

# ADVISORY ACTIONS

## ISSUE NO. 02

from the  
State Allocation Board  
meeting held on  
March 24 and April 28

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### OPSC REMINDERS...

#### ► State Allocation Board Meetings\*

Wednesday, May 26, 2004  
Wednesday, June 23, 2004

#### ► Implementation Committee Meetings\*

Friday, June 4, 2004  
Friday, July 9, 2004

#### ► Program Filing Periods

##### • LPP/SFP Joint-Use

Application Submittal: Jun 1, 2003—May 31, 2004  
SAB Date: July 28, 2004

##### • Critically Overcrowded School Facilities

Application Submittal: Jan 2, 2004—Jun 30, 2004  
SAB Date: Oct. 2004

##### • Charter School Facilities

Application Submittal: Apr 1, 2004—Jul 29, 2004  
SAB Date: December 2004

##### • Deferred Maintenance

Application Submittal: June 30, 2004  
SAB Date: December 2004

#### ► SFP Regulation Status

The current status of the SFP Regulations as a result of Executive Order S-2-03 can be viewed under the "What's New" section of the OPSC Web site.

#### ► Interest Earned Report (Form SAB 180)

Due quarterly (March 31, June 30, September 30 and December 31) from each county for all districts which have earned interest from the Leroy F. Greene Lease-Purchase Fund.

\*For the latest meeting dates, times and locations, check the OPSC Web site.



from the desk of Luisa Park, Executive Officer

## Opportunity for Modernization Funds

Prior to the March 2nd election certification, the Office of Public School Construction (OPSC) proceeded with careful planning of the various critical events and meetings relating to the Bond to enable the State Allocation Board (SAB) to act swiftly and prudently to administer the Proposition 55 funds for the benefit of California's children. As a result, I am pleased to announce that the SAB approved, at its April 2004 meeting, over \$351 million in modernization projects that had been previously placed on the unfunded list, plus \$21 million in additional modernization projects. Within eight weeks of the passage of Proposition 55 the OPSC is in a position to begin processing fund releases.

Being aware of the \$372 million in modernization funding approved at the April SAB, some districts are looking ahead and are making inquiries regarding the Proposition 55 projections. OPSC encourages districts to proceed with the filing of their applications for their modernization projects. After considering April's approvals and our current workload, approximately \$1.8 billion remains in modernization funding. Based on preliminary data, we project the current modernization funds may last approximately 12 to 18 months. Remember, processing is based on the date an acceptable application is received. You can read in this issue about what constitutes a complete funding application.

Congratulations on the successful passage of Proposition 55! This represents an extraordinary triumph for the children of California.

### SFP JOINT-USE PROGRAM

## Reconfiguration

BY ANEIDA RAMIREZ, OPSC PROJECT MANAGER

The reconfiguration of an existing school building for a joint-use facility is now a viable option under the School Facility Joint-Use Program as a result of Senate Bill (SB) 15. Is your district interested? You don't need to wait until the new Application For Joint-Use Funding (Form SAB 50-07) is available on the OPSC Web site. For assistance with your application, please contact Aneida Ramirez at 916.324.5703.

To learn more about other changes to the Joint-Use Program as a result of SB 15, please refer to the article entitled "Achieving Higher Participation in the School Facility Joint-Use Program" which was featured in last month's OPSC's *Advisory Actions 2004* (Issue Number 01). ■

## What Constitutes A Complete Funding Application?

BY JAN MOSS, OPSC PROJECT MANAGER

The Office of Public School Construction is often asked by districts, "What do I need to submit for a complete funding application?" We recommend you begin by viewing the current *School Facility Program Guidebook* which includes complete instructions on what to submit for each type of project. It is important to use the current versions of the School Facility Program (SFP) forms. We also highly recommend that you take advantage of our checklist for Application Submittal Requirements.

If your district requires *financial hardship* assistance, pre-approval is required by the Fiscal Section before submitting your complete funding application. For projects being filed for a *facility* hardship request, please contact the OPSC Policy and Specials Team for specific details and assistance.

