

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, April 25, 2012

CAREER TECHNICAL EDUCATION FACILITIES PROGRAM REGULATORY AMENDMENTS

PURPOSE OF REPORT

To present proposed amendments to the School Facility Program (SFP) Regulations for the implementation of the Career Technical Education Facilities Program (CTEFP) section of Chapter 622, Statutes of 2011 (Senate Bill [SB] 128 – Lowenthal).

DESCRIPTION

SB 128 amended the Education Code (EC) to allow school districts with CTEFP projects to request High Performance Incentive (HPI) grants, including HPI grants above the CTEFP per-project maximum grant allowances.

Staff proposes amending the SFP Regulations to specify the HPI grants available to CTEFP projects and to allow school districts that have not received apportionments for their CTEFP projects to amend their funding requests to include HPI grants.

AUTHORITY

EC Section 17078.72 states:

(a) The Career Technical Education Facilities Program is hereby established to provide funding to qualifying local educational agencies for the purpose of constructing new facilities or reconfiguring existing facilities, including, but not limited to, purchasing equipment with an average useful life expectancy of at least 10 years, to enhance educational opportunities for pupils in existing high schools in order to provide them with the skills and knowledge necessary for the high-demand technical careers of today and tomorrow.

...

(e) New construction grants shall not exceed three million dollars (\$3,000,000) per project per schoolsite, inclusive of equipment, and shall only be allocated to comprehensive high schools that have an active Career Technical Advisory Committee pursuant to Section 8070, in either of the following methods:

(1) For a stand-alone project on a per-square-foot basis for the applicable type of construction proposed, based on the criteria established pursuant to subdivision (b), consistent with the approved application for the project.

(2) For new school projects, as a supplement to the per pupil allocation pursuant to Section 17072.10. The supplement is intended to cover excess costs uniquely related to the facilities required to provide the career technical education program or programs.

(f) Modernization grants shall not exceed one million five hundred thousand dollars (\$1,500,000) per project per schoolsite, inclusive of equipment and may be awarded to comprehensive high schools or joint power authorities currently operating career technical education programs that have an active Career Technical Advisory Committee pursuant to Section 8070 for the purpose of reconfiguration. For comprehensive high schools, the grant shall be supplemental to the per pupil allocation pursuant to Section 17074.10. The supplement is intended to cover excess costs

(Continued on Page Two)

AUTHORITY (cont.)

uniquely related to the facilities required to provide the career technical education program or programs.

...

(l) Notwithstanding paragraphs (e) and (f), a project approved pursuant to this section is also eligible for an incentive grant from the funds specified in paragraph (8) of subdivision (a) of Section 101012 if the project meets the criteria prescribed in that section.

EC Section 101012 states:

(a) The proceeds from the sale of bonds, issued and sold for the purposes of this chapter, shall be allocated in accordance with the following schedule:

...

(4) The amount of five hundred million dollars (\$500,000,000) for the purposes set forth in Article 13 (commencing with Section 17078.70) of Chapter 12.5 of Part 10, relating to facilities for career technical education programs.

...

(8) The amount of one hundred million dollars (\$100,000,000) for incentive grants to promote the use of designs and materials in new construction and modernization projects that include the attributes of high-performance schools, including, but not limited to, the elements set forth in Section 17070.96, pursuant to regulations adopted by the State Allocation Board.

...

SFP Regulations Section 1859.197 states:

The OPSC will release State funds that have been apportioned by the Board pursuant to Sections 1859.195 and 1859.196 after submittal by the applicant of the Form SAB 50-05.

...

(b) If Career Technical Education Facilities funds were reserved for the applicant pursuant to Section 1859.193(d) of these Regulations, the applicant:

...

(2) Has 18 months from the date the CDE plan approval and DSA-approved plans and specifications, as needed, are submitted to the OPSC to submit a completed Form SAB 50-05 or the apportionment shall be rescinded without further Board action. If the district is requesting an apportionment pursuant to Section 1859.90.1 or 1859.90.2, the Board will require that this time limit be reduced to no more than 90 days from the date of the apportionment.

BACKGROUND

Career Technical Education Facilities Program

Chapter 35, Statutes of 2006 (Assembly Bill [AB] 127 – Nunez) allocated \$500 million for the CTEFP, as specified in EC Section 101012(a)(4).

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BACKGROUND (cont.)

