



Photo courtesy of Santa Clara County Office of Education

## Priority Funding: Getting State Funds to Districts

The State Allocation Board (SAB) continues its work to move state bond funds to local school districts to stimulate the economy by building and modernizing school facilities.

**State Bond Sale:** The State Treasurer’s Office scheduled statewide general obligation bond sales in March and April 2013. We are delighted that \$500 million from the March 2013 bond sale has been earmarked for the School Facility Program. OPSC staff will present priority funding apportionments for approval at a future SAB meeting.

**Fund Releases for December 2012 Apportionments:** We’re pleased to report that 99.5 percent of projects that received a Priority Funding Apportionment at the December 12, 2012 SAB meeting has received funds! Of the \$383.5 million originally awarded by the SAB to fund 195 projects, the OPSC has released \$381.6 million to fund 193 projects.



**Lisa Silverman**  
Executive Officer

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# Building Blocks

The Office of Public School Construction newsletter

*“To enrich the lives of California’s school children as stewards of the taxpayers’ commitment to education”*

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*Governor, State of California*

**ANNA M. CABALLERO**  
*Secretary, State and Consumer Services Agency*

**FRED KLASS**  
*Director, Department of General Services*



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STAFF TO THE STATE ALLOCATION BOARD

*Year-End Review, continued...*

**Status on Recent Priority Funding Filing Period:** The most recent 30-day priority funding filing period ended on February 7, 2013. Staff received priority funding requests for 266 projects, representing \$626.3 million of the \$1.084 billion on the Unfunded List (Lack of AB 55 Loans). These requests expire on June 30, 2013. As a reminder, new certifications must be filed for each priority funding round in which a district chooses to participate.

**Next Priority Funding Filing Period begins May 8, 2013:** The next 30-day priority funding filing period is from Wednesday, May 8 to Thursday, June 6, 2013, and the requests will be valid from July 1 through December 31, 2013. All previously submitted requests will expire on June 30, 2013.

**Priority Funding Regulatory Changes:** On January 23, 2013, the SAB approved regulatory amendments that provide a mechanism to rescind school bond funding for construction projects with unfunded approvals that twice decline the opportunity to receive state apportionments through the priority funding process. Funding from rescinded approvals would be available to fund other applications on the Unfunded List (Lack of AB 55 Loans) that are shovel ready. The regulations were approved by the Office of Administrative Law on an emergency basis on March 25, 2013, and became effective immediately. For more detailed information please see the article on [page 6](#).

Please send comments and suggestions for future editions of Building Blocks to [opscnews@dgs.ca.gov](mailto:opscnews@dgs.ca.gov).



Lisa Silverman, Executive Officer

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STAFF TO THE STATE ALLOCATION BOARD

# Options for Providing the High Performance (HPI) Grant to All Facility Hardship Projects

By Lisa Yuki

At the March 20, 2013 meeting, the State Allocation Board (SAB) directed the Office of Public School Construction (OPSC) to draft amended regulations to provide the HPI grant to all Facility Hardship projects, which includes Seismic Mitigation Program (SMP) projects.

The Facility Hardship program provides funding for rehabilitation or replacement when there is an unmet need for pupil housing, the condition of existing facilities is a threat to the health and safety of the pupils, or to mitigate losses due to a fire, flood, earthquake or other disaster. The HPI grant is a supplemental grant for projects that have increased costs associated with high performance attributes. High performance attributes include using designs and materials that promote energy and water efficiency, natural lighting, indoor air quality, the use of recycled materials and more.

The School Facility Program (SFP) regulations for Facility Hardship replacements of some facilities on a site or for Facility Hardship rehabilitation projects do not explicitly allow the HPI grant. Therefore, it is necessary to amend the regulations to provide the HPI grant to these types of projects. The regulations already allow the SAB to provide the HPI grant for Facility Hardship replacements of an entire school site.

