



Money on the Move

The Office of Public School Construction (OPSC) is excited to announce that the School Facility Program (SFP) has received proceeds from the April 12, 2012 State bond sale. The State Treasurer’s Office sold approximately \$1.34 billion in general obligation bonds. Of that total, \$619.5 million is designated for the SFP. These funds will be made available to projects currently on the unfunded list with valid Priority Funding certifications. OPSC staff is working to determine the amounts available within the different bond sources and will present the Priority Funding apportionments to the June 27, 2012 State Allocation Board (SAB) meeting.

As we look forward to distributing funds from the recent bond sale, we’d like to remind districts that received an apportionment at the March 28, 2012 SAB meeting that the deadline to submit your *Fund Release Authorization* (Form SAB 50-05) is June 26, 2012. Please note that all Forms SAB 50-05 must be physically received by the OPSC prior to the close of business on the deadline.



Lisa Silverman
Executive Officer

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The Office of Public School Construction newsletter

"To enrich the lives of California's school children as stewards of the taxpayers' commitment to education"

EDMUND G. BROWN JR.
Governor, State of California

ANNA M. CABALLERO
Secretary, State and Consumer Services Agency

FRED KLASS
Director, Department of General Services



Office of Public School Construction
STAFF TO THE STATE ALLOCATION BOARD

We have more news on movement of funds within the SFP. \$145 million in bond authority transferred from the Critically Overcrowded Schools (COS) program to the New Construction program. This increase in New Construction bond authority is enough funding to move all of the projects on the list of New Construction Funding Applications Received Past Existing Authority to the [SFP New Construction workload list](#) for processing. For more information on this, please see the "Additional Funds Available for New Construction" article in this edition of Building Blocks



Lisa Silverman, Executive Officer

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

Did you know?

The Office of Public School Construction (OPSC) presented a Status Update to the Senate Select Committee on Earthquake and Disaster Preparedness, Response and Recovery on April 20, 2012. OPSC staff provided the committee with a report on the current progress of the Seismic Mitigation Program (SMP) while also highlighting the outreach that OPSC staff has provided to school districts identified as meeting the qualifying criteria to participate in the SMP by the Division of the State Architect. The OPSC's presentation as well as the archived webcast can be viewed on the OPSC's Resources [webpage](#) or by clicking the links below.

"Seismic Safety Standard: California Public School and Construction Oversight" Hearing:

[Presentation \(pdf\)](#)

[Webcast](#)

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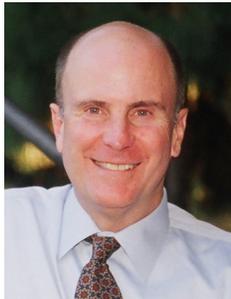
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Office of Public School Construction
STAFF TO THE STATE ALLOCATION BOARD

Caring for the Taxpayers' Dollars

By Senator Mark Wyland, State Allocation Board Member



I was first introduced to school construction issues with my family business, a lumber supply store. From the supplier side, we would bid on projects and frequently provide the lumber for new school construction. I also saw how decisions are made when I served as a Board member of the Escondido Union School District from 1997 to 2000. I was then elected to the Legislature and I spent ten years on the Assembly and Senate Education Committees and several years on the Assembly Budget Committee.

At my first meeting after rejoining the State Allocation Board (SAB), we discussed the issue of bond funds being exhausted and the imposition of level III developer fees. We need to ensure that districts are able to meet their new construction and modernization needs. However, we must also recognize that imposing significant fees on the housing industry could prolong the existing recession. Many of the financial challenges faced at the state and local levels are interconnected. We all need to be pushing for more business-friendly policies to encourage economic growth, which will reduce pressures on local and state education budgets.

When taxpayers vote for bonds, they expect that money to be used in a way that honors the fiduciary trust they place in elected officials. The public expects us to be good stewards of their tax dollars and to provide accountability and transparency on how the money was used. We should be constantly questioning and auditing how that money is spent so we can reward those programs that are effective and end or change those that are not. It is a perspective I brought to the Legislature from my time in business, and that I hope to bring to the SAB.

Education is one of those policy areas that can bring everyone together. The details can, and often do, become contentious, but I enjoy finding and working on issue areas, like education, where both sides can establish a broad agreement on priorities.

