State Allocation Board
Office of Public School Construction

An overview of the

State School Facility Programs

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

STATE OF CALIFORNIA

Edmund G. Brown Jr., *Governor*

CALIFORNIA GOVERNMENT OPERATIONS AGENCY

Marybel Batjer, *Secretary*

DEPARTMENT OF GENERAL SERVICES

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STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION

Lisa Silverman,
Executive Officer SAB/OPSC

Mission Statement

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

An overview of the
State School Facility Programs

State Allocation Board
Office of Public School Construction

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Contents

State Allocation Board 1
- **State Allocation Board Members** 1
- **State Allocation Board Executive Officers** 1

State Allocation Board Meetings 2
- **State Allocation Board** 2
- **Implementation Committee** 2

Office of Public School Construction 3
- **OPSC Executive and Management Staff** 3

School Facility Program 4
- **New Construction Grant** 4
- **Modernization Grant** 4
- **Career Technical Education Facilities Program** 5
- **Charter School Facilities Program** 5
- **Critically Overcrowded School Facilities Program** 5
- **Facility Hardship Grant** 6
- **Facility Hardship - Seismic Mitigation** 6
- **Financial Hardship** 7
- **High Performance Incentive Grant** 7
- **Joint-Use Program** 8
- **Labor Compliance Program Grant** 8
- **Overcrowding Relief Grant** 9

School Facility Program Construction Process 10

Other Programs Administered by the State Allocation Board 12
- **Emergency Repair Program** 12
- **Deferred Maintenance Program** 12

Additional Information 13

Charts and Tables

- **Education Facilities Bond Breakdowns** 7
- **Typical State School Building Funding Process** 11

State Allocation Board

The State Allocation Board (SAB) is responsible for determining the allocation of State resources (proceeds from General Obligation Bond Issues and other designated State funds) used for the construction, modernization and maintenance of local public school facilities. The SAB is also charged with the administration of the State School Facility Program, Emergency Repair Program, and Deferred Maintenance Program. The SAB is the policy level body for the programs administered by the Office of Public School Construction (OPSC).

The SAB is comprised of the Director of Finance (the traditional chair), the Director of the Department of General Services (DGS), the Superintendent of Public Instruction, three members of the Senate, three members of the Assembly, and one appointee by the Governor.

State Allocation Board Members

	ASSEMBLY MEMBERS	SENATE MEMBERS
Michael Cohen Director, Department of Finance		
Esteban Almanza Acting Director, Department of General Services	**Susan Bonilla** 14th Assembly District	**Jean Fuller** 18th Senate District
Tom Torlakson State Superintendent of Public Instruction	**Rocky Chavez** 76th Assembly District	**Loni Hancock** 9th Senate District
Cesar Diaz Governor's Appointee	**Adrin Nazarian** 46th Assembly District	**Carol Liu** 25th Senate District

State Allocation Board Executive Officers

Lisa Silverman
Executive Officer

Barbara Kampmeinert
Deputy Executive Officer

Bill Savidge
Assistant Executive Officer

State Allocation Board Meetings

State Allocation Board

The SAB meets monthly to apportion funds to school districts, approve projects, act on appeals, and adopt policies and regulations as they pertain to the programs administered by the SAB. The SAB usually meets on the fourth Wednesday of each month at the State Capitol—at 4:00 p.m. when the State Legislature is in session and at 2:00 p.m. when the State Legislature is out on recess. Due to scheduling changes within the Legislature, some of the SAB meetings may be cancelled or changed with short notice. Meeting dates and locations, cancellation notices, and agenda topics are published on the OPSC website at www.dgs.ca.gov/opsc. Please check the OPSC website for the latest meeting dates, times and locations, as they are subject to change.

Implementation Committee

The Implementation Committee is an informal advisory body established by the SAB to provide input as the OPSC develops its recommendations for the SAB for policy and legislation implementation. The committee membership is comprised of organizations representing the school facilities community.

Meetings are typically held at the State Capitol or Legislative Office Building at 1020 N Street in Room 100 in Sacramento. Meeting times are usually from 9:30 a.m. to 3:30 p.m. with a one-hour lunch break. Meeting dates, times and locations, meeting notices and agenda topics are published on the OPSC website at www.dgs.ca.gov/opsc. Please check the OPSC website for the latest meeting dates, times and locations as they are subject to change.

Office of Public School Construction

As staff to the SAB, and on behalf of the Director of DGS, the OPSC administers all SAB programs, including the School Facility Program (SFP). The OPSC is also charged with verifying that all applicant school districts meet specific criteria based on the type of funding which is being requested. The OPSC also prepares recommendations for the SAB's review and approval.

It is also incumbent on OPSC staff to prepare regulations, policies and procedures which carry out the mandates of the SAB, and to work with school districts to assist them throughout the application process. The OPSC is responsible for ensuring that funds are disbursed in accordance with statutes and regulations and with the decisions made by the SAB.

The OPSC prepares the SAB meeting agendas which keep the SAB members, school districts, staff, and other interested parties apprised of all actions to be taken up by the SAB. The agenda serves as the underlying source document used by the State Controller's Office for the appropriate release of funds. The agenda further provides a "historical record" of all SAB decisions, and is used by school districts, facilities planners, architects, consultants and others wishing to track the progress of specific projects and/or availability of funds.

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School Facility Program

Funds for the SFP may be from any source made available to the SAB. This includes proceeds from the sale of State General Obligation Bonds and the State General Fund. In addition, districts are required to provide a portion of the project cost from funds available to the school district, which may include local general obligation bonds, developer fees, general fund, etc.

New Construction Grant

The New Construction Grant provides State funds on a 50/50 State and local sharing basis for public school capital facility projects in accordance with statute. Eligibility for State funding is based on a district's need to house pupils and is determined by criteria set in law.