The SAB was presented with several options for calculating the HPI grant for these types of Facility Hardship projects. One option was to provide a percentage increase to the Facility Hardship grant, plus a High Performance Base Incentive Grant (HPBIG) of \$150,000 for new school projects and \$250,000 for new construction additions and modernization projects. This two-part calculation would be consistent with the HPI grant for programs like new construction and modernization. Another option was to provide only the

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*Options for Providing the HPI Grant to All Facility Hardship Projects, continued...*

HPBIG, which would be consistent with the way HPI grants are allocated for Career Technical Education Facilities Program projects.

The Board opted to provide the percentage increase and HPBIG to both Facility Hardship rehabilitation and replacements of some facilities on a school site. The OPSC will draft conforming regulatory amendments and present them at a future SAB meeting for approval.

### Pre-State Allocation (SAB) Board Recap

At the March 20, 2013 Pre-SAB meeting, presentations were made on the following topics:

- School Facility Program Funds Update
- High Performance Incentive Grants for Facility Hardship Projects
- CDE Green School Nominees
- Project Tracking Number – System Enhancements
- Non-Participation in the Priority Funding Process
- Facility Hardship Seismic Mitigation Program

To view a copy of these presentations or watch the webcast recording, please go to the OPSC website, [SAB Meeting Archives](#) section, under March 2013.

Pre-SAB meetings are webcast live, and recordings of webcasts are posted in the SAB Meeting Archives on the OPSC website when available. For information on future Pre-SAB meetings, please check the [OPSC website](#) under the Meetings tab.

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# Project Tracking Enhancements

By Julius McIntyre

As a school district representative or consultant, have you ever pursued State funding online, checked different sites for funding eligibility, verified historical grant amounts, created a project tracking number, updated project tracking information, and opened tab after tab to check a construction contract amount on the Division of the State Architect (DSA) tracker? Juggling all of these resources can be cumbersome and confusing. The Office of Public School Construction (OPSC) has launched a new and improved project tracking database to serve as a central location where all of these needs, and more, can be met.

In March 2013, the OPSC, in conjunction with the Division of the State Architect (DSA), launched a new and improved project tracking database. New Construction eligibility, Modernization eligibility, project tracking numbers (PTN), applicable historical information, and the DSA tracker will all be available to the public in one centralized location. Besides providing a central location for project information, the database search abilities have been enhanced so you can search using any of the three following numbers: PTN, DSA number, or the OPSC application number. This enhanced version of the PTN System has increased user security, so the next time you log in you will be asked to create a new, more secure password. PTN passwords must be at least eight characters and contain at least one digit and one letter. Creating or editing a PTN will remain a privilege exclusive to district personnel.

The new Project Tracking link will be located on the OPSC website, under the "Resources" tab. For more information, please contact your [OPSC project manager](#).

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# Non Participation in the Priority Funding Process

By *Thayne Gunther*

On January 23, 2013, the State Allocation Board (SAB) approved proposed regulations that provide a method for rescinding new construction and modernization applications when the applicant school districts have twice chosen not to participate in the priority funding (PF) process. The emergency regulations were approved by the Office of Administrative Law (OAL) on Monday, March 25, 2013, and became effective immediately.

Non participation is identified in two ways: (1) the district does not request to convert an Unfunded Approval to an Apportionment, or (2) the district does not submit a [Fund Release Authorization \(Form SAB 50-05\)](#) within 90 days of an apportionment. The second time that either of these occurs, the funding for the project will be rescinded without further SAB action.

Projects for which a school district twice chose not to submit a PF request or a valid Form SAB 50-05 will be removed from the Unfunded List (Lack of AB 55 Loans) and the PF apportionment will be rescinded without further SAB action. A rescinded application will not be placed on the Unfunded List (Lack of AB 55 Loans) or the Applications Received Beyond Bond Authority List. Bond authority from a rescinded project will return to the bond fund it originated from and the SAB may use this authority to provide unfunded approvals to other projects in the future. New construction or modernization eligibility used on a rescinded project will be reinstated to the district's baseline.