At the May 25, 2011 State Allocation Board (Board) meeting, the Board decided to continue providing unfunded approvals to CTEFP applicants in the third funding cycle using all available bond authority and to keep the third funding cycle open. 74 CTEFP applications totaling approximately \$103.6 million in State funds have been received by the OPSC as part of the third funding cycle, but have not been approved by the Board due to insufficient bond authority. These applications are referred to as being “in-house.”

An additional 73 CTEFP Board-approved projects totaling \$94.4 million in State funds are currently on the Unfunded List (Lack of AB 55 Loans).

CTEFP projects may receive an apportionment without approved plans from the Division of the State Architect (DSA) and specifications. In these cases, districts have up to 12 months after this “reservation of funds” apportionment to submit the plans. This 12-month deadline relates to apportionments, not projects on the Unfunded List (Lack of AB 55 Loans). For districts with projects on the Unfunded List (Lack of AB 55 Loans) participating in Priority Funding, a *Fund Release Authorization* (Form SAB 50-05), and all approved plans, must be submitted within 90 days of apportionment.

High Performance Incentive Grant

AB 127 allocated \$100 million for the HPI grant, as specified in EC Section 101012(a)(8).

Qualifying SFP projects receive:

- a percentage increase to their per-pupil grant amount relative to the HPI “points” that DSA awards the project and
- a High Performance Base Incentive Grant (HP BIG):
 - \$150,000 for New Construction projects on new sites
 - \$250,000 for New Construction projects on existing sites and Modernization projects

For projects accepted by the DSA using the 2009 Edition of the California-Collaborative for High Performance Schools Criteria, SFP projects require a minimum of 27 HPI points for new construction (on a new site) projects or 20 HPI points for new construction (on an existing site) and modernization in order to receive HPI grants.

STAFF ANALYSIS/STATEMENTS

The proposed regulations were discussed at the February, March, and April 2012 Board Implementation Committee meetings. The Implementation Committee reached a consensus on the proposed regulatory and form changes presented in this item.

Because the CTEFP grant amount is based on project costs, whereas the HPI grant combines a percentage increase to the per-pupil grant and a base incentive grant, the SFP Regulations that specify the HPI grant calculations cannot be directly applied to the CTEFP. Therefore, regulatory updates are necessary to apply the HPI grant to the CTEFP.

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STAFF ANALYSIS/STATEMENTS (cont.)

In the proposed regulations, the HPI grant for CTEFP projects would consist of applying the existing HP BIG to the CTEFP. The methodology for receiving HPI points, the minimum number of points necessary to receive the HP BIG, and the amount of the HP BIG remains the same.

High Performance Base Incentive Grant

The HP BIG was created, in part, to encourage districts with modernization projects to participate in the HPI Grant program. SFP modernization projects receiving the HP BIG have received an average total State share of approximately \$2,532,000, including an average HPI grant amount of approximately \$339,000. Therefore because that \$2,532,000 average is close to the CTEFP new construction project maximum grant amount of \$3,000,000, OPSC staff believes that the existing HP BIG amounts are appropriate for CTEFP projects.

Percentage increase

A percentage increase is not included in the proposed regulations because components that are already within the CTEFP cost estimate may earn HPI points. To avoid funding those components out of both the CTEFP and an HPI percentage increase, the costs would need to be separated by the school district into high-performance and non-high-performance categories, creating additional work for school districts prior to their application submittal.

Staff does not believe it is possible to separate every high-performance component. For example, to obtain points for energy performance, which is one of the largest point-generating categories, a project includes a variety of components. These components, as a whole, work together to achieve “high performance” with regard to energy. Considered individually, however, many of these components may not be considered “high performance.”

Amending the Form SAB 50-10

In the proposed regulations, both projects on the Unfunded List (Lack of AB 55 Loans) and “in-house” applications in the third CTEFP funding cycle would be eligible for the HPI grant while retaining their original OPSC received date.

In order to provide the HPI additional grant to districts after an *Application for Career Technical Education Facilities Funding* (Form SAB 50-10) has already been submitted, in this proposal, districts would submit a second Form SAB 50-10. The second Form SAB 50-10 would only relate to the HPI grant. No other CTEFP funding would be amended as a result of submitting a second Form SAB 50-10.