Education Code Section 17072.10 establishes the new construction grant per unhoused pupil for new construction projects. The annual adjustment to the grant, based on the change in the Class B Construction Cost Index, is approved by the SAB each January. Education Code Section 17072.11 authorizes the SAB to increase (up to 6 percent) or decrease (unlimited), in any fiscal year, this grant amount to correspond with the current costs to build a school. The current adjusted grant amounts are available on the OPSC website at www.documents.dgs.ca.gov/opsc/Resources/SFP_Grant_Adj.pdf.

This new construction grant amount is intended to provide the State's share for all necessary project costs, with the exception of site acquisition, utilities, off-site, service-site, and general-site development, which may qualify for additional project funding. The necessary project costs include, but are not limited to, funding for design, the construction of the building, education technology, tests, inspections and furniture/equipment.

Modernization Grant

The Modernization Grant provides State funds on a 60/40 State and local sharing basis for improvements to educationally enhance school facilities. Projects eligible under this program include, but are not limited to, modifications such as air conditioning, plumbing, lighting, and electrical systems. Site acquisition may not be included in modernization applications.

Education Code Section 17074.10 establishes the modernization grant for each pupil to be housed in buildings to be modernized. The annual adjustment to the grant, based on the change in the Class B Construction Cost Index, is approved by the SAB each January. The current adjusted grant amounts are available on the OPSC website at www.documents.dgs.ca.gov/opsc/Resources/SFP_Grant_Adj.pdf.

The modernization grant amount is intended to provide the State's share for all necessary project costs. The necessary project costs include, but are not limited to, funding for design, the modernization of the building, education technology, tests, inspections and furniture/equipment.

Career Technical Education Facilities Program

The Career Technical Education (CTE)Facilities Program provides funding to qualifying school districts and joint powers authorities for the construction of new facilities or the modernization or reconfiguration of existing facilities to integrate CTE programs into comprehensive high schools. CTE provides a program of study that involves a multi-year sequence of courses that integrates core academic knowledge with occupational knowledge to provide students with technical skills and a pathway to postsecondary education and careers.

Charter School Facilities Program

This program is intended to provide a charter school with funding to construct new facilities or to rehabilitate existing district-owned facilities for charter school use. To qualify for funding, a charter must be deemed financially sound by the California School Finance Authority and meet the eligibility criteria outlined in law. Title to the project facilities may be held by the local school district, or, under certain conditions, by a local governmental entity or the charter school itself.

A charter, or school district filing on behalf of a charter under this program, may receive a reservation of funding by submitting a preliminary application prior to receiving the necessary approvals from other State entities. Once those approvals are received, the preliminary apportionment must be converted to a final apportionment within four years, with a possible one-year extension. During this period, applicants have the ability to access advance fund releases for design and/or site acquisition to help move the project toward conversion. Following conversion of the preliminary apportionment to a final apportionment, the funds previously set aside by the SAB may then be released.

Critically Overcrowded School Facilities Program

The Critically Overcrowded School Facilities Program (COS) allowed school districts with qualifying critically overcrowded school facilities to apply for a preliminary apportionment for new construction projects to relieve overcrowding. The preliminary apportionment served as a reservation of funds and had to be converted within a four-year period, with a possible one-year extension, to a final apportionment meeting all the SFP New Construction program laws and regulations required for such an apportionment.

Applications for COS preliminary apportionments were accepted through June 30, 2004. As directed by statute, no additional preliminary apportionments were made. The COS program is nearing its end and no new applications are being accepted.

Facility Hardship Grant

The purpose of the Facility Hardship Grant is to assist districts with the replacement or rehabilitation of facilities when it is demonstrated that there is a clear and imminent threat to the health and safety of students due to the condition of existing facilities or the lack of facilities. Factors that may be considered include, but are not limited to, structural deficiencies that present a health and safety threat; environmental health hazards such as mold contamination or adverse air quality; traffic safety; or close proximity to a major freeway, electrical facility, dam, industrial facility, airport, pipelines, etc. For non-structural deficiencies (those that cannot be verified by the Division of the State Architect [DSA]), appropriate State-level concurrence is required.

In order to qualify for a Facility Hardship Grant, a district must demonstrate an ongoing need for the facilities to house pupils. A district is not required to have new construction or modernization eligibility to participate.

Replacement projects consist of a 50/50 contribution between State and local funds. When the minimum costs necessary to mitigate the health and safety threat are less than 50 percent of the facility replacement costs, a rehabilitation grant may be provided using modernization funds for a 60(State)/40(local) project contribution.

Facility Hardship - Seismic Mitigation

Proposition 1D provided up to $199.5 million for seismic mitigation of the most vulnerable school facilities that meet certain criteria, posing an unacceptable risk of injury to occupants in the event of a seismic occurrence. The Seismic Mitigation Program (SMP) is a subset of the Facility Harship Program and funds are provided to repair, reconstruct, or replace qualifying school facilities.

SMP eligibility requirements include:

- The project must consist of a building(s) with any "Category 2" construction type as defined in Assembly Bill (AB) 300 and,
- The building is designed for occupancy by students and staff and,
- The construction contract for seismic mitigation was executed on or after May 20, 2006 and,
- The project's estimated costs shall be for the minimum work necessary to obtain DSA approval and,
- The DSA concurs with a structural engineer's report identifying structural deficiencies that pose an unacceptable risk of injury to the building's occupants in a seimic event.

If the unacceptable risk of injury is due to the presence of faulting, liquefaction, or landslide, these hazards must be documented by a geologic hazards report.

