{ Million} = \mathbf{\$ 338 \text{ Million}}$$

Average cost per building  $\$338 \text{ million} / 142 \text{ buildings} = \$2.38 \text{ million/building}$

The total number of buildings mitigated is determined by the following formula:

$$\frac{\$199.5 \text{ million}}{[82\% \times (.5 \times \$2.38 \text{ million/bldg}) + 18\% \times (\$2.38 \text{ million/bldg})]} = \mathbf{142 \text{ Buildings}}$$

Based on other programs, 82 percent of the funds are expected to be provided on a 50-50 district match basis. Eighteen percent of the funds are expected to be used for financial hardship projects.

---

\*C1: Concrete Moment Frame  
PC1A: Precast/Tilt-up Concrete Shear Wall with Flexible Diaphragm  
PC2: Precast Concrete Frame Construction Shear Walls/Rigid Diaphragm  
URM: Unreinforced Masonry Wood Diaphragms

## ATTACHMENT B

### STATE ALLOCATION BOARD IMPLEMENTATION COMMITTEE MEETING August 3, 2007

#### SEISMIC MITIGATION

##### Section 1859.2 Definitions

"Most Vulnerable Category 2 Buildings," as defined by the DSA, means the location of a building where the horizontal acceleration response is 1.55 g or more based on the 2002 United States Geological Survey National Seismic Hazard Maps; the building is designed for occupancy by students and staff; the building type is either C1 – Concrete Moment Frame, PC1A – Precast/Tilt-up Concrete Shear Wall with Flexible Roof, PC2 – Precast Concrete Frame and Roofs with Concrete Shear Walls, or URM – Unreinforced Masonry Bearing Wall Buildings; and a structural report is provided by a structural engineer that demonstrates the lateral force-resisting system of the building does not meet collapse prevention performance objectives and the specific deficiencies and reasoning for concluding that the building has a high potential for catastrophic collapse.

##### Section 1859.82. Facility Hardship.

A district is eligible for facility hardship funding to replace or construct new classrooms and related facilities if the district demonstrates there is an unmet need for pupil housing or the condition of the facilities, or the lack of facilities, is a threat to the health and safety of the pupils. A facility hardship is available for:

(a) New classrooms and/or subsidiary facilities (corridors, toilets, kitchens and other non-classroom space) or replacement facilities if either (1) or (2) are met:

(1) The facilities are needed to ensure the health and safety of the pupils if the district can demonstrate to the satisfaction of the Board that the health and safety of the pupils is at risk. Factors to be considered by the Board shall include the close proximity to a major freeway, airport, electrical facility, high power transmission lines, dam, pipeline, industrial facility, adverse air quality emission or other health and safety risks, including structural deficiencies required by the DSA to be repaired, seismic mitigation of the Most Vulnerable Category 2 Buildings as verified by the DSA, traffic safety or because the pupils reside in remote areas of the district and transportation to existing facilities is not possible or poses a health and safety risk. The total available funding for seismic mitigation related and all ancillary costs for the Most Vulnerable Category 2 Buildings is \$199.5 million for projects where the construction contract was executed on or after May 20, 2006, and the project funding provided shall be for the minimum work necessary to obtain DSA approval.

(A) If the request is for replacement facilities, a cost/benefit analysis must be prepared by the district and submitted to the OPSC that indicates the total costs to remain in the classroom or related facility and mitigate the problem is at least 50 percent of the Current Replacement Cost of the classroom or related facility. The cost/benefit analysis may include applicable site development costs as outlined in Section 1859.76. If the cost to remain in the classroom or related facility is less than 50 percent of the Current Replacement Cost, the district may qualify for a Modernization Excessive Cost Hardship Grant for rehabilitation costs pursuant to Section 1859.83(e) or a grant not to exceed 50 percent of the cost estimate that has been reviewed and approved by the OPSC and approved by the board for seismic rehabilitation.

If the request is for replacement facilities that included structural ~~deficiencies and/or seismic deficiencies~~, the cost/benefit analysis must also include a report from a licensed design professional identifying the minimum work necessary to obtain ~~Division of the State Architect~~ DSA approval. The report must contain a detailed cost estimate of the repairs. The report and cost estimate shall be subject to review by the OPSC for conformance with the Saylor Current Construction Cost Publication and, at the OPSC's discretion, the ~~Division of the State Architect~~ DSA. For seismic deficiencies of the

Most Vulnerable Category 2 Buildings, the report and the cost estimate for the minimum work necessary must be reviewed by the DSA.