Districts requesting additional funding for energy compliance should be aware of both OPSC and DSA requirements for approval and funding of their energy conservation design measures. The SFP guidebook will assist you in determining when documents should be filed and which agency approvals are required prior to filing a funding application.

Our current guidebooks, forms, and worksheets are available on our Web site for your convenience. As always, your OPSC Project Manager will be happy to assist you if you should have any questions, or would like help with your applications. ■



UNLOCKING THE MYSTERIES TO SCHOOL CONSTRUCTION COSTS:

## Site Issues

BY TASHA ADAME-BRENNAN, OPSC PROJECT MANAGER

In the previous issues of the *Advisory Actions*, we have featured articles from the *Public School Construction Cost Reduction Guidelines* (CRG) which touched on district responsibilities as well as joint use facilities. This month's feature article addresses site issues and effective cost saving tips related to property acquisition and improvement costs! Here is just a sample of the key points found in the Site Issues section of the CRG:

- ▶ Districts are required to have the California Department of Education's (CDE) approval of the site. Consult with the CDE on any site considerations and obtain approval prior to acquisition. This will solve the district's initial question of whether or not a selected site will be approved by the State. So contact the CDE first to get site pre-approval! In addition, it might be a good idea to work closely with state and local agencies prior to forging ahead to the next phase! This may avoid delays and extra costs to the district.
- ▶ Keep in mind, there are no "perfect" sites. Select sites carefully and recognize potential development costs when acquiring a site, included but not limited to size, shape, slope, availability of infrastructure and environmental issues. Each of these areas can make construction more difficult and expensive. Conduct proper research on the purchased or donated site, prior to acquisition. Consider all aspects of the site because they can affect the overall development costs. Be involved in local planning and most of all, plan ahead!

- ▶ All too often site design is not given adequate consideration. Careful site design, specific to the site being considered is essential. Educational specifications tend to focus on the building needs, and less on the site needs. As a result, the site is often purchased and/or developed improperly at added costs. Some simple, but all-too-often overlooked, tips are to: use existing school facilities expertise available at county offices and/or state resources; learn from past experiences from other sites; consider using a peer review process in evolving the site design; and select the design consultant for their qualifications in site design as well as their building design.

Potential funding is always important. We have provided a summary of helpful information for districts when they apply to the State Allocation Board/Office of Public School Construction (OPSC) for site acquisition funding as follows:

### 50/50 APPLICATIONS (Non-Financial Hardship)

With its full construction funding application, the district submits:

- ▶ CDE Site Approval Letter
- ▶ Current Appraisal of the Proposed School Site
- ▶ Escrow Opening or Closing Statement
- ▶ DTSC Fees
- ▶ Court Order of Possession\*
- ▶ Relocation Costs\*
- ▶ Hazardous Waste/Removal Costs\*

\*If applicable.

Under certain circumstances, qualifying districts may also apply for advance site funding with environmental hardship conditions. For more detailed information regarding this opportunity and other site issues, please refer to the OPSC's Web site located at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov). We encourage you to frequently view the *Public School Construction Cost Reduction Guidelines* that can be located separately or within the *Best Practices Report* on the OPSC Web site. If you have questions, please be sure to contact your OPSC Project Manager. ■

### FINANCIAL HARDSHIP APPLICATIONS

If the district qualifies for financial hardship, it may file for site acquisition funds in advance of filing for full construction by submittal of:

- ▶ Application for Funding, Form SAB 50-04 (for a Separate Apportionment for Site Only)
- ▶ A copy of the current financial hardship approval
- ▶ CDE Contingent Site Approval
- ▶ Preliminary Appraisal
- ▶ DTSC Fees
- ▶ Relocation Costs\*
- ▶ Hazardous Waste/Removal Costs\*

WHAT YOU NEED TO KNOW ABOUT...

## Routine Restricted Maintenance Requirement (Three Percent)

BY BRYAN BREAKS, OPSC AUDIT SUPERVISOR

In February 2004, the Office of Public School Construction staff informed the State Allocation Board that the Legislative Counsel of California had issued an opinion regarding the Routine Restricted Maintenance Requirement (Three Percent).