If the school district would like to have the rescinded application placed on the Applications Received Beyond Bond Authority List, it must submit a new application.

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*Non Participation in the Priority Funding Process, continued...*

Districts with projects already on the Unfunded List (Lack of AB 55 Loans) or that receive an unfunded approval for a project at an SAB meeting prior to, or during, any 30-day request to participate certification filing period, must submit a valid priority funding request before the end of the 30-day request period or it will be a non-participation occurrence.

The next PF request period is May 8, 2013 through June 6, 2013. Districts with projects that receive an Unfunded Approval prior to June 6, 2013 that do not submit a valid request to participate before close of business June 6, 2013, when the 30-day request period ends, will have one non-participation occurrence and then must participate in the next PF request period and any subsequent request periods as long as the project remains on the Unfunded List (Lack of AB 55 Loans). The priority funding request period subsequent to the upcoming period is scheduled from November 13, 2013 through December 12, 2013. If a district does not submit a PF request a second time during any subsequent PF request period after having one non participation occurrence or failing to meet the 90-day fund release request deadline for a PF apportionment in any subsequent funding rounds, will have its project removed from the Unfunded List (Lack of AB 55 loans), and the PF apportionment will be rescinded without further SAB action. Rescinded bond authority could be returned to the SFP and reapportioned to projects on the Applications Received Beyond Bond Authority List as early as the January 2014 SAB meeting.

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# Priority Funding Tracking Overview

By *Thayne Gunther*

The Office of Public School Construction (OPSC) has a comprehensive process for tracking Priority Funding (PF) requests from school districts.

After a school district submits a PF request letter to convert its projects on the Unfunded Approvals List (Lack of AB 55 Loans) to an apportionment, it goes through the following steps at the OPSC:

- The PF request letter is received by the OPSC.
- The PF analyst will then log any valid PF request letters that meet the necessary criteria for submittal as described below, into a tracking sheet:
  - o A signature from an authorized District representative.
  - o The project(s) is on the Unfunded List (Lack of AB 55 Loans)
  - o The PF request letter contains all the required language required by the School Facility Program regulations.
- Any non-valid PF request letters will be returned to the District.
- Each week during the PF request period, the OPSC will post the PF tracking sheet on the OPSC website.
- When the PF request period ends, a master list of all projects with valid PF request letters will be posted to the OPSC website: [http://www.documents.dgs.ca.gov/opsc/Attachments/PIF\\_Final\\_FundingRequestAcceptanceList.pdf](http://www.documents.dgs.ca.gov/opsc/Attachments/PIF_Final_FundingRequestAcceptanceList.pdf)

Please see the flow chart on the next page for more information on the PF tracking process.

For more information about the Priority Funding process, please contact:

- Thayne Gunther at (916) 375-8062 or [thayne.gunther@dgs.ca.gov](mailto:thayne.gunther@dgs.ca.gov)
- Janna Shaffer, Supervisor at (916) 376-1822 or [janna.shaffer@dgs.ca.gov](mailto:janna.shaffer@dgs.ca.gov)