Additional information on my background is available [online](#).

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STAFF TO THE STATE ALLOCATION BOARD

Additional Funds Available for New Construction

By Brian LaPask

In accordance with regulations, \$145 million in Proposition 55 bond authority was transferred from the Critically Overcrowded Schools (COS) program to the New Construction program. This transfer of bond authority will allow all of the projects on the list of New Construction Funding Applications Received Past Existing Authority to be moved to the Office of Public School Construction's (OPSC) [New Construction workload list](#) for processing. OPSC Project Managers will be contacting districts if additional information is necessary to process their application.

The deadline for school districts to submit their COS final apportionment applications was April 4, 2012. The OPSC received one application for approximately \$11.7 million (50 percent State share). The remaining \$145 million in unconverted COS preliminary apportionments rescinded automatically, making the bond authority available for the New Construction program.

Online workload lists have been updated to reflect the new status of these applications and will continue to be updated as new projects are received.

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

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Options for Transferring Lease-Purchase Program Bond Funds

By Lisa Yuki

At the April 25, 2012 State Allocation Board (SAB) meeting, the Office of Public School Construction (OPSC) presented options to the SAB for transferring bond funds from the Lease-Purchase Program (LPP) to the School Facility Program (SFP). Although the SFP replaced the LPP in 1998, the LPP continues to receive cash proceeds from outstanding accounts receivables and earned interest.

Since June 2011, the OPSC has been working with the State Treasurer’s Office (STO) and the Office of the Attorney General’s (AG) bond counsel to identify LPP bond proceeds that are available to transfer to any active program within the SFP.

The AG’s bond counsel has opined that the \$16.3 million in prior LPP bond funds is not available for the SFP. At this time, the AG is reviewing a Legislative Counsel opinion to assess if \$4.5 million in Proposition 1A funds is available to transfer to the Joint-Use program.

The SAB discussed several options for transferring any residual cash and bond authority to programs in the SFP. The SAB approved an option to provide cash and bond authority for the SFP Joint-Use program, if the AG’s formal opinion, as related to Proposition 1A, states that such a transfer is allowed. If funds are transferred to the Joint-Use program, Staff will first process in-house applications that have not previously been funded due to lack of bond authority.

For additional information, please contact your [OPSC Project Manager](#).

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Financial Hardship—Developer Fee Notes

By Steve Inman and Jason Hernandez

The Office of Public School Construction (OPSC) is providing a six-month grace period for Financial Hardship districts before requiring that they provide supporting documentation that they are levying the maximum Level 1 developer fees when submitting a Phase 1 Financial Hardship request package. The State Allocation Board (SAB) increased the maximum allowable fee at the January 25, 2012 meeting. This grace period will continue through July 25, 2012. As a reminder, residential developer fees are now \$3.20 per square foot and commercial developer fees are now \$0.51 per square foot.

The OPSC will continue to accept the Financial Hardship applications from school districts still levying developer fees at the previous maximum; however, no Financial Hardship approval will be issued nor will an *Application for Funding* (Form SAB 50-04) be processed until the district submits documentation that they are utilizing the higher developer fees. Once confirmation has been received by the OPSC that the updated developers fees have been adopted by the local school board, the Financial Hardship approval can be issued. The OPSC will notify school districts that need to update their developer fee documentation.

For additional information, please contact:

Steve Inman at (916) 375-4576 or steve.inman@dgs.ca.gov

Jason Hernandez at (916) 376-5369 or jason.hernandez@dgs.ca.gov

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District Matching Share Requirements

By Travis Williams

At the April 25, 2012 State Allocation Board meeting, the California Department of Education presented a report detailing a Department of Defense (DOD) program aimed at providing facilities funding for schools located on military installations. The funding provided by the DOD is eligible to be used as all or part of a district's matching share of a qualifying School Facility Program (SFP) application.

While the DOD program is limited to a small group of school districts, the topic of a district's matching share of a project applies to almost all districts.

Most of the programs within the SFP require school districts to provide a matching contribution relative to the State grant. The two main SFP programs are the New Construction program which is a 50/50 State and district match and the Modernization program which is a 60/40 State and district match. The Joint-Use program is a 50/50 State and district match; however, in most cases, a joint-use partner is required to provide 50 percent of the district's matching share. Please refer to SFP Regulation Section 1859.127 for additional information.