Financial Hardship

Financial Hardship assistance is available for those districts that cannot provide all or part of their share of a school facility project. Qualifying districts may receive State funding for up to 100 percent of the project costs. Education Code Section 17075.10 and California Code of Regulations, Section 1859.81 require a district to have made all reasonable efforts to impose all levels of local debt capacity, including impostition of development fees and demonstration of financial need prior to requesting financial assistance.

High Performance Incentive Grant

This grant provides additional funding for new construction and modernization projects for the use of designs and materials that promote the efficient use of energy and water, the maximum use of natural lighting and indoor air quality, the use of recycled materials and materials that emit a minimum of toxic substances, the use of acoustics conducive to teaching and learning, and other characteristics of high performance schools. The intent of the grant is to encourage school districts to build educationally and environmentally superior schools.

The high performance incentive grant uses the High Performance Rating Criteria point system that is based off of the Collaborative for High Performance Schools criteria.

Education Facilities Bond Breakdowns

PROGRAM	BOND 1998 $9,200,000,000	BOND 2002 $13,050,000,000	BOND 2004 $12,300,000,000	BOND 2006 $10,416,000,000
New Construction	$ 2,900,000,000	$ 3,350,000,000 [1]	$ 4,960,000,000	$ 1,900,000,000 [4,5]
Modernization	2,100,000,000	1,400,000,000 [2]	2,250,000,000	3,300,000,000 [4]
Charter Schools	—	100,000,000	300,000,000	500,000,000
Career Technical Education	—	—	—	500,000,000
Overcrowding Relief	—	—	—	1,000,000,000
High Performance Schools	—	—	—	100,000,000
New Construction Backlog	—	2,900,000,000	—	—
Modernization Backlog	—	1,900,000,000	—	—
Critically Overcrowded Schools	—	1,700,000,000	2,440,000,000	—
Joint Use	—	50,000,000	50,000,000	29,000,000
Hardship	1,000,000,000	—	—	—
Class Size Reduction	700,000,000	—	—	—
Total K–12	$ 6,700,000,000	$11,400,000,000	$10,000,000,000 [3]	$ 7,329,000,000

[1] $14.2 million – energy efficiency.
[2] $5.8 million – energy efficiency.
[3] $20 million total – energy efficiency set aside for new construction and modernization.
[4] No more than $200,000,000 of the sum of the appropriations for new construction and modernization shall be used to fund the smaller learning communities and small high schools.
[5] Up to 10½ percent ($199.5 million) shall be available for purposes of seismic repair, construction, or replacement, pursuant to Education Code Section 17075.10.

Joint-Use Program

This program allows a school district to utilize funds from a joint-use partner to build a joint-use facility. There are two types of joint-use projects; both types include specific project eligibility requirements.

- **A Type I project** must be a multi-purpose room, gymnasium, childcare facility, library, or teacher education facility that is part of an SFP new construction project. The project must have increased size and/or cost beyond that necessary for school use of a facility.
- **A Type II project** may be part of an SFP modernization project or may be a stand-alone project located at a school that either does not have this type of facility, or has an inadequate existing facility. The project may reconfigure existing school buildings and/or construct new school buildings to provide for a multi-purpose room, gymnasium, childcare facility, library, or teacher education facility.

The joint-use grant provides State funds on a 50/50 State and local sharing basis. The joint-use partner must match a minimum of 25 percent of the eligible project costs. If the district has passed a bond which specifies that the monies are to be used specifically for the purposes of the joint-use project, then the district can opt to pay up to the full 50 percent local share of eligible costs. Anything beyond the eligible project cost is the responsibility of the joint-use partner and/or the district.

Labor Compliance Program Grant

The Labor Compliance Program (LCP) grant is an additional grant awarded to school districts to cover the State's share of the increased costs associated with operating a Department of Industrial Relations (DIR) approved labor compliance program. Assembly Bill 1506 (2003) added Section 1771.7 to the Labor Code, requiring school districts to certify that a DIR-approved labor compliance program has been initiated and enforced for projects apportioned under the SFP if both of the following conditions exist:

- The district has a project which received an apportionment from the funding provided in Proposition 47 or Proposition 55; and
- The construction phase of the project commences on or after April 1, 2003, as signified by the date of the Notice to Proceed.

Additional information, including a guidebook and model LCPs, are available for viewing on the DIR website at www.dir.ca.gov.

Overcrowding Relief Grant

The Overcrowding Relief Grant Program (ORG) is intended to provide funding for the creation of additional open space through the reduction of portable classrooms on overcrowded sites. Districts may replace portable classrooms from a school site with permanent classrooms at the same site, or they may choose to consolidate the replacement by removing portables from multiple sites and constructing permanent classrooms at a new site or an existing site that will not become overcrowded as a result of the project.

Eligibility for the ORG program is site specific and does not require new construction eligibility. Factors used to determine a site's ORG eligibility include student schoolsite pupil population density (as determined by the California Department of Education [CDE]), California Basic Data System reported for the 2005/2006 enrollment year, and the number of portables within a district.

The ORG Program has two filing cycles per year.

School Facility Program Construction Process

The process of constructing or modernizing a school building originates with, and is the responsibility of, the individual school district. The school district determines the type and size of the school building needed utilizing criteria set forth from the CDE. The size is also determined by the number of students to be housed in the facility and consideration of health and safety issues designated by the appropriate State agencies. The school district should encourage and incorporate participation from the local community for input into the site location and design features. The school district usually utilizes community information workshops to generate community input and support. Dedication by the district and support from the community are as important as the site selection approval and acquisition process that may take one or more years.

In the meantime, the school district should have passed a local bond or secured alternative funding for its share of the project. Without this funding, the school district cannot meet the 50 percent local funding requirement for new construction projects or the 40 percent local funding requirement for modernization projects.