- (2) The classroom or related facility was lost or destroyed as a result of a disaster such as fire, flood or earthquake and the district has demonstrated satisfactorily to the Board that the classroom or related facility was uninsurable or the cost for insurance was prohibitive.

If the district qualifies for a new or replacement school pursuant to either (1) or (2) above, the district is eligible for a New Construction Grant as a new construction project for the lesser of the pupils housed in the replaced facility based on loading standards pursuant to Education Code Section 17071.25(a)(2) or the latest CBEDS enrollment at the site.

If the district qualifies for replacement facilities on the same site pursuant to either (1) or (2) above, the district is eligible for funding as a new construction project. Replacement facilities shall be allowed in accordance with the square footage amounts provided in the chart in Section (b) below. If the facility eligible for replacement is not shown in the chart in Section (b) below, the replacement facility shall be limited to the square footage replaced. The grant amount provided shall be \$173.30 per square foot for Toilet Facilities and \$96.30 per square foot for all other facilities. Additional funding may be provided for applicable site development costs pursuant to Section 1859.76, New Construction Excessive Cost Hardship Grant(s) pursuant to Section 1859.83(a), (b) or (d), therapy room pursuant to Section 1859.72, multilevel construction pursuant to Section 1859.73 and project assistance pursuant to Section 1859.73.1. The amounts shown will be adjusted in the manner prescribed in Section 1859.71. The district may be eligible for the funding provided to initiate and enforce a LCP as prescribed in Section 1859.71.4.

Any grants provided pursuant to either (1) or (2) above will be reduced for any space deemed available by the Board in the district, the HSAA or Super HSAA that could be used to house some or all of the displaced pupils, fifty percent of any insurance proceeds collectable by the district for the displaced facilities and fifty percent of the net proceeds available from the disposition of any displaced facilities.

- (b) A multi-purpose room, toilet, gymnasium, school administration or library/media center, facility that meets all the following:
  - (1) The facility was lost or destroyed as a result of a disaster, including but not limited to fire, flood or earthquake.
  - (2) The facility is no longer useable for school purposes as recommended by the California Department of Education and approved by the Board.
  - (3) The district has demonstrated satisfactorily to the Board that the facility was uninsurable or the cost of insurance was prohibitive.

If the district qualifies, the district is eligible for funding as a new construction project. The funding amount provided shall be \$96.30 per square foot for library/media center, school administration, gymnasium and multi-purpose facilities, and/or \$173.30 per square foot for Toilet Facilities. A New Construction Additional Grant may be provided for applicable site development costs pursuant to Section 1859.76, New Construction Excessive Cost Hardship Grant(s) pursuant to Section 1859.83(a) and (d), therapy room pursuant to Section 1859.72, multilevel construction pursuant to Section 1859.73 and project assistance pursuant to Section 1859.73.1. The amounts shown will be adjusted in the manner prescribed in Section 1859.71. The district may be eligible for the funding provided to initiate and enforce a LCP as prescribed in Section 1859.71.4.

Any grants provided pursuant to (b) above, shall be reduced by fifty percent of any insurance proceeds collectable by the district for the displaced facilities and fifty percent of the net proceeds available from the disposition of any displaced facilities.

The square footage provided, after accounting for all useable facilities on the site, shall not exceed the following:

<i>Facility</i>	<i>Elementary School Pupils</i>	<i>Middle School Pupils</i>	<i>High School Pupils</i>
Multi-Purpose (includes food service)	5.3 sq. ft. per pupil minimum 4,000 sq. ft.	5.3 sq. ft. per pupil minimum 5,000 sq. ft.	6.3 sq. ft. per pupil minimum 8,200 sq. ft.
Toilet	3 sq. ft. per pupil minimum 300 sq. ft.	4 sq. ft. per pupil minimum 300 sq. ft.	5 sq. ft. per pupil minimum 300 sq. ft.
Gymnasium (includes shower/locker)	N/A	12.9 sq. ft. per pupil minimum 6,828 sq. ft. maximum 16,000 sq. ft.	15.3 sq. ft. per pupil minimum 8,380 sq. ft. maximum 18,000 sq. ft.
School Administration	3 sq. ft. per pupil minimum 600 sq. ft.	3 sq. ft. per pupil minimum 600 sq. ft.	4 sq. ft. per pupil minimum 800 sq. ft.
Library/Media Center	2.3 sq. ft. per pupil plus 600 sq. ft.	3.3 sq. ft. per pupil plus 600 sq. ft.	4.3 sq. ft. per pupil plus 600 sq. ft.