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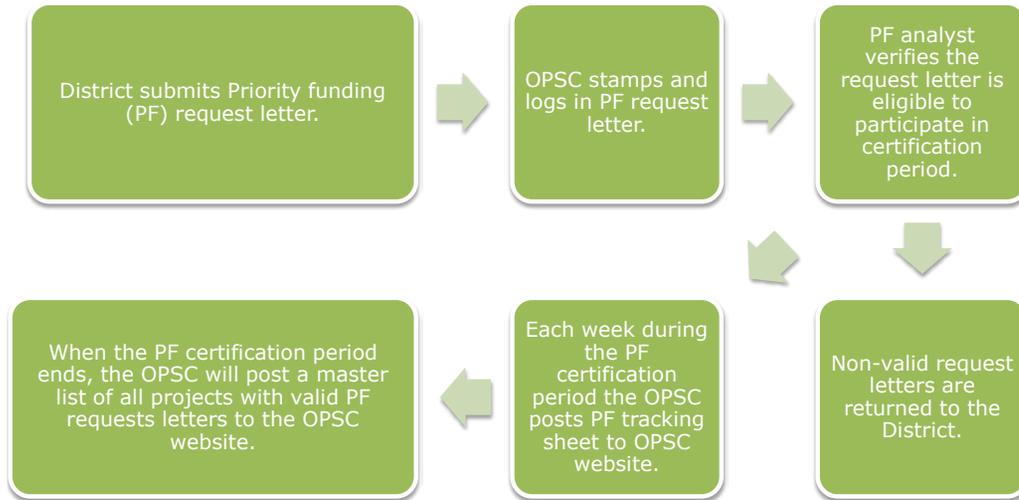
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Priority Funding Tracking Overview, continued...

## Priority Funding Tracking



### Process for Priority Funding Requests for Projects on the Unfunded List (Lack of Bond Authority)

The Office of Public School Construction cannot accept Priority Funding request letters during a certification period for any project that has been placed on the Unfunded List (Lack of Bond Authority).

The Priority Funding Process was created to allow projects that received approvals and were placed on the Unfunded List (Lack of AB 55 Loans) to receive an apportionment with accelerated timelines. School Facility Program Regulation section 1859.90.2 requires a school district to submit a written statement requesting conversion of the unfunded approval to an Apportionment. Projects on the Unfunded List (Lack of Bond Authority) cannot make this request.

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# U.S. Department of Agriculture Offers Grant and Loan Program to School Districts.

By Dennis Schrader

The United States Department of Agriculture (USDA) Rural Development Agency, through its Community Facilities Program, has a Direct Loan and Grant program that is available to qualified public school districts.

The Direct Loan and Grant program is available to public entities (such as school districts) located in an incorporated area with a population less than 20,000, or in an unincorporated area predominantly serving residents from communities with under 20,000 residents. Eligible projects include construction and/or renovation of buildings, land acquisition, site improvements, equipment, and legal, architectural and environmental compliance fees. The school district must be unable to obtain other credit at reasonable rates and terms.

A Community Facilities (CF) Loan/Grant may be used to construct, enlarge, or improve educational facilities, and to purchase existing facilities for improving or preventing a loss of service.

CF Loans/Grants have no fees and may be used for up to 100 percent of the project cost. The interest rate is a low, fixed-interest rate based on current market yields for municipal obligations. Some loans may qualify for a lower interest rate based on median household income. Loan terms are up to 40 years. Grants range from \$20,000 to \$30,000 for qualified applicants.

Funding is available now, and applications are accepted year-round. The Rural Development Agency prefers to be involved during the planning stages, but can also look at projects later in the process. They typically fund based on a preliminary architectural report.

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*U.S. Department of Agriculture Offers Grant and Loan Program to School Districts, continued...*

Applicants first submit a preliminary application which would include a general project description, entity and location information, and audit. Upon review of the preliminary application, the Rural Development Agency may invite the school district to submit a complete application.

For more information:

- [Click to refer to the CF Loan/Grant Quick Reference Guide](#), including contact information for local USDA Community Facilities offices throughout California
- Contact Janice Waddell, Program Director at (530) 792-5810 or [janice.waddell@ca.usda.gov](mailto:janice.waddell@ca.usda.gov)
- [Click to see the CF Loan/Grant flier](#)

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# State Allocation Board Program Review Subcommittee

The State Allocation Board created the School Facility Program Review Subcommittee (subcommittee) to discuss various aspects of the School Facility Program (SFP) and consider potential program-related improvements. These improvements may be considered for the current program or could be incorporated as part of a future bond measure.