The district contribution may come from virtually any source and is only limited by the requirements of the funding source itself. The main exception is that when the State's share of savings from another SFP project is used as a match, the savings must be from a matching project type. For example, the State's share of savings from a new construction project can only be used as a match for another new construction project. This restriction exists due to legal requirements pertaining to the bond funds, which is the program-funding source. More information on how to use project savings can be found in the "How to Calculate and Use Savings" article in the [January 2012 edition](#) of Building Blocks.

Other common forms of funding districts can use to make up the district matching share:

- General obligation bonds
- Cash on hand

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District Matching Share Requirements, continued...

- Developer fees
- Mello-Roos
- Certificates of Participation (COP)
- Tax and Revenue Anticipation Notes (TRAN)
- Proceeds from the sale of surplus property
- Federal grants

Districts need not have their entire local contribution on deposit at the time that the project apportionment is made. However, when the project fund release is requested, the district must certify that the district’s matching share has been deposited in the County School Facility Fund; has been expended by the district for the project; or will be expended by the district prior to the Notice of Completion for the project. Thus, the district has considerable flexibility in how the local share is arranged and contributed.

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

Did your project receive an apportionment at the March State Allocation Board meeting?

The Office of Public School Construction (OPSC) would like to remind school districts that received a Priority Funding apportionment at the March 28, 2012 State Allocation Board meeting, that a *Fund Release Authorization* (Form SAB 50-05) must be physically received by the OPSC by June 26, 2012. If the district does not submit a Form SAB 50-05 on or before June 26, 2012, the project apportionment will be rescinded and the project will receive a new Unfunded Approval date of June 26, 2012.

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

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High Performance Incentive Grant – New for Career Technical Education Facilities Program

By *Jeremy McCarroll*

At the April 25, 2012 meeting, the State Allocation Board (SAB) approved new School Facility Program (SFP) regulations that apply the High Performance Base Incentive Grant (HPBIG) to the Career Technical Education Facilities Program (CTEFP). The new SFP regulations will become effective once they are approved by the Office of Administrative Law.

Chapter 622, Statutes of 2011 (Senate Bill 128 – Lowenthal) amended the Education Code to make CTEFP projects eligible for High Performance Incentive (HPI) grants, including HPI grants above the CTEFP per-project maximum grant allowances.

The existing methodology for receiving HPI points, the minimum number of points necessary to receive the HPBIG, and the amount of the HPBIG will apply to CTEFP projects. While New Construction and Modernization projects may receive both the HPBIG and a grant based on a percentage of their per-pupil grant amount, only the HPBIG will apply to CTEFP projects.

The Office of Public School Construction (OPSC) is currently not accepting new CTEFP funding applications, but districts with CTEFP applications either on the Unfunded List (Lack of AB 55 Loans) or in-house at OPSC (awaiting an SAB third funding cycle approval) may request the HPI grant by submitting a revised *Application for Career Technical Education Facilities Funding* (Form SAB 50-10). Districts that submit a revised Form SAB 50-10 will retain their original OPSC received date and will have the same place in line on the Unfunded List (Lack of AB 55 Loans). Furthermore, submitting a revised Form SAB 50-10 will not require the submittal of additional information about the project’s cost estimate. The only change the amended form will relate to is the HPI grant.

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High Performance Incentive Grants - New for CTEFP, continued...

If a district would like to add the HPI grant to their CTEFP project and if the district is considering applying for an apportionment through a Priority Funding round, then the revised form, and all approvals necessary for a CTEFP fund release, must be submitted to OPSC at least 90 days before submitting a Priority Funding certification.

To review the full text of the SAB-approved regulations, please refer to the April 25, 2012 SAB agenda.

For additional information, please contact:

Jeremy McCarroll at (916) 375-4210 or jeremy.mccarroll@dgs.ca.gov

Bryan O'Dell at (916) 375-4271 or bryan.odell@dgs.ca.gov

Did you know?

On March 26, 2012, amended regulations and revisions to six School Facility Program forms went into effect as part of the implementation of Assembly Bill 436, Chapter 378, Statutes of 2011 (Solorio).

As a reminder, school districts, charter schools and other local educational agencies must now use the most recent versions of the forms listed below, which are dated 12/11. The forms are posted on the OPSC website at <http://www.dgs.ca.gov/opsc/Forms.aspx>.