Any facilities eligible for facility hardship not shown in the above chart or for Alternative Education facilities not shown in the table in Section 1859.77.3(a)(5) shall be eligible for replacement square footage equal to the facilities replaced. For an Alternative Education school eligible for a facility hardship, utilize the square footage provided in Section 1859.77.3(a)(5), with the exception of toilet and administration where the chart above shall be utilized.

A district may request a determination of eligibility for facility hardship funding in advance of project funding.

(c) A district seeking replaced facilities as a result of either (a) or (b) above must submit Form SAB 50-04 for the replaced facilities:

- (1) Within 18 months if the replacement facilities will be located on the same site.
- (2) Within 24 months if the replacement facilities will be located on a replacement site.

If an Approved Application for the replaced facility is not accepted within the time periods identified in (c)(1) or (c)(2) above, the Board shall re-review the criteria submitted by the district for replacement of the facility prior to apportionment of the replaced facility.

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

Reference: Sections 17074.56, 17075.10, 17075.15, and 101012(a)(1) Education Code.

Amend Regulation Section 1859.61 as follows:

Section 1859.61. Adjustments to the Modernization Baseline Eligibility.

The baseline eligibility for modernization as provided in Section 1859.60 for a specific site will be adjusted as follows:

- (a) Reduced by the number of pupils provided grants in a modernization SFP project at the specific site.
- (b) Reduced by the number of pupils housed, based on the loading standards pursuant to Education Code Section 17071.25(a)(2), in a modernization LPP project funded under the LPP pursuant to Sections 1859.14 and 1859.15.
- (c) Increased by changes in projected enrollment in subsequent enrollment reporting years.
- (d) Increased for additional facilities not previously modernized with State funds, that become 25 years old, if permanent, or 20 years old, if portable or as a result of audit findings made pursuant to Sections 1859.90 and 1859.105.
- (e) Adjusted as a result of errors or omissions by the district or by the OPSC.

- (f) Adjusted as a result of amendments to these Subgroup 5.5 Regulations that affect the eligibility.
- (g) For classroom loading standards adopted by the Board for non-severely disabled individuals with exceptional needs and severely disabled individuals with exceptional needs.
- (h) As directed by the Board due to a finding of a Material Inaccuracy pursuant to Regulation Section 1859.104.1.
- (i) Increased for facilities previously modernized with State funds, which qualify for an additional modernization apportionment pursuant to Section 1859.78.8.
- (j) Adjusted as a result of the Reconfiguration of an existing high school under the provisions of the Small High School Program.
- (k) Adjusted as a result of classrooms demolished and replaced pursuant to Regulation Section 1859.82.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17070.51, 17071.25, 17072.15, 17072.20, 17073.15, 17074.10 and 17074.32, Education Code.

# APPLICATION FOR FUNDING SCHOOL FACILITY PROGRAM

SAB 50-04 (REV 06/06/09/07)

## GENERAL INFORMATION

Once the Board has determined or adjusted the district's eligibility for either new construction or modernization funding, 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:

1. 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 SAB 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.
2. 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).
3. 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 SAB 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.
4. 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).
5. 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.
- If this is a request for funding under the Small High School Program, pursuant to Regulation Section 1859.93.2, the district must also provide a CDE Small High School academic reform strategy approval.
- If this request is fully or partially based on eligibility derived from an Alternative Enrollment Projection, a justification of how the project relieves overcrowding, including but not limited to, the elimination of the use of Concept 6 calendars, four track year-round calendars, or bussing in excess of 40 minutes.

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.
- Cost estimate of the proposed site development necessary for the Reconfiguration of an existing high school.
- 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. In addition, if the district's request is fully or partially based on eligibility derived from an Alternative Enrollment Projection, the district must update the Alternative Enrollment Projection to correspond with the CBEDS enrollment data for the current year. 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.

# APPLICATION FOR FUNDING SCHOOL FACILITY PROGRAM

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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 SFP handbook and other information located on 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 the modernization of school facilities and includes facilities that are eligible for an additional apportionment pursuant to Section 1859.78.8, include a site diagram with this application that specifies the age of each facility eligible for modernization. The diagram should also indicate the date of its original DSA plan approval and the date the facility received its prior modernization apportionment. If known include the project modernization number on the diagram. 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), [seismic replacement or seismic rehabilitation for the Most Vulnerable Category 2 Buildings](#), or rehabilitation pursuant to Section 1859.83 (e), check the appropriate box(es).

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 21 only.