To date, the following topics have been discussed at the subcommittee:

Wednesday, March 6, 2012 - [Click here for Agenda](#)

- Physical Safety on School Campuses
  - ◊ Presentation from the California Emergency Management Agency
  - ◊ Presentation from the California Department of Education
- University of California Berkeley Center for Cities & Schools policy report, "California's K-12 Educational Infrastructure Investments: Leveraging the States's Role for Quality School Facilities in Sustainable Communities."

Tuesday, February 5, 2013 - [Click here for Agenda](#)

- County Offices of Education in the SFP
- Financial Hardship Program

Tuesday, January 15, 2013 - [Click here for Agenda](#)

- Charter School Facilities Program
  - ◊ Program Overview
  - ◊ Preliminary Apportionments
  - ◊ What Happens After a Preliminary Apportionment?
- Modernization eligibility components of the SFP

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*State Allocation Board Program Review Subcommittee, continued...*

- ◇ Establishing Modernization Eligibility
- ◇ Adjustments to Modernization Eligibility
- ◇ Other Modernization Eligibility Considerations
- ◇ Modernization Program Data
- Project Information Worksheet

Wednesday, November 28, 2012 – [Click here for Agenda](#)

- New construction eligibility components of the SFP
  - ◇ Enrollment Projections
  - ◇ Cohort Survival Enrollment Projection System Study
  - ◇ Existing Classroom Capacity
- Discuss data from new construction and modernization projects funded under the SFP

Wednesday, October 24, 2012 - [Click here for Agenda](#)

- School Facility Program
  - ◇ Overview of each funding program
  - ◇ Purpose and calculation for SFP grants
- Areas of the SFP that subcommittee members would like to review in more detail for potential future changes

The meetings are open to the public and may be viewed via webcast on the [OPSC website](#). Audience members are provided an opportunity to make a public comment. Additional meetings will be held in the future and will be announced as the information becomes available. Meeting times, dates and location will be posted on the website.

**Future Meetings - Topics and Dates are subject to change**

**Wednesday, May 1, 2013, 9:00 a.m. - noon, Location TBD**

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All Photos Courtesy of Santa Clara County Office of Education

## School of the Month

### McCollam County Annex

*Santa Clara County Office of Education, Santa Clara County*

#### DESCRIPTION OF PROJECT:

New Construction Project

On August 31, 2012, the Santa Clara County Office of Education celebrated the grand opening of the McCollam County Annex in East San Jose. This new facility serves 42 students enrolled in the County Office of Education’s special education program for students with severe disabilities and medical challenges.



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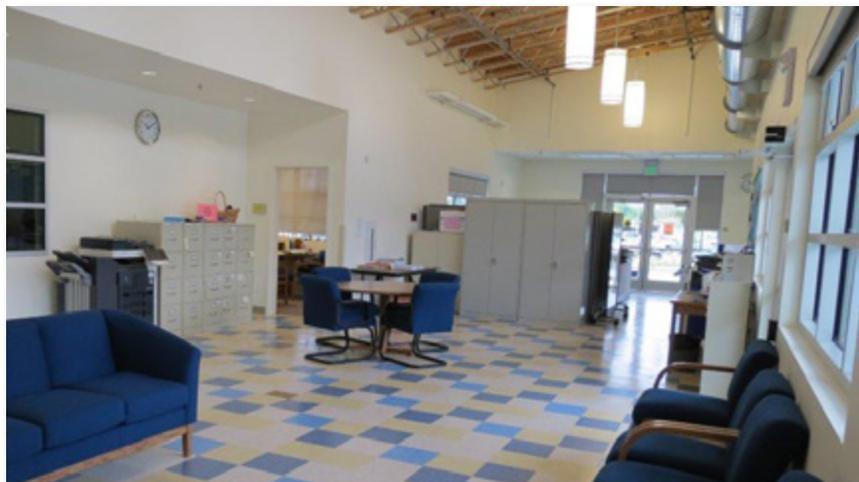


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*School of the Month, continued...*

Housed on the campus of McCollam School in the Alum Rock Union School District, the McCollam Annex is 8,500 square feet, boasts four classrooms, restroom facilities, therapy areas and an open courtyard.