PROPOSED AMENDMENTS

For the complete proposed regulatory changes, see Attachment A.
For the complete proposed form changes, see Attachment B.
The proposed changes are summarized below.

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STAFF ANALYSIS/STATEMENTS (cont.)

SFP REGULATION SECTION 1859.71.6

Section 1859.71.6 applies the HPI grant to new construction projects on new sites.

The proposed amendment would add a paragraph to apply the HP BIG to CTEFP new construction projects on new sites.

SFP REGULATION SECTION 1859.77.4

Section 1859.77.4 applies the HPI grant to new construction projects on existing sites and to modernization projects.

The proposed amendment would apply the HP BIG to CTEFP new construction projects on existing sites and to CTEFP modernization projects.

SFP REGULATION SECTION 1859.107

Section 1859.107 details how school districts with specified funding applications may amend those applications while retaining the OPSC processing date.

The proposed amendment would allow a school district that has submitted a CTEFP funding application to amend its application to add a request for the HPI grant while retaining its OPSC processing date. The ability to add the HPI grant request while retaining the original OPSC processing date is intended to apply to school districts whether the application is:

- currently on the Unfunded List (Lack of AB 55 Loans), or
- “in-house” in the third CTEFP funding cycle.

SFP REGULATION SECTION 1859.193

Section 1859.193 outlines how the CTEFP grants are determined.

The proposed amendment would add the HPI grant to the CTEFP grant after the existing CTEFP grant determinations are made. The HPI grant would be added to the CTEFP grant whether or not the CTEFP grant reaches the per-project maximum grant amounts.

SFP REGULATION SECTION 1859.194

Section 1859.194 describes districts’ CTEFP matching share requirements.

The proposed amendment would clarify that the HPI grant matching share requirement is on a dollar-for-dollar basis (50 state/50 district) for both CTEFP new construction projects and CTEFP modernization projects.

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STAFF ANALYSIS/STATEMENTS (cont.)

Without the language, there was a concern that, because CTEFP and HPI funds are allocated from different funding sources, school districts may have thought that different matching share requirements applied. But the 50/50 matching share should apply to both grants because the HPI grant is an additional grant, and additional grants take on the matching share requirements of the program they are being added to.

SFP REGULATION SECTION 1859.197

Section 1859.197 describes the CTEFP fund release process.

The proposed amendment would require districts with a CTEFP project on the Unfunded List (Lack of AB 55 Loans) that request to add the HPI grant and to participate in a Priority in Funding round to submit all the approvals necessary for fund release at least 90 days prior to submitting the certifications necessary to become eligible for priority funding apportionments. The new deadline will help ensure that the list of projects that will receive priority funding apportionments is developed quickly and accurately.

REGULATORY CHANGES TO THE FORM SAB 50-10)

School districts currently submit one Form SAB 50-10 per CTEFP project. "Reservation of funds" apportionments by the Board are not adjusted after districts submit DSA-approved plans.

The proposed amendments would add language to the Form SAB 50-10 so that districts that have already submitted the Form SAB 50-10 may receive the HPI grant. Those districts would submit a second Form 50-10 indicating that they would like to add the HPI grant to their funding request. Districts would not revise any funding information that was completed on the first 50-10. Therefore, the CTEFP funding amount will not change based on the DSA-approved plans submitted after a "reservation of funds."

Districts would also certify that the HPI grant will be rescinded if they request the HPI grant prior to submitting DSA-approved plans, but then do not attain the necessary HPI points to receive the grant.

RECOMMENDATIONS

1. Adopt the proposed regulations as shown on Attachments A and B and begin the regulatory process.
2. Authorize the Executive Officer to file these regulations with the Office of Administrative Law.

This Item was approved by the State Allocation Board on April 25, 2012.

ATTACHMENT A

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 ~~Subsections~~ Subsection (b) or (c), as applicable, if all the following are met:

(1) The project meets the mandatory measures of the California Green Building Standards, California Code of Regulations Title 24, Part 11, as applicable.

...

(b) Excluding Career Technical Education Facilities Projects, to ~~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:

(1) For those projects accepted by the DSA prior to October 1, 2007, pursuant to (a)(8), in which the level of high performance attained, as concurred by the DSA, is a minimum of 23 points, the New Construction Grant will be multiplied by:

(A) Two percent at 23 points plus 0.03 percent for each point attained from 24 through 33 points; or

...