The Law (Education Code Section 17070.25) requires all school districts receiving State funds under the School Facility Program to establish a restricted account within the district's General Fund for the exclusive purpose of providing funds for ongoing and major maintenance of school buildings. Recently, there have been different interpretations of this law and questions as to the methodology in determining the three percent amount. Based on these differences, the Legislative Counsel of California reviewed the law and has opined that the three percent calculation should be based on the entire General Fund budget.

What does this mean to School Districts? Districts will no longer be able to calculate the three percent on the entire General Fund less any restricted accounts. This change will take effect July 1, 2004. ■

## Teacher's Guide to the State Relocatable Classroom

BY RICHARD SHEFFIELD, OPSC PROGRAM SUPERVISOR

The Office of Public School Construction (OPSC) has made available a *Teacher's Guide to the State Relocatable Classroom* and the OPSC staff is in the process of posting the guide to the interior of all State-owned classrooms. The guide includes information that will assist teacher to ensure optimum classroom performance. The intent of the guide is to create awareness in order to identify and report any problems to district maintenance staff, so that repairs can be made in a timely manner. By reporting problems, it will ensure that the classrooms' health and safety issues can be addressed and are well maintained.

The school district, when accepting/leasing a State relocatable from the OPSC, has agreed to undertake all necessary maintenance, repairs, renewal, and replacement to ensure that the classrooms are kept in good repair and good working order at all times. All costs incurred for this purpose are borne by the school district. As a reminder, Deferred Maintenance funds may be utilized to assist districts with repair costs as long as the project has been placed on the district's approved Five-Year Plan (Form SAB 40-20).

In addition to teachers, any school district staff should identify and report the following conditions that are of urgent concern in order to maintain proper building maintenance and safety:

- Water leaks.
- Entry ramp non-skid that is worn, peeling, or missing.
- Entry ramp wood paneling or skirting damage.
- Entry door handle or door closure damage.
- Weather stripping that is worn, peeling, or missing.
- Light cover that is damaged or missing.
- HVAC when it is not functioning properly.
- HVAC registers when dirty.
- Carpet spills.
- Electrical outlet cover plates when damaged or missing.
- Fire extinguisher if missing or not mounted within 24" from the door, four feet from the floor.
- Thermostat's cover when damaged or missing.
- Light fixture lens or tubes when damaged or missing.

The following are some helpful hints for building maintenance and safety:

- Fire extinguishers must always be mounted on the wall within 24" from the door, four feet from the floor.
- Windows are located in the classroom to provide day lighting, ventilation, and emergency exits. The front of each window must be free from all obstructions including teacher and student desks. Window tracks must not be bolted, screwed, or nailed in a manner that restricts the ability to slide the window open. Exterior window guards must have a one step Cal-OSHA and State Fire Marshall approved inside safety release. Do not tape anything to the window trim.
- Check CO2 Sensor annually. Replace if not working properly.
- The electrical panel box must have a 36" clearance in front per OSHA/NEC regulations.
- The HVAC filter should be changed every 30 days to maintain indoor air quality.
- To ensure proper ventilation for acceptable indoor air quality the occupancy of the classroom should be limited to 32.
- Do not block HVAC registers or air intake. Do not hang anything from the ceiling grid.
- Check Intrusion Alarm Detector annually. Replace if not working properly.

If you have any questions, please contact Liz Cheyne, Project Manager, at 916.323.2636, or Freda Stathopoulos, Project Manager, at 916.322.5766. ■

## Time Limit On Fund Releases

BY JAN MOSS, OPSC PROJECT MANAGER

The time limit on fund releases for projects that received State Allocation Board (SAB) funding approval at the December 2002 SAB meeting is coming up in June 2004. Districts are reminded that the law requires districts to submit the Fund Release Authorization, Form SAB 50-05 within 18 months of the apportionment date or the apportionment will be rescinded. There is no extension to this time period.