A district may submit an application to the OPSC for eligibility determination prior to commencing the project design. The OPSC will make every effort to process the eligibility application for SAB approval within 90-120 days. The district may proceed with the hiring of an architect for the development of plans and specifications for the school. Once the plans and specifications are completed by the architect, they are forwarded to the DSA for processing. By law, a district must obtain DSA's written approval of its construction plans prior to signing the project's construction contract; otherwise, no State funding can be provided. In order for the district to request project funding, the district is required to verify that it has the required 50 or 40 percent share of the project cost, stamped DSA plans, and approval of the site and plans by the CDE. In the event the district is unable to share in the cost of the project, the district can pursue financial assistance through the Financial Hardship provisions.

Once the completed funding application is received, the OPSC will make every effort to process the application within 90–120 days and will present it to the SAB for an Unfunded Approval. As cash becomes available, the SAB will grant apportionments through the Priorities in Funding process. Under regulations approved by the SAB on May 25, 2011, there are two certification filing periods per year in order for projects on the Unfunded Approvals list to receive apportionments. Each certification filing period has a 30-day certification submittal window and the certification is valid for six months beginning the second Wednesday in January and the second Wednesday in July each year. As bond sales take place or cash becomes available, districts that have submitted a certification within the appropriate six-month window will be eligible for priority funding apportionments. Under the SFP Regulations for Priorities in Funding, districts have 90 days from the date of apportionment to submit a fund release request.

With all approvals and funding in place, the actual construction time for an average school of 2,000 students takes approximately two years. Total design development and construction time from concept to occupancy is between two and four years. However, portable school construction projects can be completed within nine to 15 months from concept to occupancy. It is critically important that a district that plans on requesting State New Construction funding has its New Construction funding application accepted by the OPSC before any classroom in the project is occupied. Occupation of a classroom prior to OPSC acceptance of the project funding application will cause the classroom to be ineligible for State funding.

Typical State School Building Funding Process

New Construction and Modernization

Other Programs Administered by the State Allocation Board

Emergency Repair Program

The Williams v. California Settlement Legislation established the Emergency Repair Program (ERP) through Senate Bill 6, Sec. 1, Chapter 899 of the Statutes of 2004, to provide school districts with $800 million to address facility conditions that pose urgent threats to students' health and safety in low performing schools. The funding is available to schools identified by the CDE as ranked in deciles one, two, or three based on the Academic Performance Index (API).

Effective December 17, 2010, the ERP is no longer accepting applications. Processing of applications already received will continue until the sum of funded and unfunded approvals by the SAB equals $800 million. Unfunded applications will be funded in the date order they were received when funds become available. Once $800 million has been allocated, all remaining applications will be returned.

Deferred Maintenance Program

Historically, the State School Deferred Maintenance Program provided State matching funds, on a dollar-for-dollar basis, to assist school districts with expenditures for major repair or replacement of existing school building components. Typical components for repair or replacement include plumbing, heating, air conditioning, electrical systems, roofing, interior/exterior painting, floor systems, etc. Funds are also provided for extreme hardship projects if the work must be completed within one year.

Funding for this program is generated from the State General Fund, school district repayments under the State School Building Aid program that exceed the amount necessary to service the indebtedness on State General Obligation Bonds sold and loaned to the districts for that program, and from certain State School Site Utilization Funds.

However, subsequent State Budget Legislation grants school districts flexibility to use Deferred Maintenance funding for any educational purpose with no required school district matching share. This flexibility is in effect from the 2008-09 fiscal year to the end of the 2014-15 fiscal year. In addition, the legislation suspended funding for new Deferred Maintenance extreme hardship projects until July 1, 2015.

Additional Information

For additional information regarding the State School Facility Programs, refer to the following program manuals on the OPSC website.

- School Facility Program Handbook
- Deferred Maintenance Program Handbook
- Unused Sites Program Handbook

Also available on the OPSC website for additional information:

- Architect's Submittal Guidelines
- Substantial Progress and Expenditure Audit Guide
- Program Forms

Notes

CALIFORNIA DEPARTMENT OF
GENERAL SERVICES

Office of Public School Construction
707 Third Street
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School Facility Program Guide

Prepared on behalf of the
State Allocation Board Program Review Subcommittee – October 24, 2012

by the
Office of Public School Construction

Amended November 8, 2012 – Pages 6, 14, and 49

TABLE OF CONTENTS

TAB	SUBJECT	PAGE
1	Introduction	2
2	Program Comparison Matrix - *Amended November 8, 2012*	6
3	New Construction Program	7
	Sample Project Grant Calculation	11
	Modernization Program - *Amended November 8, 2012*	13
	Sample Project Grant Calculation	15
	Supplemental Grants	17
	Supplemental Grants Matrix	22
	Critically Overcrowded Schools Program	23
	Overcrowding Relief Grant Program	25
	Charter Facilities Program: New Construction & Rehabilitation	27
	High Performance Incentive Grants	29
	Energy Efficiency Supplemental Grants	31
	Career Technical Education Facilities Program	32
	Joint-Use Program	34
	Facility Hardship Program	36
	Seismic Mitigation Program	38
	Financial Hardship Program	40
4	Appendix	
	2012 Annual Adjustment to School Facility Program Grants	42
	List of School Facility Program Forms	45
	State Agency Roles	46
	Fast Facts	48
	Regulations and Education Code - *Amended November 8, 2012*	49

Introduction

Purpose

The purpose of the State Allocation Board's Program Review Subcommittee (Subcommittee) is to discuss various aspects of the School Facility Program (SFP) in order to consider potential program-related improvements.

History

The SFP was implemented in late 1998 and was a significant change from previous State facilities programs. State funding is provided on a matching basis in the form of pupil grants, with supplemental grants for site development, site acquisition, and other project-specific costs when necessary. The goal of the SFP was to make the funding process quicker and less complicated.