(c) For Career Technical Education Facilities Projects accepted by the DSA utilizing the 2009 CA-CHPS Criteria, in which the level of high performance attained as concurred by the DSA is a minimum of 27 points, the Board shall provide \$150,000 one time per school site as a High Performance Base Incentive Grant.

If there are no funds remaining in the High Performance School Account or the funds remaining are insufficient to fully fund the additional grant authorized in ~~Subsections~~ Subsection (b) or (c), 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 ~~Subsections~~ Subsection (b) or (c).

Any funds apportioned pursuant to this Section shall be expended only on high performance related costs (and components as approved by the OPSC.)

Note: Authority cited: ~~Section~~ Sections 17070.35, and 17078.72(i), Education Code.
Reference: Section 101012(a)(8), Education Code.

Section 1859.77.4. Addition to a 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 ~~Subsections~~ Subsection (b) or (c), as applicable, if all the following are met:

(1) The project meets the mandatory measures of the California Green Building Standards, California Code of Regulations Title 24, Part 11, as applicable.

(b) Excluding Career Technical Education Facilities Projects, to ~~To~~ determine the High Performance Incentive grant, multiply the New Construction or Modernization Grant, as appropriate, by the percentage allowance in accordance with the eligible high performance points as follows:

(1) For those projects accepted by the DSA prior to October 1, 2007, pursuant to (a)(8), in which the level of high performance attained, as concurred by the DSA, is a minimum of 23 points, the New Construction or Modernization Grant, as appropriate, will be multiplied by:

(A) Two percent at 23 points plus 0.03 percent for each point attained from 24 through 33 points; or

...

(c) For Career Technical Education Facilities Projects accepted by the DSA utilizing the 2009 CA-CHPS Criteria, in which the level of high performance attained as concurred by the DSA is a minimum of 20 points, the Board shall provide \$250,000 one time per school site as a High Performance Base Incentive Grant.

If there are no funds remaining in the High Performance School Account or the funds remaining are insufficient to fully fund the additional grant authorized in ~~Subsections~~ Subsection (b) or (c), 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 ~~Subsections~~ Subsection (b) or (c).

Any funds apportioned pursuant to this Section shall be expended only on high performance related costs (and components as approved by the OPSC.)

Note: Authority cited: ~~Section~~ Sections 17070.35, and 17078.72(i), Education Code.
Reference: Section 101012(a)(8), Education Code.

Section 1859.107. Amending and Withdrawal of Applications.

...
A funding application, with the exception of funding applications identified in Subsection (a) below, submitted to the OPSC that has not received an approval will receive funding under the provisions of the regulations that were in effect when the application was submitted to the OPSC and any funding adjustment authorized by Sections 1859.71.2(c) or 1859.78.4(b). If the funding adjustment is a result of Sections 1859.71.2(c) or 1859.78.4(b), the district must submit an amended Form SAB 50-04. The amended application shall retain its OPSC processing date. At the option of the district, a funding application submitted to the OPSC that has not received an approval may be withdrawn and resubmitted for SAB approval under the provisions of any amended or new regulation once it is effective. The district must request that the application be withdrawn and removed from the OPSC workload list. The resubmitted application will receive a new processing date by the OPSC.

At the option of the district, an Approved Application for Career Technical Education Facilities Project Funding submitted to OPSC prior to January 1, 2012 may be resubmitted for the purpose of requesting the funding as prescribed in Section 1859.71.6 or Section 1859.77.4, as applicable. To request that funding, the district must submit an amended Form SAB 50-10 at least 90 days prior to requesting an Apportionment pursuant to Section 1859.90.1 or 1859.90.2 or receiving an Apportionment pursuant to Section 1859.195. The amended application shall retain its original OPSC processing date.

...
Note: Authority cited: ~~Section~~ Sections 17070.35, and 17078.72(i), Education Code.
Reference: Sections 17070.35, 17070.63, 17074.15, 17074.16 and 17074.56, Education Code.

Section 1859.193. Career Technical Education Facilities Grant Determination.

A Career Technical Education Facilities Project may construct a new facility or modernize or Reconfigure an existing school building. The application for Career Technical Education Facility funding may accompany an application for new construction funding pursuant to Section 1859.70 or may be submitted independently.