As a courtesy to districts, the OPSC Audits team sends a series of reminder letters to the districts during the 18 month period. The third reminder letter will require that a copy of the signed construction contract be included with the fund release request. Districts will also be contacted by telephone as a follow up to assist with their fund release request. The Fund Release Authorization, Form SAB 50-05, can be found on the OPSC Web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov).

Districts are encouraged to sign construction contracts prior to June 2004, in order to be prepared to submit the Form SAB 50-05 and a copy of the signed construction contract within the 18 month time period.

If you have questions regarding the SFP requirements, please contact your OPSC Project Manager. If you require assistance completing the Fund Release Authorization, Form SAB 50-05, or for contract clarification, please contact Laurie Stetson, Accounting Supervisor, at 916.322.0140, or [laurie.stetson@dgs.ca.gov](mailto:laurie.stetson@dgs.ca.gov). ■

### THINGS TO CONSIDER...

## Transferring Special Education Programs

BY SARAH STATON, OPSC PROJECT MANAGER

If your county office of education or school district is currently planning the transfer of special education programs from an existing special education local plan area (SELPA) agreement, remember to consider the impact that these pupils or facilities may have on your School Facility Program (SFP) new construction and modernization eligibility. Participants should carefully consider the facilities implications of any SELPA program transfers, since pupils may have been part of a SFP application and therefore already adequately housed.

The Office of Public School Construction would like to hear from you if you have successfully completed or are planning an educational program and/or facility transfer. What integration impacts and issues have you encountered? We encourage you to assist in the development of this issue by contacting either Eric Bakke, OPSC Project Manager, at 916.323.0187, or Elizabeth Dearstyne, OPSC Project Manager, at 916.323.0073. Interested districts are also invited to share their experiences by participating in a discussion of this topic as it relates to the SFP at an upcoming State Allocation Board (SAB) Implementation Committee meeting. Please check the OPSC website at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov) or contact your OPSC Project Manager for the SAB Implementation Committee scheduled agenda information. ■

## Recently Celebrated Groundbreakings!

Congratulations to the following districts on their recently celebrated groundbreakings:

DISTRICT	COUNTY	SCHOOL	GROUNDBREAKING
Allensworth Elementary	Tulare	Allensworth Elementary School	February 2004
Los Angeles Unified	Los Angeles	Monroe New Elementary School #2	February 2004
Lynwood Unified	Los Angeles	Lynwood New High School	February 2004
Los Angeles Unified	Los Angeles	Ramona New Elementary School	March 2004
Tulare COE	Tulare	El Diamante High School	March 2004
Los Angeles Unified	Los Angeles	East Valley New High School #1B	April 2004
Los Angeles Unified	Los Angeles	Mt. Washington Elementary (Addition)	April 2004

To help us highlight your celebrations, please reference the table above for the data necessary, and submit the information with your project's School Facility Program application number to the OPSC to the attention of New School Dedications and Groundbreakings. ■

INCLUSIVE OF THE APRIL 28, 2004 SAB AGENDA

## Proposition 47... Funds Put to Work

PROGRAM	BOND ALLOCATION	APPORTIONED	RELEASED/ CONTRACTED
New Construction	\$ 6,250,000,000 *	\$ 4,982,285,681	\$ 4,402,247,080
Modernization	3,300,000,000 †	3,298,528,424	2,257,969,135
Charter School	100,000,000	97,034,156	0
Critically Overcrowded Schools	1,700,000,000	1,697,872,847	0
Joint Use	50,000,000	16,186,513	4,045,149
<b>TOTAL</b>	<b>\$11,400,000,000</b>	<b>\$10,091,907,621</b>	<b>\$ 6,664,261,364</b>

\* Includes \$14.2 million in energy funds.

† Includes \$2.3 million in energy funds.