The SFP provides greater independence and flexibility to school districts to determine the scope of their projects. There is considerably less project oversight by State agencies than in previous State programs. In return, the program requires the school district to accept more responsibility for the outcome of the project and cover unanticipated costs and any overruns, while allowing the district to receive the rewards of a well-managed project.

The SFP provides funding grants for school districts to acquire school sites, construct new school facilities, or modernize existing school facilities. The SFP provides for a wide variety of state funding, including, but not limited to, new construction, modernization, charter school facilities, career technical education facilities, seismic mitigation, facility hardship, joint-use programs, high performance attributes and assisting in the relief of overcrowding

All State grants are considered to be the full and final apportionment by the Board. Cost overruns, legal disputes, and other unanticipated costs are the district's responsibility. However, all savings (from applicable programs) resulting from the district's efficient management of the project and interest earned on the funds, both State and local, accrue to the district alone in most cases. Savings and interest may be used by the district for any other high priority capital outlay project in the district.

To ensure that districts are providing adequate safe facilities to students, districts are required to receive project approvals from the Division of the State Architect (DSA) and California Department of Education (CDE) prior to submittal of a funding application. DSA plan approval is required prior to signing a contract for any new construction, modernization and alteration projects for which State funding is requested. The DSA approval ensures that the plans and specifications are in compliance with California's requirements for structural safety, fire and life safety, and accessibility. The CDE plan and site approvals ensure that each project meets the CDE standards for educational adequacy as provided in law.

Implementation and Evolution of the School Facility Program

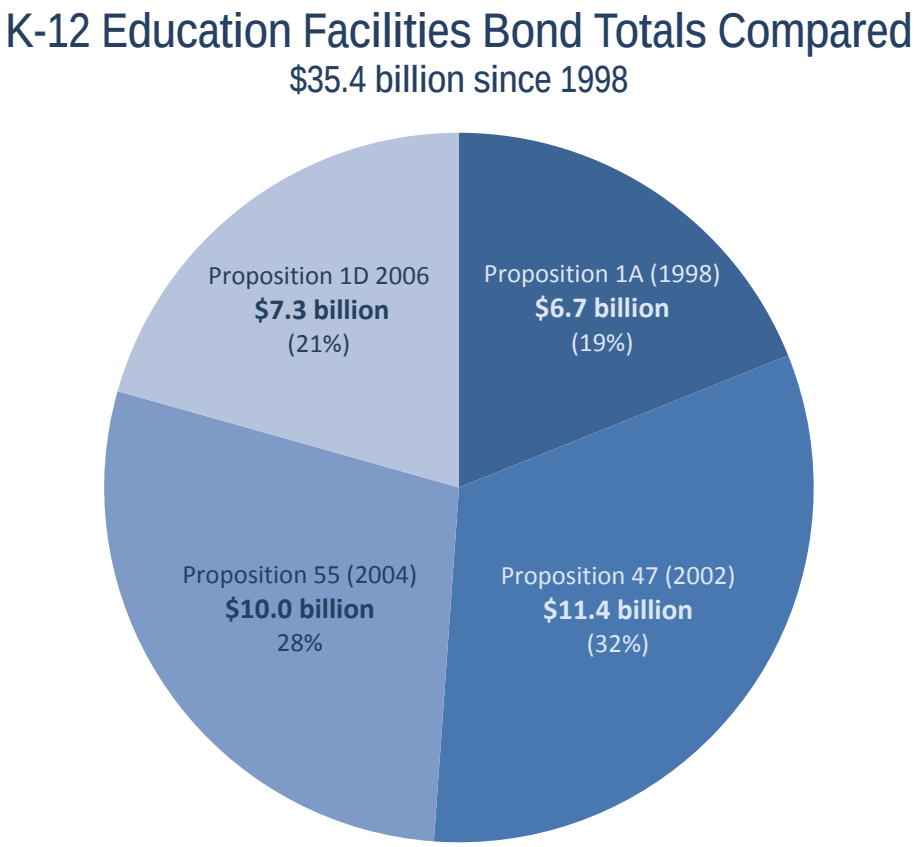
The Leroy F. Greene School Facilities Act of 1998 (Senate Bill 50) was chaptered into law on August 27, 1998, establishing the SFP. The legislation required that regulations be approved and in place for accepting and processing applications as soon as Proposition 1A was approved by the voters the following November. The SFP continues to evolve through legislative and regulatory changes. Assembly Bill (AB) 16 and AB 14 (effective in November 2002 with the passage of Proposition 47) provided for significant changes to the SFP. These changes included funding for charter school facilities, critically overcrowded schools and joint-use projects. Some of the changes that impacted new construction funding included the suspension of Priority Points (a method formerly used to rank projects), an additional grant for energy efficiency, and several changes that impact the determination of eligibility. Some of the changes that impacted modernization funding included the change of the funding ratio between the State and the school district from 80 percent State and 20 percent district to 60 percent State and 40 percent school district, and additional grants for energy efficiency and the modernization of buildings 50 years old or older. Additional funding

was made available to the SFP through the passage of Proposition 55 in March 2004 and Proposition 1D in November of 2006. Proposition 1D made additional funding available to provide for Career Technical Education facilities, High Performance project attributes and overcrowding relief grants.

Funding for the School Facility Program

Funding for projects approved in the SFP comes exclusively from statewide general obligation bonds approved by the voters of California. The first funding source for the program was from Proposition 1A, approved in November 1998. That bond for $9.2 billion contained $6.7 billion for K–12 public school facilities. The second funding source for the program was from Proposition 47, approved in November 2002. It was a $13.2 billion bond, the largest school bond in the history of the State. It contained $11.4 billion for K–12 public school facilities. In March 2004, a third bond was passed by California voters for another $12.3 billion. Of the $12.3 billion provided by Proposition 55, it contained $10 billion for K–12 public school facilities. In November 2006, an additional $10.416 billion was passed by the voters. Of the $10.416 billion provided by Proposition 1D, $7.3 billion was allocated to address overcrowding, provide career technical education facilities, accommodate future enrollment growth, renovate and modernize older school buildings and allow participation in community related joint-use projects.