(a) For new construction of a Career Technical Education Facilities Project included in a qualifying New Construction Grant, the Career Technical Education Facilities grant amount shall be the lesser of either (1) or (2):

(1) The sum of the costs uniquely related to facilities required to provide Career Technical Education as determined below:

(A) 50 percent of the cost of construction of the Career Technical Education Facilities Project, as determined by the project architect, subject to OPSC review and approval.

...
(2) \$3 million per Career Technical Education Facilities Project.

...

(d) If an applicant meets the eligibility criteria in Section 1859.192, but does not have the necessary approvals from the DSA and/or the CDE at the time of apportionment, the Board may apportion funds for the Career Technical Education Facilities Project and reserve them for a period of up to 12 months. The grant amount to be reserved for the project will be the maximum funding as determined above in (a), (b), or (c).

(e) Funding provided as prescribed in Sections 1859.71.6 and Section 1859.77.4 shall not be affected by the maximum funding determinations listed above.

Note: Authority cited: Sections 17070.35, and 17078.72(k), and 17078.72(l), Education Code.
Reference: Section 17078.72, Education Code.

Section 1859.194. Career Technical Education Facilities Program Matching Share Requirement.

Any funding provided by these regulations, including funding as prescribed in Sections 1859.71.6 and 1859.77.4, shall require an applicant matching share contribution on a dollar-for-dollar basis. The applicant matching share may come from any source including, but not limited to, private industry groups, school districts, county offices of education, and joint powers authorities.

If the applicant's available matching share does not equal the grant amount or the matching share is not immediately available, a loan may be made to the applicant. The amount of the loan shall be determined by compliance with (a) below. If the need for a loan is substantiated, it shall be paid over time through loan payments authorized by the Board.

...

Note: Authority cited: Sections 17070.35, and 17078.72(k), and 17078.72(l), Education Code.
Reference: Sections 17076.10 and 17078.72, Education Code.

Section 1859.197. Fund Release Process.

The OPSC will release State funds that have been apportioned by the Board pursuant to Sections 1859.195 and 1859.196 after submittal by the applicant of the Form SAB 50-05.

(a) If an apportionment was made for a Career Technical Education Facilities Project, the applicant must submit a Form SAB 50-05 within 18 months of the Apportionment as outlined in Education Code Section 17076.10 or the apportionment shall be rescinded without further Board action.

(b) If Career Technical Education Facilities funds were reserved for the applicant pursuant to Section 1859.193(d) of these Regulations, the applicant:

(1) Has one year from the date of apportionment to submit the CDE plan approval and DSA-approved plans and specifications, as required, to the OPSC for the Career Technical Education Facilities Project, otherwise the apportionment shall be rescinded without further Board action.

(2) Has 18 months from the date the CDE plan approval and DSA-approved plans and specifications, as needed, are submitted to the OPSC to submit a completed Form SAB 50-05 or the apportionment shall be rescinded without further Board action. If the district is requesting an apportionment pursuant to Section 1859.90.1 or 1859.90.2, the Board will require that this time limit be reduced to no more than 90 days from the date of the apportionment.

(c) If the applicant requires a loan for the entire matching share requirement pursuant to Section 1859.194(b) of these Regulations:

(1) Subject to the availability of financing provided by the Pooled Money Investment Board for bond-funded projects, the OPSC will release ten percent of the Career Technical Education Facilities grant to the applicant within 30 calendar days of the apportionment.

(2) The applicant has one year from the date of apportionment to submit the CDE plan approval and DSA-approved plans and specifications, as required, to the OPSC for the Career Technical Education Facilities Project, otherwise the apportionment shall be rescinded without further Board action.

(3) The applicant has 18 months from the date in (c)(2) to submit a completed Form SAB 50-05 or the apportionment shall be rescinded without further Board action.

(d) If the district is requesting an Apportionment pursuant to Section 1859.90.1 or 1859.90.2 and if the district is requesting funding as prescribed in Section 1859.71.6 or Section 1859.77.4, as applicable, then the district must submit the necessary approvals from the DSA and/or the CDE, as applicable, at least 90 days prior to requesting an Apportionment.

(e) If the district receives an Apportionment pursuant to (a) or (b) and if the district is requesting funding as prescribed in Section 1859.71.6 or Section 1859.77.4, as applicable, then the district must submit the necessary approvals from the DSA and/or the CDE, as applicable, at least 90 days prior to receiving an Apportionment.