- [Application for Funding \(Form SAB 50-04\)](#)
- [Fund Release Authorization \(Form SAB 50-05\)](#)
- [Application for Joint-Use Funding \(Form SAB 50-07\)](#)
- [Application for Preliminary Apportionment \(Form SAB 50-08\)](#)
- [Application for Charter School Preliminary Apportionment \(Form SAB 50-09\)](#)
- [Application for Career Technical Education Facilities Funding \(Form SAB 50-10\)](#)

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STAFF TO THE STATE ALLOCATION BOARD

We're Going Paperless!

By Nate Gargiulo

On July 1, 2012, the Office of Public School Construction (OPSC) will cease to produce hard copies of the State Allocation Board (SAB) agendas. The agenda will only be available in an electronic format after that date. Over the past two years, OPSC has been working with its members on a voluntary basis to provide documents electronically and the OPSC is now at the final step of the process to make the SAB agenda completely electronic.

The SAB agenda can be accessed by desktop computers, laptop computers, tablets and smart phone devices. Should you have any questions please contact Nate Gargiulo at (916) 375-4243 or nate.gargiulo@dgs.ca.gov or Ron Koepl at (916) 375-2032 or ron.koepl@dgs.ca.gov.

The OPSC is committed to ensuring that the SAB agenda is provided in the most efficient manner possible and is excited to take the next step of going paperless. Should you have any general questions or concerns, please contact opscnews@dgs.ca.gov.

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Implementation Committee Update

By Hannah Konhoff

The following items were presented at the April 13, 2012 Implementation Committee (IMP) meeting:

Methods for Accepting School Facility Program Applications After Bond Authority is Exhausted

Continuing the discussion from the March 9, 2012 meeting, the committee reviewed and discussed options generated as a result of the March 9, 2012 meeting for accepting, processing, and tracking of School Facility Program project funding applications once bond authority is exhausted. Office of Public School Construction (OPSC) staff will present a summary of the results of this discussion at the May 11, 2012 IMP meeting, and the options will be discussed at a future State Allocation Board (SAB) meeting.

For additional information, please contact:

Hannah Konhoff at (916) 375-4037 or hannah.konhoff@dgs.ca.gov
Bryan O'Dell at (916) 375-4271 or bryan.odell@dgs.ca.gov

SB 128: High Performance Incentive grants for Career Technical Education Facilities Program projects

Continuing the discussion from the March 9, 2012 meeting, the committee discussed applying the High Performance Incentive Grant to the Career Technical Education Facilities Program, pursuant to Chapter 622, Statutes of 2011 (Senate Bill 128 – Lowenthal).

OPSC staff presented proposed additional regulatory language to the committee. OPSC staff received input from the committee and the public regarding the proposed language. Staff then presented the proposed language to the SAB at the April 25, 2012 SAB meeting.

For additional information, please contact:

Jeremy McCarroll at (916) 375-4210 or jeremy.mccarroll@dgs.ca.gov
Bryan O'Dell at (916) 375-4271 or bryan.odell@dgs.ca.gov

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Implementation Committee Update, continued...

Improvements to the Project Information Worksheet (PIW)

The committee continued its discussion of PIW improvements from the March 9, 2012 meeting. OPSC staff presented several improvements to the online form that are being developed, such as having the form automatically fill in certain information. In addition, OPSC staff presented options for reducing the number of required PIW submittals from three to two. OPSC staff will present a summary of the results of this discussion at the May 11, 2012 IMP meeting, and the issue will be discussed at a future SAB meeting.

For additional information, please contact:

Hannah Konnoff at (916) 375-4037 or hannah.konnoff@dgs.ca.gov
Bryan O'Dell at (916) 375-4271 or bryan.odell@dgs.ca.gov

Did you know?

The Office of Public School Construction (OPSC) participated in the California Association of School Business Officials' 2012 Annual Conference and California School Business Expo on April 11, 2012. Information and program overview was provided on the OPSC's role in the planning and construction of schools. The presentation is available on the OPSC's Resources [webpage](#). You can also access the presentation by clicking on the link below.