The chart below shows the total SFP allocation by bond source:



The chart below provides a breakdown of the funding made available to specific programs through each bond source:

K-12 Education Facilities Bond Breakdowns ($35.4 billion)
Approved by Voters Since 1998

Program	Proposition 1A (1998)	Proposition 47 (2002)	Proposition 55 (2004)	Proposition 1D (2006)
New Construction	$ 2,900,000,000	$ 3,350,000,000 [1]	$ 4,960,000,000	$ 1,900,000,000 [4,5]
Modernization	2,100,000,000	1,400,000,000 [2]	2,250,000,000	3,300,000,000 [4]
Charter Schools	—	100,000,000	300,000,000	500,000,000
Career Technical Education	—	—	—	500,000,000
Overcrowding Relief	—	—	—	1,000,000,000
High Performance Schools	—	—	—	100,000,000
New Construction Backlog	—	2,900,000,000	—	—
Modernization Backlog	—	1,900,000,000	—	—
Critically Overcrowded Schools	—	1,700,000,000	2,440,000,000	—
Joint Use	—	50,000,000	50,000,000	29,000,000
Hardship	1,000,000,000	—	—	—
Class Size Reduction	700,000,000	—	—	—
Total K–12	$ 6,700,000,000	$11,400,000,000	$10,000,000,000 [3]	$ 7,329,000,000

[1] $14.2 million – energy efficiency.

[2] $5.8 million – energy efficiency.

[3] $20 million total – energy efficiency set aside for new construction and modernization.

[4] No more than $200,000,000 of the sum of the appropriations for new construction and modernization shall be used to fund the smaller learning communities and small high schools.

[5] Up to 10½ percent ($199.5 million) shall be available for purposes of seismic repair, construction, or replacement, pursuant to Education Code Section 17075.10.

Application Processing

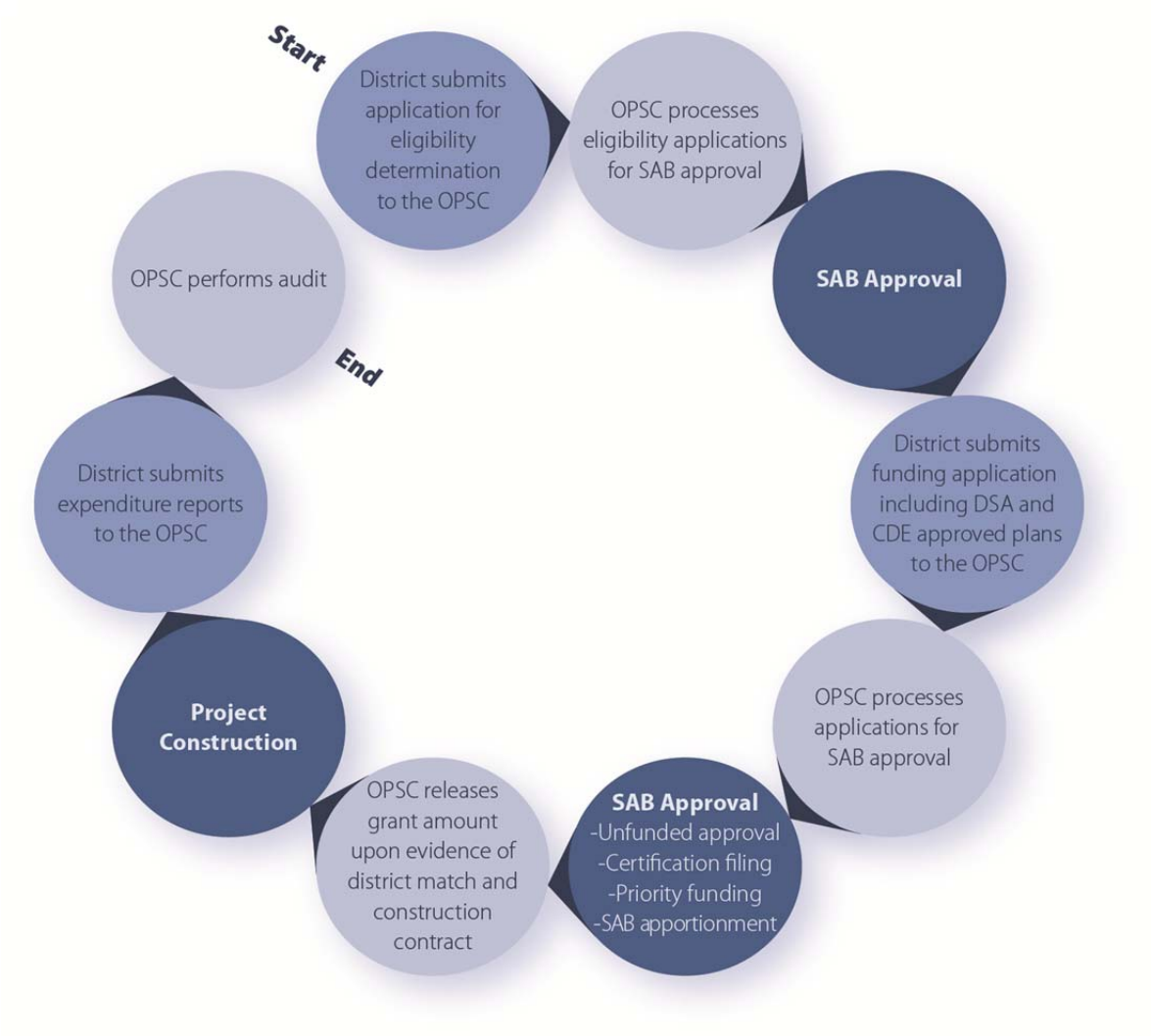
There are two main types of facilities construction projects under the SFP: new construction and modernization. The process for accessing State assistance for these programs is divided into two main steps: an eligibility application and a funding application. Eligibility applications are approved by the Board, which establishes that a school district or county office of education meets the criteria under law to receive funding for new construction or modernization. Additionally, there are also other SFP funding programs that have different eligibility requirements that may not require a district to meet the new construction or modernization eligibility requirements.