### 2. Type of Project

a. Select the type of project that best represents this application request and enter the total 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 eligible classrooms or the total eligible square footage building area at the site. 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 that is at least 50 years old and not been previously modernized with state funds. Refer to Section 1859.78.6(b)(1)(B) or (b)(2)(B).
  - Enter the greater percentage as calculated under Regulation Section 1859.78.6(b)(1)(C) or Regulation Section 1859.78.6(b)(2)(C).
  - If this project includes eligible 50 year or older pupil grants, enter the appropriate number assigned to the project for each grade group. The number of pupils entered cannot exceed the cumulative number of 50 year or older permanent buildings pupil grants requested for all modernization funding applications for the site as determined by using the percentage factor above.
- c. If this request includes pupil grants generated by an Alternative Enrollment Projection Method, enter the number of pupils by grade level.
- d. Indicate if this request is for funding of a 6–8 school and/or an Alternative Education School.
- 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.

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**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. If the district is submitting a funding request for new construction under the Small High School Program, enter the 60 percent values.

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. If the district is submitting a funding request for new construction under the Small High School Program, enter the 60 percent values. 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.

Check the box if the district is requesting an Additional Grant for General Site Development pursuant to Section 1859.76

- g. If the district is requesting replacement facilities on the same site (including seismic replacement), enter the square footage requested as provided in Section 1859.82(a) or (b).

h. If the request for seismic rehabilitation does not exceed 50 percent of the current replacement cost of the classroom or related facility, report 50 percent of the health/safety seismic mitigation cost as authorized by Section 1859.82(a).

- ih. Enter the square feet of eligible replacement area as provided by Section 1859.73.2.
- ji. 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).
- kj. Check the box(es) if the district requests and the project qualifies for additional funding for fire code requirements authorized in Section 1859.71.2.

**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).
- d. Check the box if the district is requesting a Separate Apportionment for Reconfiguration pursuant to Section 1859.78.9. Enter the full value of the Reconfiguration request, not to exceed an aggregate of \$500,000 for all high school entities created.
- e. Check the box(es) if the district requests and the project qualifies for additional funding for fire code requirements authorized in Section 1859.78.4.

**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 the excessive cost grant for a new Alternative Education school pursuant to Section 1859.83(c)(2) and the district wishes to request less than the maximum allowance, please submit a letter along with application indicating the desired amount.

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.

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## 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 New Construction Baseline Eligibility

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 new construction or modernization grants. These adjustments are made 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, or indicate N/A if there are none. Refer to Section 1859.51(i).
- 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. Project Progress Dates

Complete this section for new construction/modernization projects:

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

## 17. Labor Compliance Program

Indicate whether the district is subject to a Labor Compliance Program that has been approved by the Department of Industrial Relations pursuant to Labor Code Section 1771.7 by checking the appropriate box.

## 18. Construction Delivery Method

Check the box that best represents the construction delivery method that the district has or will use for this project, if known.

## 19. Architect of Record or Licensed Architect Certification

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

## 20. Architect of Record or Design Professional Certification

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

## 21. Certification

The district representative must complete this section. For additional information regarding district certifications, refer to the SFP handbook located on the OPSC web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov).

**APPLICATION FOR FUNDING  
SCHOOL FACILITY PROGRAM**

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)
- New Construction (Small High School Program)
- 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)]
  - Seismic Replacement
  - Seismic Rehabilitation
- 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

**Total Pupils Assigned:**

K-6: \_\_\_\_\_

7-8: \_\_\_\_\_

9-12: \_\_\_\_\_

Non-Severe: \_\_\_\_\_

Severe: \_\_\_\_\_

- b.  50 Years or Older Building Funding (Modernization Only)

Total Eligible Classrooms/Square Footage: \_\_\_\_\_

Classroom/Square Footage at Least 50 Years Old: \_\_\_\_\_

Ratio of 50 Years Old Classrooms/Square Footage: \_\_\_\_\_ %

From 2a above, how many are 50 Year or Older Pupil Grants?