Straight Talk with State Agencies Workshop: [Presentation \(pdf\)](#)

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School of the Month

J.O. Ford Elementary School

West Contra Costa Unified School District, Contra Costa County

DESCRIPTION OF PROJECT:

Modernization and Overcrowding Relief Grant

The new sustainable J. O. Ford Elementary School, designed by Sally Swanson Architects, is a hybrid School Facility Program project that incorporates Modernization and Overcrowding Relief Grant funding. The 68,000 square feet school includes 26 classrooms housing 384 students on a two-acre site in Richmond. The original school, built in 1949, was an outdated and unsafe learning environment that offered the community few amenities and little sense of ownership. In contrast, the replacement school has been tailored to educate the whole child. A highly collaborative bilingual planning and design process has resulted in joint-use spaces, innovative technology and security systems, and a green and energy-saving campus.



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School of the Month: J.O. Ford Elementary School, continued...

Additional features of J. O. Ford Elementary School include:

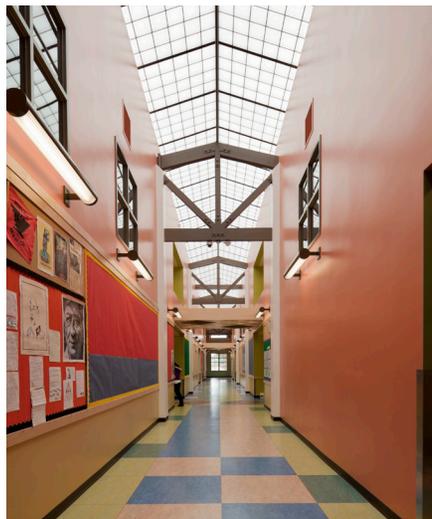
Whole Child Learning

- The school’s framework, on a 30-foot grid, creates flexibility for a variety of alternative teaching methodologies
- A MircoSociety learning program is accommodated with corridors that transform into a “street” for learning
- Colors, shapes, wayfinding and fenestrations emphasize a child’s point-of-view



Community Design

- A community garden, mini soccer field, and plaza offset the dearth of neighborhood open space
- After-hours joint-use with the community of the kitchen, multi-purpose, library, and computer rooms
- Adult education classroom



Sustainability

- J. O. Ford Elementary earned the second highest Collaborative for High Performance Schools (CHPS) rating in the state
- 100% day lighting in classrooms
- Eco-plantings and bio filtration swales

The learning environments merge outdoor programs and educational play equipment with formal classroom spaces. Advanced technology, with closed circuit cable and 5-internal channel TV, allows programs and teaching lessons to be recorded and replayed. This had led to J. O. Ford Elementary School attracting new students and increasing parent participation.

Would you like to see your project featured as the "School of the Month?" Please email opscnews@dgs.ca.gov.

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Bond Proceeds Released

By Ryan Malloy

The Office of Public School Construction has processed the following fund releases from 2009–2011 bond sales as of March 31, 2012:

March 2009 Bond Sale:

Total funds released: \$528.8 million of \$528.8 million — 100 percent
Total projects: 235 projects have received funds

April 2009 Bond Sale:

Total funds released: \$1.433 billion of \$1.438 billion — 100 percent
Total projects: 417 projects have received funds

October 2009 Bond Sale and November 2009 Commercial Paper:

Total funds released: \$480.7 million of \$510.1 million — 94 percent
Total projects: 235 projects have received funds

November 2009 Bond Sale and December 2009 Commercial Paper:

Total funds released: \$108.4 million of \$111.4 million — 97 percent
Total projects: 37 projects have received funds

March 2010 Bond Sale:

Total funds released: \$1.297 billion of \$1.351 billion — 96 percent
Total projects: 272 projects have received funds

November 2010 Bond Sale:

Total funds released: \$1.464 billion of \$1.483 billion — 99 percent
Total projects: 526 projects have received funds

October 2011 Bond Sale:

Total funds released: \$884.7 million of \$963.6 million — 92 percent
Total projects: 375 projects have received funds

See [Status of Funds](#) for more details.