~~(f)~~ (f) The applicant is subject to substantial progress time limit on the apportionment as outlined in Education Code Section 17076.10(b).

~~(e)~~ (g) In the event the Board determines there is a fiscal emergency or crisis on the part of the State of California, the Board may grant an extension not to exceed 12 months to the time limit prescribed in (b)(1) and (c)(2) above and Section 1859.193(d). Regulation Section 1859.197(e) shall become inoperative January 1, 2010.

Note: Authority cited: Sections 17070.35, 17078.72(l), and 17078.72(k), Education Code.

Reference: Sections 17078.72 and 17076.10 Education Code.

**APPLICATION FOR CAREER TECHNICAL EDUCATION FACILITIES FUNDING
SCHOOL FACILITY PROGRAM**SAB 50-10 (REV ~~12/11~~04/12)

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GENERAL INFORMATION

This form is to be used by a school district/joint powers authority (JPA) to request a Career Technical Education Facilities Program (CTEFP) grant. Requests for funding may be made as follows:

New Construction or Modernization project pursuant to Regulation Section 1859.190. The following documents must be submitted with this form for purposes of this apportionment:

- California Department of Education's (CDE) Career Technical Education (CTE) score letter.
- A copy of the submitted CTEFP application that complies with the requirements of Education Code Section 17078.72.
- If applicable, Plan Approval letter from the CDE School Facilities Planning Division.
- If applicable, Plans and Specifications (P&S) for the project that were approved by the Division of the State Architect (DSA) and the DSA Approval letter. 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.
- Detailed cost estimate of proposed site development, if requesting site development funding.
- Detailed construction cost estimate, if requesting construction funding.
- Itemized list of equipment including cost, if requesting equipment funding.
- If requesting a loan, the applicant must attach the completed CTEFP Funding Availability Worksheet.

SPECIFIC INSTRUCTIONS

A Project Tracking Number must be assigned by the applicant for all applications submitted to the OPSC, the DSA, or the CDE. This number may be obtained from the OPSC Web site at www.dgs.ca.gov/opsc or the DSA or the CDE Web sites under "Project Tracking Number Generator." The locale must be entered for all CTE applications submitted to the OPSC. [If the district is amending its High Performance Incentive \(HPI\) grant request, complete sections 1 and 14 only.](#)

1. Type of Application

Check the box that indicates the type of CTEFP funding requested. Refer to Section 1859.192 for the eligibility criteria.

2. CTE Industry Sector and Pathway(s)

Enter the name of the Industry Sector and Pathway(s).

3. Reservation of Funds

Check the box "Yes" if requesting a reservation of funds pursuant to Section 1859.193(d). Otherwise, check the box "No."

4. Loan Request

Check the box "Yes" if requesting a loan pursuant to Section 1859.194. Otherwise, check the box "No."

5. Number of CTE Classrooms

Enter the number of CTE classrooms specified in the CDE CTE Application.

6. Qualifying SFP Project Application Number

If the request is for a CTEFP Project that is part of a qualifying SFP project, indicate the SFP application number or the project tracking number of the qualifying SFP project. Refer to Section 1859.193.1 for a definition of a qualifying SFP project.

7. CDE Application Overall Score

Enter the score from the CDE CTE score letter for this project. (The applicant must have received a score of at least 105 points, as determined by the CDE pursuant to Section 1859.192(c).)

8. CTE Facility Square Footage

Enter the total eligible square footage of the CTE Facility in the project.

9. Eligible Costs

- a. Enter 50 percent of the construction cost if constructing new building area, or modernizing or reconfiguring an existing building.
- b. Enter 50 percent of the equipment cost pursuant to Education Code Section 17078.72(a).
- c. If the request is for a CTEFP Project that is not a part of a qualifying SFP project, enter 50 percent of the site development costs that meet the requirements of Section 1859.193.
- d. If the CTEFP Project is part of a qualifying SFP Project, enter 50 percent of the total SFP allowance for New Construction Grants for CTE classrooms pursuant to Section 1859.193(a)(1)(C).
- e. Enter the total of a plus b plus c minus d.

10. Cost Per Square Footage

Enter the cost per square foot by dividing the total eligible costs in Item 9 at 100 percent by the CTE facility square footage noted in Item 8.

11. Project Assistance

Check the box if the district is requesting project assistance pursuant to Section 1859.73.1. This grant is available only to a new construction or modernization CTE project that is not part of a qualifying SFP New Construction or Modernization project.