K-6: \_\_\_\_\_

7-8: \_\_\_\_\_

9-12: \_\_\_\_\_

Non-Severe: \_\_\_\_\_

Severe: \_\_\_\_\_

- c. Included in 2a above, how many pupils are generated by the Alternative Enrollment Projection? (New Construction Only)

K-6: \_\_\_\_\_

7-8: \_\_\_\_\_

9-12: \_\_\_\_\_

Non-Severe: \_\_\_\_\_

Severe: \_\_\_\_\_

- d. Is this a 6-8 school?  Yes  No

If you answered yes, how many K-6 pupils reported above are sixth graders? \_\_\_\_\_

Is this an Alternative Education School?  Yes  No

- 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 OPSC**

**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)

**APPLICATION FOR FUNDING  
SCHOOL FACILITY PROGRAM**

- f. Site Development
  - 50 percent Service-Site: \$ \_\_\_\_\_
  - 50 percent Off-Site: \$ \_\_\_\_\_
  - 50 percent Utilities: \$ \_\_\_\_\_
  - General Site

- g. Facility Hardship Section 1859.82(a) or (b)
  - Toilet (sq. ft.): \_\_\_\_\_
  - Other (sq. ft.): \_\_\_\_\_

h.  Seismic Rehabilitation [Section 1859.82(a)] \$ \_\_\_\_\_

- ih. Replacement area
  - Toilet (sq. ft.): \_\_\_\_\_
  - Other (sq. ft.): \_\_\_\_\_

ji.  Energy Efficiency: \_\_\_\_\_ %

- kj.  Automatic Fire Detection/Alarm System
- Automatic Sprinkler System

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

- a.  Project Assistance
- b.  Energy Efficiency: \_\_\_\_\_ %
- c.  Site Development—60 percent utilities: \$ \_\_\_\_\_
- d.  Separate Apportionment for Reconfiguration (for Small High School Program only): \$ \_\_\_\_\_
- e.  Automatic Fire Detection/Alarm System
- Automatic Sprinkler System

**7. Excessive Cost Hardship Request**

- New Construction Only**
  - Geographic Percent Factor: \_\_\_\_\_ %
  - New School Project [Section 1859.83(c)(1)]
  - New School Project [Section 1859.83(c)(2)]
  - New School Project [Section 1859.83(c)(3)]
  - Small Size Project
  - Urban/Security/Impacted Site; If a new site, \$ \_\_\_\_\_ per Useable Acre [Section 1859.83(d)(2)(C)]

- 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 New Construction Baseline Eligibility**

- 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. Project Progress Dates**

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

**17. Labor Compliance Program**

Will you be required to initiate and enforce a Labor Compliance Program pursuant to Labor Code Section 1771.7 for this project?  Yes  No

**18. Construction Delivery Method**

- Design-Bid-Build
- Design-Build
- Developer Built
- Lease Lease-Back
- Energy Performance Contract
- Other: \_\_\_\_\_

**APPLICATION FOR FUNDING  
SCHOOL FACILITY PROGRAM**

**19. 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).
- 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

**20. 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

**21. Certification**

I certify, as the District Representative, that the information reported on this form, with the exception of items 19 and 20, 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,
- Pursuant to Education Code Section 17070.755, the district has made a priority of the funds in the restricted maintenance account, established pursuant to Education Code Section 17070.75, to ensure that facilities are functional and meet local hygiene standards; 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,
- If this funding request is for the modernization of portable classrooms eligible for an additional apportionment pursuant to Education Code Section 17073.15, the district certifies that (check the applicable box below):
  - 1. The state modernization funds will be used to replace the portable classrooms and permanently remove the displaced portables from the classroom use within six months of the filing of the Notice of Completion for the project; or,
  - 2. It has provided documentation to the Office of Public School Construction which indicates that modernizing the portable classrooms eligible for an additional apportionment is better use of public resources than the replacement of these facilities.
- 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,

# APPLICATION FOR FUNDING SCHOOL FACILITY PROGRAM

SAB 50-04 (REV 06/06/09/07)

- 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 51226.1; 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
- 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 Propositions 47 or 55 and the Notice to Proceed for the construction phase of the project is issued on or after April 1, 2003; 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
- If this application is submitted pursuant to Section 1859.93.2, the district certifies that it has an academic reform strategy scored by the CDE, and is available at the district office for OPSC verification; and
- If this application is submitted pursuant to Section 1859.93.2, the district certifies the enrollment at the Small High School will not exceed 500 pupils for a minimum of two complete school years after the Occupancy of the last Small High School funded, as outlined in Section 1859.104(e)(2); and
- If this application is submitted pursuant to Section 1859.78.9, the district certifies the enrollment at the resulting Small High Schools will not exceed 500 pupils for a minimum of two complete school years after the Occupancy of the Small High Schools; and
- If this application is submitted pursuant to Section 1859.78.9 or Section 1859.93.2, the district certifies that it will meet all reporting requirements as specified in Section 1859.104(e)(1) and/or (2).

SIGNATURE OF DISTRICT REPRESENTATIVE

DATE