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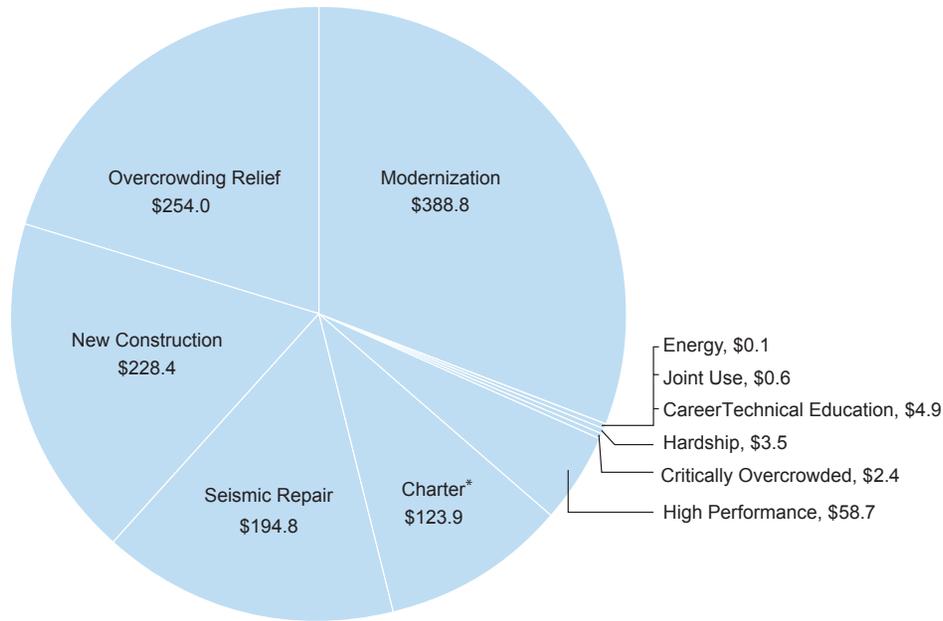
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Remaining Bond Authority



\$1.260 billion as of April 25, 2012
(by program, in millions)

*Charter remaining bond authority is reserved for projects awarded a Preliminary Charter School Apportionment until all projects have either converted to a Final Charter School Apportionment or have been rescinded by the Board.

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Regulatory Update

Charter School Rehabilitation Projects Applying for High Performance Incentive Grant Funding

- Adopted at the October 26, 2011 SAB meeting.
- Proposed regulations provide clarification of Section 6 on the *Application for Funding* (Form SAB 50-04) for Charter School Facilities Program Rehabilitation projects applying for the High Performance Incentive additional grant.
- 45-day public comment period ended on March 19, 2012.
- Current Status: Submitted to the Office of Administrative Law for review.

Amendments Relating to Special Day Class Modernization Grants

- Adopted at the January 25, 2012 SAB meeting.
- Proposed regulations allow school districts to request less than the currently required 101 modernization grants for projects applying for Special Day Class pupil grants, and repeal references relating to the Small High School Program.
- Current Status: Review process continues.

High Performance Incentive Grants for Career Technical Education Facilities Program Projects

- Adopted at the April 25, 2012 SAB meeting.
- Proposed regulations to implement Chapter 622, Statutes of 2011 (Senate Bill 128 – Lowenthal).
- Current Status: Review process underway.

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

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OPSC Deadlines and Key Dates

Upcoming Meetings and Events

State Allocation Board (SAB) – [View SAB calendar](#)

- May 23, 2012 (Wednesday) 4:00 p.m.
- June 27, 2012 (Wednesday) 4:00 p.m.

Pre-SAB Meeting Forums

- May 23, 2012 (Wednesday) 9:30 a.m.
- June 27, 2012 (Wednesday) 9:30 a.m.

Implementation Committee (IMP) – [View IMP calendar](#)

- May 11, 2012 (Friday) 9:30 a.m.—3:30 p.m.
- June 8, 2012 (Friday) 9:30 a.m.—3:30 p.m.

Upcoming Deadlines

March 2012 Priority Funding Apportionments

Deadline to submit *Fund Release Authorization* (Form SAB 50-05) for projects that received Priority Funding apportionments at the March 28, 2012 SAB meeting:

- June 26, 2012

Priority Funding

Expiration of certifications submitted during the second certification filing period:

- July 10, 2012

Start of the third certification filing period:

- July 11, 2012

Overcrowding Relief Grant Program (ORG)

10th ORG Round — Submit applications by July 31, 2012

For additional information, please see the [OPSC Events Calendar](#) online.

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