## Status of Funds

PROGRAM	BALANCE AVAILABLE AS OF APRIL 28, 2004
<b>Proposition 55</b>	
<b>New Construction</b>	
New Construction	\$ 4,960.0
Charter School	300.0
<b>Modernization</b>	1,877.9
<b>Critically Overcrowded Schools</b>	2,440.0
<b>Joint Use</b>	50.0
<b>Total Proposition 55</b>	<b>\$ 9,627.9</b>
<b>Proposition 47</b>	
<b>New Construction</b>	
New Construction	\$ 1,154.6
Charter School	0.5
Energy	11.6
<b>Modernization / Energy</b>	1.3
<b>Critically Overcrowded Schools</b>	2.1
<b>Joint Use</b>	33.8
<b>Total Proposition 47</b>	<b>\$ 1,203.9</b>
<b>Grand Total</b>	<b>\$10,831.8</b>

NOTE: Amounts shown above are in millions of dollars.



STATE ALLOCATION BOARD'S

# Implementation Committee

BRUCE B. HANCOCK, ASSISTANT EXECUTIVE OFFICER, STATE ALLOCATION BOARD

## At the previous meeting...

The following topics were discussed at the April 1 meeting of the State Allocation Board (SAB) Implementation Committee.

### **CLEAN SCHOOL RESTROOMS—SENATE BILL (SB) 892 MURRAY AND ASSEMBLY BILL (AB) 1124 NUNEZ**

The Committee continued its discussion on the complaint process related to school restroom maintenance, and reviewed additional revisions to the complaint process that would further encourage local level resolution. Final revisions to the Office of Public School Construction (OPSC) Web site and complaint form directions now include language that more strongly encourages complainants to first communicate restroom maintenance issues at the local level.

The Committee finalized proposed amendments to the Deferred Maintenance (DM) regulations. The proposed regulations described the timeframe in which complaints would be presented to the SAB, and the DM funds withholding process. The proposed amendments provide for an annual presentation to the SAB for the purposes of determining violations of EC 35292.5. The Committee agreed to proceed with the proposal with the stipulation to reassess its viability after a trial period of 9–12 months.

Recently chaptered AB 1124 requires that the use of restricted maintenance and deferred maintenance funds should be prioritized to ensure restroom facilities are functional and meet local hygiene standards. As a means to demonstrate compliance with the law, the Committee agreed that districts would self-certify on the funding application.

The proposed regulations pertaining to SB 892 and AB 1124 were presented to the April 28, 2004 meeting of the SAB.

### **SCHOOL FACILITY PROGRAM (SFP) MODERNIZATION—SB 15 ALPERT AND AB 1244 CHU**

SB 15 and AB 1244 provide additional modernization apportionments for permanent school buildings every 25 years, and portable classrooms every 20 years. The Committee reviewed proposed modifications to the SFP Regulations which would allow school districts to become eligible to receive this additional modernization funding. The law requires a school district to use the second-round modernization funds to replace the eligible portable classroom, and to certify that the replaced portable will be removed from any classroom use. The law includes accommodations for the second modernization of the portable only if the district can document that modernizing the portable classroom is a better use of public resources. The Committee also discussed several options regarding the documentation requirement and will review additional options at the next meeting. At that time, the Committee will continue its review of the requirements that will accommodate Lease Purchase Program projects requesting second-round modernization.

## Watch for...

The following items are pending review at a future Committee meeting. You may log onto the OPSC Web site at [www.opsc.dgs.ca.gov/SAB/Imp\\_Calendar.htm](http://www.opsc.dgs.ca.gov/SAB/Imp_Calendar.htm) to see the agenda for the next Committee meeting and determine if items of interest for you are scheduled.

### **SFP MODERNIZATION—SB 15 ALPERT AND AB 1244 CHU**

Continued discussion on the proposed regulatory amendments that will permit an additional apportionment for the modernization of permanent facilities every 25 years and portable classrooms every 20 years.

### **MODERNIZATION OF 50-YEAR OLD SCHOOL BUILDINGS**

Discussion of proposed amendments to Regulation Section 1859.78.6 which provides additional funding for the modernization of permanent buildings at least 50 years old. The amendments would address changes in the way the grant is calculated and applied.

### **SCHOOL FACILITY PROGRAM (SFP)—PROJECT RESCISSION**

Discussion on proposed amendments to Regulation Section 1859.107 that will clarify the parameters for project rescission.