New construction and modernization eligibility applications do not result in State funding. In order to receive the funding for an eligible project, the district representative must file a funding application with the Office of Public School Construction (OPSC) for approval by the Board. Eligibility applications may be filed in advance of an application for funding, or the eligibility and funding requests may be filed concurrently at the preference of the district. In most cases, an application for eligibility is typically the first step toward funding assistance through the SFP.

After a district has established eligibility for a project, the district may submit an application for State funding. In most circumstances, the funding is approved after a district has acquired, or identified a site for the project, and after the plans for construction is approved by the DSA and the California Department of Education (CDE). The Charter School Facilities Program and Financial Hardship are examples of programs that allow for funding in advance of acquiring a site while the Career Technical Education Facilities Program is an example of a program in which funds can be reserved in advance of DSA and CDE approval.

The SFP provides State funding assistance for a variety of project types (as highlighted on the chart above) through many different funding programs. The eligibility and funding process is slightly different for each SFP program. For example, programs such as the Career Technical Education Facilities Program receive an eligibility determination based on a score received from the CDE. Not all eligibility requirements are based on pupils. No matter how eligibility for a program is determined, most processes follow a pattern similar to new construction and modernization programs.

The chart below highlights the typical process for an application's journey through the Office of Public School Construction:



Note: The commencement of construction varies from project to project and is determined by the District.

School Facility Program
Program Cross-Comparison Matrix

Program	Eligibility	Funding	Financial Hardship/ Loan Available	Funding Share
New Construction	Unhoused Pupils	Per Pupil + Supplemental Grants	yes, FH	50/50
Modernization	Aged Buildings (20 Years Plus)	Per Pupil + Supplemental Grants	yes, FH	60/40
Overcrowding Relief Grant	Too Many Pupils on Site and insufficient outdoor space.	Per Pupil + Supplemental Grants	yes, FH	50/50
Career Technical Education Facilities	Recognized CTE Program	Cost Estimate for Construction and Equipment	Loan Only	50/50
Charter School Facilities	Approved Charter Petition & in Operation 2 years	Per Pupil + Supplemental Grants	Loan Only	50/50
Critically Overcrowded Schools	Too Many Pupils on Site	Per Pupil + Supplemental Grants	yes, FH	50/50
Joint-Use	Inadequate or Lacking Facility and Joint-Use Partner	Square Footage	No[11-08-12]	50/50
Facility Hardship	Health & Safety Threat	Per Pupil + Supplemental Grants OR Square Footage OR Cost Estimate	yes, FH	50/50 OR 60/40
Seismic Mitigation	Qualifying Category 2 building	Per Pupil + Supplemental Grants OR Square Footage OR Cost Estimate	yes, FH	50/50

New Construction Program

Funding Sources: Propositions 1A, 47, 55 & 1D

Overview

- The New Construction Program provides school districts with funding to add classroom capacity to meet future student housing needs.
- The program provides funding for costs associated with new school construction, or classroom additions to existing schools. In addition to funding added classroom capacity, the program funds libraries, multipurpose rooms, gymnasiums, administration, and other school facilities.

Eligibility

- A district's new construction eligibility is based on its projected need to house pupils. New construction eligibility is determined by comparing the district's projected enrollment and the district's current classroom capacity.
    - The formula used to project enrollment, known as the "cohort formula", projects what the enrollment will be in five or ten years. This projection allows districts to plan ahead and meet future needs.
    - The enrollment projection can be based on five or ten years of historical student enrollment.
    - The new construction eligibility formula is as follows:
        - Enrollment in 5 years – existing classroom capacity = # of unhoused pupils = eligibility

<u>New construction example for K-6 pupils</u>:
500 (Enrollment in 5 years) - 400 (existing classroom capacity) = 100 (eligibility).

Existing Classroom Capacity

☺☺☺☺☺☺
☺☺☺☺☺☺
☺☺☺☺☺☺
☺☺☺☺☺☺
☺☺☺
(27 Pupils)

Vs.

Enrollment in 5 Years

☺☺☺☺☺☺
☺☺☺☺☺☺
☺☺☺☺☺☺
☺☺☺☺☺☺
☺☺☺
(27 pupils)

☺☺☺☺☺☺
(6 pupils)

=

Eligibility

☺☺☺☺☺☺
(6 pupils)

- Classroom pupil loading standards:

Grade Level	Loading Standard
K - 6	25
7 - 8	27
9 - 12	27
Non - Severe	13
Severe	9

Example based on four K-6 classrooms:

4 (classrooms) x 25 (loading capacity) = 100 seats

- The "cohort formula" may be supplemented by the number of un-housed pupils that are anticipated as a result of dwelling units proposed to be built within the district or attendance area pursuant to approved and valid tentative subdivision maps.
- The enrollment can be submitted on a district wide basis or a High School Attendance Area (HSAA) basis. Attendance areas represent smaller school district areas that each establish and maintain separate eligibility. In some cases, this helps districts better serve and meet enrollment needs.