The Annex was constructed using \$4.4 million from the State Allocation Board.



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# Bond Proceeds Released

The Office of Public School Construction has processed the following fund releases from 2009–2012 bond sales, as of March 20, 2013:

**April 2009 Bond Sale:**

Total funds released: \$1,438.4 billion of \$1,438.5 billion — 99 percent  
Total projects: 421 projects have received funds

**October 2009 Bond Sale and November 2009:**

Total funds released: \$510.4 million of \$516.5 million — 99 percent  
Total projects: 252 projects have received funds

**November 2009 Bond Sale and December 2009:**

Total funds released: \$109.9 million of \$111.4 million — 99 percent  
Total projects: 37 projects have received funds

**March 2010 Bond Sale:**

Total funds released: \$1,328.1 billion of \$1,351.3 billion — 99 percent  
Total projects: 286 projects have received funds

**November 2010 Bond Sale:**

Total funds released: \$1,449.0 billion of \$1,483.1 billion — 98 percent  
Total projects: 531 projects have received funds

**October 2011 Bond Sale:**

Total funds released: \$962.2 million of \$1,003.5 million — 96 percent  
Total projects: 503 projects have received funds

**April 2012 Bond Sale:**

Total funds released: \$596.0 of \$619.5 million — 97 percent  
Total projects: 208 projects have received funds

**October 2012 Bond Sale:**

Total funds released: \$141.4 of \$363.9 million — 39 percent

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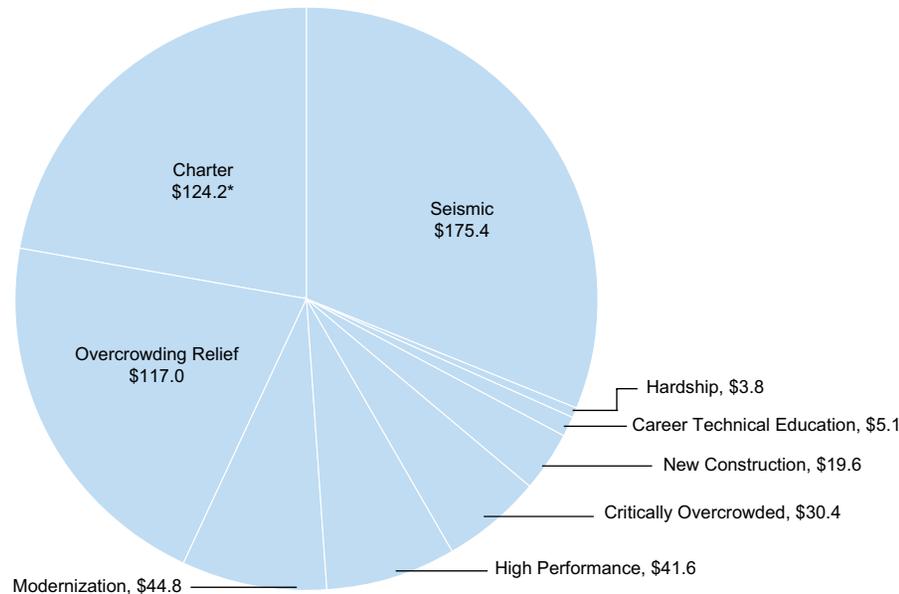
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# Remaining Bond Authority

\$561.9 million as of March 20, 2013  
(by program, in millions)



\* Charter remaining bond authority from Propositions 47 and 55 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 State Allocation Board.