### **NEW CONSTRUCTION ADDITIONAL GRANT FOR REPLACED FACILITIES**

Discussion on proposed revisions of the criteria used to determine the eligibility for the supplemental grant to replace a single-story with a multi-story structure on the same site.

### **TRANSFERRING SPECIAL EDUCATION PROGRAMS**

Discussion of the potential impacts to School Facility Program new construction and modernization eligibility when county offices of education or school districts transfer special education programs from an existing special education local plan area (SELPA) agreement.

### **CRITICALLY OVERCROWDED SCHOOLS (COS) PROGRAM**

Discussion of alternatives for final COS Program eligibility requirements for existing projects.

## The next meeting...

The SAB Implementation Committee meeting will be held on Friday, June 4, 2004 (9:30 a.m. to 3:30 p.m.) at 1500 Capitol Avenue, Rooms 72.149B and 72.151A, Sacramento, California.

# REGULATIONS UPDATE

Typically, emergency regulatory tracts take approximately 30–45 days to become an effective emergency regulation after they are approved by the State Allocation Board (SAB) and prior to filing with the Office of Administrative Law. Non-emergency regulatory tracts take 120–180 days from the date the SAB approves the agenda item until the regulation(s) become effective.

The following regulation amendments were approved at the March 2004 State Allocation Board meeting.

## NON-EMERGENCY

### Alternative Education School Funding

BY LINDSAY ROSS, OPSC PROJECT MANAGER

The State Allocation Board approved changes to the School Facility Program regulations to better accommodate the unique needs of pupils attending continuation high, community day, county community and county community day schools, commonly referred to as alternative education schools.

#### What's New?

- ▶ A separate new school allowance has been created for the specific minimum essential facility needs of alternative education schools.
- ▶ Additional funding under the new school allowance as the district files subsequent applications for the same site with an offset provision to account for previous funding received for support facilities.
- ▶ A grandfathering provision for those projects for which the final plans and specifications for the project were accepted by the Division of State Architect (DSA) by to March 24, 2004.
- ▶ Revisions to the Use of New Construction Grants regulations to accommodate the following Alternative Education support facilities:
  - Multipurpose or Gymnasium
  - Library
  - Counseling Offices and/or Conference Rooms

#### What Does This Mean?

- ▶ Districts will have the option to choose between the regular New School grant and the Alternative Education New School grant if the final plans and specifications for the new alternative education school were accepted by the DSA on or before March 24, 2004.
- ▶ The new Alternative Education New School grant provides funding at a more appropriate level that may enable districts to qualify for an augmentation to help build necessary support facilities.
- ▶ As the alternative education school expands to serve more pupils, districts will have an opportunity to receive additional funding to furnish support facilities for those additional pupils. ■

## NON-EMERGENCY

### NEW CONSTRUCTION

### Additional Grant For Replaced Facilities

BY ANDREW NAVE, OPSC PROJECT MANAGER

Assembly Bill 1631 clarified the criteria used in determining qualification for the supplemental grant provided when a single-story structure is being demolished, and replaced with a multi-story structure on the same school site. The intent of the changes was to encourage greater participation, without affect-

ing the funding calculations. In addition, the law removed the Multi-Track Year Round Education requirement.

Regulations approved by the State Allocation Board contain the following changes:

- ▶ Replacement expenses now include the cost of demolishing the single-story building and the construction expenses for the entire multi-story replacement building;
- ▶ Site acquisition costs savings are to be demonstrated by a cost benefit analysis comparing:
  - The costs of demolishing and replacing the single-story structure, plus the costs associated with the additional capacity created in the multi-story level.
  - The site acquisition and classroom construction expenses for the number of pupils to be housed by the additional capacity in the multi-story project. ■

SFP Regulation Section 1859.73.2

## NON-EMERGENCY

### Pathways to Energy Conservation Dollars

BY LIZ YOKOYAMA, OPSC PROJECT MANAGER

Has your district been hesitant in taking advantage of the energy conservation funding? We encourage you to take another look at this opportunity in light of some improvements that have been made as follows:

- ▶ At its March 2004 meeting, the State Allocation Board approved a regulation amendment that changes the method in which the energy grant is calculated. The new grant calculation more appropriately compensates the project according to its level of energy efficiency.
- ▶ The Division of State Architect (DSA) eased the requirement a project must meet in order to qualify for additional energy funds. Initially, in order for a project to be eligible, every building within the project was required to surpass the energy threshold. The requirement was amended to calculate the weighted average of the energy savings of all buildings in the project.
- ▶ A new DSA checklist to expedite the plan review process.