12. Project Progress Dates

Complete this section for new construction/modernization projects:

- a. Enter the date(s) the construction contract(s) was awarded for this project(s).
If a construction contract has not been executed, enter N/A. (If the space provided is not sufficient for all applicable contract dates, please list all dates on a separate attachment to this form.)
- b. 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.

13. Prevailing Wage Monitoring and Enforcement Costs

If the construction contract for this project was or will be awarded on or after January 1, 2012, check the appropriate box to indicate which of the following methods will be used to meet the requirement for prevailing wage monitoring and enforcement pursuant to Labor Code Section 1771.3:

- The Department of Industrial Relations (DIR) Compliance Monitoring Unit (CMU)
- A DIR-approved internal LCP
- A collective bargaining agreement that meets the criteria set forth in Labor Code Section 1771.3(b)(3).

14. Additional Grant for High Performance Incentive

Check the box if the district is requesting an Additional Grant for HPI pursuant to Subdivision (I) of Education Code Section 17078.72. If the district has received the necessary approvals of the plans and specifications from the DSA, enter the number of high performance points as prescribed in Section 1859.71.6 or Section 1859.77.4, as applicable.

15. Certification

The district representative must complete this section.

**APPLICATION FOR CAREER TECHNICAL EDUCATION FACILITIES FUNDING
SCHOOL FACILITY PROGRAM**

SAB 50-10 (REV ~~12/11~~04/12)

The school district/JPA named below applies to the State Allocation Board via the Office of Public School Construction for a grant under the provisions of Article 13, Chapter 12.5, Part 10, Division 1, commencing with Section 17078.70, et seq, of the Education Code and the Regulations thereto.

SCHOOL DISTRICT/JOINT POWERS AUTHORITY		APPLICATION NUMBER
SCHOOL NAME		PROJECT TRACKING NUMBER
COUNTY	LOCALE	HIGH SCHOOL ATTENDANCE AREA (HSAA) (IF APPLICABLE)

1. Type of Application—Check Only One

- New Construction Project—construct new school buildings and/or equipment
- Modernization Project—reconfigure existing school buildings and/or equipment
[Separate HPI grant request \[Section 1859.107\]](#)
- [Add the HPI Grant](#)
- [Remove the HPI Grant](#)

2. CTE Industry:

Sector: _____

Pathway(s): _____

3. Reservation of Funds:

Yes No

4. Loan Request:

Yes No

5. Number of CTE Classrooms in the CTEFP application _____

6. Qualifying SFP Project Application Number

Application Number: # _____

Project Tracking Number: # _____

7. CDE Application Overall Score:

Minimum Score: _____ **105**

8. CTE Facility Square Footage: _____

9. Eligible Costs

a. 50 Percent Construction: \$ _____

b. 50 Percent Equipment: \$ _____

c. 50 Percent Site Development: \$ _____

d. 50 Percent SFP Allowance (New Construction Only) \$ _____

e. Total (a+b+c-d): \$ _____

10. Cost Per Square Foot:

\$ _____

11. Project Assistance

- CTE Project Only—not part of a qualifying SFP project

12. Project Progress Dates

a. Construction Contract signed on: _____

b. Notice to Proceed issued on: _____

(If the space provided is not sufficient for all applicable contract dates, please list all dates on a separate attachment to this form.)

13. Prevailing Wage Monitoring and Enforcement Costs

If the Construction Contract(s) was or will be awarded after January 1, 2012, please indicate which method will be used to meet the prevailing wage monitoring requirements, pursuant to Labor Code Section 1771.3:

DIR CMU Administered

DIR Approved Internal LCP

Collective bargaining agreement, pursuant to Labor Code Section 1771.3(b)(3)

14. High Performance Incentive Additional Grant Request

[HPI - If the district has received the necessary approvals of the plans and specifications from the DSA, indicate HPI points:](#) _____

14.5. Certification

I certify, as the Representative for the School District or JPA, that the information reported on this form is true and correct and that: I am the authorized representative of the District or JPA as authorized by the governing board of the district or JPA; and,