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# Regulatory Update

## Multipurpose Room/Gymnasium Hybrid Facilities through Use of Grants

- To allow "Use of Grants" for SFP new construction projects for Multipurpose Room/Gymnasium Hybrid facilities within the same building structure and sharing a portion of the square footage.
- Amends Sections 1859.2 and 1859.77.3.
- 45-day public comment period ended January 21, 2013.
- Approved by the Office of Administrative Law (OAL) on March 11, 2013. However, the effective date will be July 1, 2013\*.

## Initiating and Enforcing Labor Compliance Programs in Accordance With AB 1506.

- EMERGENCY STATUS.
- Clarifies the requirements to initiate and enforce an LCP in order to receive Proposition 47 and/or 55 bond funding for projects with construction contracts awarded prior to January 1, 2012. Criteria incorporated from Labor Code Sections 1771.5 and 1771.7, and the Department of Industrial Relations (DIR) Regulation Section 16432. Ensures various record-keeping, federal and state labor law compliance, and payroll documentation.
- Adopts new Section 1859.97.
- Amends Form SAB 50-05 (Rev. 10/12).
- Effective Date: December 31, 2012.
- 45-day public comment period ends April 22, 2013.

## Non-Participation in the Priority Funding Process

- EMERGENCY STATUS.
- Provides a mechanism for the State Allocation Board to rescind school bond funding for construction projects on the Unfunded List (Lack of AB 55 Loans) that twice choose not to participate in or to request State apportionments through the priority funding process.
- Amends Sections 1859.2, 1859.51, 1859.61, 1859.90.2, 1859.90.4, 1859.104, 1859.164.2 and 1859.184.1.
- Amends Form SAB 50-05 (Rev. 01/13).
- Effective Date: March 25, 2013.

\*Pursuant to Government Code Section 11343.4(a)(3) [Senate Bill 1099, Chapter 295, Status].

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# Community Corner

If you would like to share an upcoming event, please send an email to [opscnews@dgs.ca.gov](mailto:opscnews@dgs.ca.gov).

## Upcoming Events

**Central County Occupational Center** – April Showcase  
Friday April 19 2013—10:15 a.m.  
Metropolitan Education District, San Jose

### The Office of Public School Construction (OPSC) Mail Dropoff - New Location - 9th Floor, Room 9-100

The OPSC Mail Room and Business Services office has moved!

All OPSC mail being delivered in person or by courier must be dropped off at our new location on the Ninth Floor of the Ziggurat Building, 707 Third Street, West Sacramento, California 95605. There is no longer a place on the first floor of the Ziggurat to drop off mail to the OPSC.

All OPSC mail is opened and date stamped upon arrival, and then forwarded to the specific OPSC department or addressee. School districts that would like a receipt may make a copy of the cover letter and have it date stamped when the package is delivered.

If you have any questions on the receipt of mail sent to OPSC, please contact your [Project Manager](#).

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# OPSC Deadlines and Key Dates

## Upcoming Meetings

### State Allocation Board (SAB) - [View Calendar](#)

- April 24, 2013 (Wednesday) 4:00 p.m.

### Pre-SAB Meeting Forums

Topics are subject to change. Questions may be submitted to [opscnews@dgs.ca.gov](mailto:opscnews@dgs.ca.gov) in advance of the meeting.

- April 24, 2013 (Wednesday) 9:30 a.m.  
OPSC Topic: TBD

### SAB Program Review Subcommittee

- May 1, 2013 (Wednesday) Time TBD

## Upcoming Deadlines

### May Priority Funding Period

- Filing Period Begins: May 8, 2013
- Filing Period Ends: June 6, 2013
- Requests Expire: December 31, 2013

### November Priority Funding Period

- Filing Period Begins: November 13, 2013
- Filing Period Ends: December 12, 2013
- Requests Expire: June 30, 2014

### Overcrowding Relief Grant Program (ORG)

The final application filing date for the twelfth ORG round is Wednesday, July 31, 2013.

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

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