To learn more about obtaining DSA's concurrence on your energy funds request, please view these DSA Web links:

- ▶ DSA Bulletin on Proposition 47 Energy Allowance Grant Projects and the DSA's verification of energy efficiency compliance—  
[www.documents.dgs.ca.gov/dsa/bulletins/bulletinProp47\\_rev9-15-03.pdf](http://www.documents.dgs.ca.gov/dsa/bulletins/bulletinProp47_rev9-15-03.pdf)
- ▶ DSA Energy Allowance Request Form  
[www.documents.dgs.ca.gov/dsa/forms/energy\\_review\\_request\\_form.pdf](http://www.documents.dgs.ca.gov/dsa/forms/energy_review_request_form.pdf)
- ▶ DSA Application for Approval of Plans and Specifications  
[www.documents.dgs.ca.gov/dsa/forms/dsa.1.pdf](http://www.documents.dgs.ca.gov/dsa/forms/dsa.1.pdf) ■

*continued next column*

The following regulation amendments were approved at the April 2004 State Allocation Board meeting.

NON-EMERGENCY

DEFERRED MAINTENANCE PROGRAM

## Clean School Restroom Legislation

BY ERIN MOORE, OPSC PROJECT MANAGER

In January 2004, Senate Bill (SB) 892 was effective and requires districts to maintain specific standards regarding the sufficiency and availability of public school restrooms, such as, to ensure that restrooms are maintained, and cleaned regularly. The law also requires the State Allocation Board (SAB) to determine districts ineligible for State Deferred Maintenance matching apportionments (the Basic Grant) if the district does not comply with the requirements set forth in SB 892. In order to comply with this new law the Office of Public School Construction implemented a complaint procedure to receive complaints regarding possible violations of SB 892.

### What's New?

At the April 2004 meeting, the SAB approved changes to the Deferred Maintenance Program (DMP) regulations to implement the requirements of SB 892. The new DMP regulations describe the following:

- ▶ the process by which unresolved complaints will be presented to the SAB;
- ▶ the provision for a 30 day notice period where the district may correct the violation before they are found ineligible for DMP funds.

These new regulations are intended to create a procedure by which the requirements of the law may be met. For more information on Restroom Maintenance, including the complaint form, SB 892 text, please visit our Web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov). ■

NON-EMERGENCY

SCHOOL FACILITY AND DEFERRED MAINTENANCE PROGRAMS

## Priority Use of Maintenance Funds

BY ERIN MOORE, OPSC PROJECT MANAGER

Assembly Bill (AB) 1124 added Sections 17070.755 and 17584.3 to the Education Code. The bill requires a priority for the use of restricted maintenance and deferred maintenance funds to be used to ensure facilities (not limited to restrooms) are functional and meet local hygiene standards generally applicable to public facilities. Accordingly, the State Allocation Board approved regulatory amendments by adding the appropriate certification language to the following:

- ▶ Application for Funding, Form SAB 50-04, for the School Facility Program relating to the priority use of the funds in the restricted maintenance account.
- ▶ Certification of Deposits, Form SAB 40-21, for the Deferred Maintenance Program relating to the priority use of the deferred maintenance basic grant.

We encourage you to view the statute to learn more about certain fund use restrictions as it relates to regular operational and maintenance costs. ■

To view additional information regarding these regulatory amendments, please view the OPSC Web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov).

For questions regarding SB 892 or the Deferred Maintenance Program, please contact Erin Moore at 916.445.2704 or Bill Johnstone at 916.323.8176.

For all other questions, please contact your OPSC Project Manager.