- A resolution or other appropriate documentation supporting this application under Article 13, Chapter 12.5, Part 10, Division 1, commencing with Section 17078.70, et. seq., of the Education Code was adopted by the applicant's Governing board on _____; and,
- The district has established a "Restricted Maintenance Account" for the exclusive purpose of providing ongoing and major maintenance of school buildings and has developed an ongoing and major maintenance plan that complies with and is implemented under the provisions of Education Code Sections 17070.75 and 17070.77 (refer to Sections 1859.100 through 1859.102); if the applicant is a joint powers authority that is not required to establish a "Restricted Maintenance Account" under the provisions of Education Code Section 17070.75, the applicant certifies that it can maintain its facilities with a lesser annual deposit (refer to Section 1859.101); and,
- The matching funds required pursuant to Section 1859.194 has either been received and expended by the district, deposited in the County School Facility Fund or will be received and expended by the district prior to the notice of completion for the project; and,
- The participant has or will receive the necessary approval of the plans and specifications from the Division of the State Architect; and,
- The participant has or will receive the necessary approval of the plans and specifications from the CDE; and,

**APPLICATION FOR CAREER TECHNICAL EDUCATION FACILITIES FUNDING
SCHOOL FACILITY PROGRAM**

- The participant has complied with the provisions of Section 1859.76 and that the portion of the project funded by the State does not contain work specifically prohibited in that section; and,
- If the SFP grants will be used for a CTEFP project on school facilities on leased land, the participant has entered into a lease agreement for the leased property that meets the requirements of Section 1859.22; and,
- The participant has complied with the CTEFP eligibility criteria as outlined in Section 1859.192; and,
- The participant will comply with all laws pertaining to the construction of its CTE school building; and,
- The participant understands that funds not released within 18 months of apportionment shall be rescinded and the application shall be denied (refer to Section 1859.197); and,
- The participant understands that by reserving funds, the applicant must submit the necessary approvals and/or Plans and Specifications within one year of apportionment; otherwise the funds will be rescinded without further Board action (refer to Section 1859.197); and,
- The participant understands that the lack of substantial progress within 18 months of receipt of any funding shall be cause for the rescission of the unexpended funds (refer to Section 1859.198); and,
- The participant understands that some or all of the State funding for the project must be returned to the State as a result of an audit pursuant to Sections 1859.105 and 1859.106, and that the portion of the project funded by the State does not contain work specifically prohibited; and,
- All contracts for the service of any architect structural engineer or other design professional for any work under the project have been obtained pursuant to a competitive process that is consistent with the requirements of Chapter 10 (commencing with Section 4525) of Division 5, of Title 1, of the Government Code; and,
- The participant has or will comply with the Public Contract Code regarding all laws governing the use of force account labor; and,
- If this request is for modernization of CTE facilities, contracts for construction were executed on or after May 20, 2006; and,
- All equipment was purchased on or after May 20, 2006, unless the project is combined with a qualifying SFP new construction project pursuant to Section 1859.193.1; and,
- If this request is for new construction projects, the CTE classrooms constructed were not occupied prior to May 20, 2006; and,
- If the applicant is requesting a loan for the matching share, a CTEFP Loan Agreement will be executed pursuant to the requirements in Section 1859.194; and,
- The district will contract with the DIR for Prevailing Wage Monitoring and Enforcement, pursuant to Labor Code Section 1771.3(a), if the construction contract is awarded on or after January 1, 2012 and the district has not obtained a waiver for the requirement, pursuant to Labor Code Section 1771.3(b). The district understands that if it fails to meet this requirement, it will be required to repay all state bond funds received including interest; and,
- The applicant has or will comply with Education Code Section 17076.11 regarding at least a 3 percent expenditure goal for disabled veteran business enterprises; and,
- Funds reserved pursuant to Subdivision (l) of Education Code Section 17078.72 shall be rescinded if, when the necessary Plans and Specifications are submitted, the district has not attained the necessary points pursuant to Section 1859.71.6 or 1859.77.4, as applicable; 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; and,
- If the district is requesting an additional grant for high performance incentive funding, the school district governing board must have a resolution on file that demonstrates support for the high performance incentive grant request and the intent to incorporate high performance features in future facilities projects; 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 statements set forth in this application and supporting documents are true and correct to the best of my knowledge and belief.

SIGNATURE OF DISTRICT OR JPA REPRESENTATIVE		DATE
NAME OF DISTRICT OR JPA REPRESENTATIVE (PRINT)	TITLE	TELEPHONE
E-MAIL ADDRESS		