District

Attendance Area 1	Attendance Area 3
Attendance Area 2	Attendance Area 4

- Districts filing on a HSAA basis can use attendance or residency data.
- Eligibility is typically updated on a yearly basis. Small school districts with less than 2,501 pupils may "lock in" their new construction eligibility for up to three years. The eligibility lock gives small districts stability because many have erratic enrollment.
- A school district must establish eligibility prior to, or concurrently with, a funding application.
- New construction eligibility expires each year. If the new construction eligibility has expired, the school district must update its eligibility prior to, or concurrently with, a funding application.
- Under the current program, projections are not verified in the future for accuracy, merely updated when new projects are available.

- When a district adds classroom capacity, the district's new construction eligibility is adjusted for the added capacity. This applies to projects that receive funding from the State and projects that are 100 percent locally funded.

Funding

- The New Construction Program provides funds on a 50/50 State and local sharing basis.

- Funding is provided based on a per pupil grant amount. The per pupil grant amount is multiplied by the number of pupils requested as part of a district's funding application. The pupils requested in each separate grade level receive specific grant amounts prescribed in law.
- The per pupil amount may be adjusted annually based on the Class B Construction Cost Index as approved by the State Allocation Board.
- The base grant is intended to provide funding for design, construction, testing, inspection, furniture, equipment, and other costs related to the actual school facilities construction.
- Prior to the district's funding application submittal, it must obtain approvals from the California Department of Education and the Division of the State Architect.
- The estimated or actual construction costs must be greater than or equal to 60 percent of the State grant plus the district's matching share.
- If the district would like SFP funding for a new construction project, it must submit its funding application before students occupy the new classrooms. Otherwise, the project is not eligible for SFP funding.
- In addition to the base grant, the district may request supplemental grants. The eligible supplemental grants that apply to the New Construction Program are identified in the Supplemental Grant Matrix.
- The 2012 new construction per pupil grant amounts are as follows:

Grade Level	Grant Amount
K - 6	$9,455
7 - 8	$9,999
9 - 12	$12,721
Non - Severe	$17,765
Severe	$26,564

Funding Formula

1) Pupil Grants Requested x Per Pupil Grant Amount = Base Grant

2) Base Grant + Supplemental Grants = Total State Share

3) State Share 50% + District Share 50% = Total Project Cost 100%

See Sample project on next page for a detailed example of the funding calculation for a new construction project.

EXAMPLE: NEW CONSTRUCTION 20 CLASSROOM (K-6) SCHOOL, 500 PUPILS

BASE GRANT **$4,727,500.00**
($9,455 per pupil, 25 pupils per classroom, 20 classrooms)
(9,455 X 500 = 4,727,500)

FIRE DETECTION/ALARM SYSTEM **$5,500.00**
($11 per pupil for installation of a fire alarm system)
(11 X 500 = 5,500)

AUTOMATIC SPRINKLER SYSTEM **$79,500.00**
($159 per pupil for installation of a sprinkler system)
(159 X 500 = 79,500)

MULTILEVEL CONSTRUCTION **$567,300.00**
(12% of base grant for each pupil housed in a multilevel building)
(0.12 X 4,727,500 = 567,300)

PROJECT ASSISTANCE **$5,705.00**
($5,705 flat rate for districts with less than 2,500 pupils)

SITE ACQUISITION **$2,500,000.00**
(50% of lesser of appraised or actual cost of land)

RELOCATION COSTS **$50,000.00**
(50% of actual costs for relocation of businesses)

TWO PERCENT OF APPRAISED OR ACTUAL VALUE **$100,000.00**
(For costs associated with appraisal, escrow, survey, site testing, etc.)
(0.02 X 5,000,000 = 100,000)

DTSC FEES **$50,000.00**
(50% of actual costs for DTSC review, approval, and oversight)

HAZARDOUS WASTE REMOVAL **$100,000.00**
(50% of actual costs as required by the DTSC)

SERVICE SITE DEVELOPMENT **$500,000.00**
(Actual costs for clearance, grading, soil compaction, utility rerouting, demolition, drainage, etc. at the site)

OFF-SITE DEVELOPMENT **$100,000.00**
(Actual costs for curbs, gutters, paving, sidewalks, lighting, signage, trees, on two adjacent sides of the site)

UTILITIES **$200,000.00**
(Actual costs for water, sewer, gas, electric, and communications systems at the site)

GENERAL SITE DEVELOPMENT **$333,663.00**
(Formula based grant for driveways, walks, parking, curbs, gutters, sports fields, and landscaping)
(The attached calculation page shows the calculation for the General Site Development grant)

HIGH PERFORMANCE INCENTIVE GRANT (34 points) **$339,100.00**
(Formula based grant for projects containing high performance components)
(The attached calculation page shows the calculation for the High Performance Incentive grant)

GEOGRAPHIC LOCATION (5%) **$236,375.00**
(5%-20% of base grant based on the geographic isolation of the site)
(0.05 X 4,727,500 = 236,375)

URBAN/SECURITY/IMPACTED SITE **$2,914,031.00**
(Formula based grant for projects in high cost/high density areas where an appropriately sized site cannot be found)
(The attached calculation page shows the calculation for the Urban/Security/Impacted Site grant)

PREVAILING WAGE MONITORING GRANT **$32,022.00**
(One quarter of 1% of the total apportionment for DIR monitoring and enforcement)
(0.0025 X 12,808,674 = 32,022)

STATE SHARE 50%:	**$12,840,696.00**
DISTRICT SHARE 50%:	**$12,840,696.00**
TOTAL 100%:	**$25,681,392.00**

FORMULA BASED NEW CONSTRUCTION CALCULATIONS

GENERAL SITE DEVELOPMENT GRANT

This is a three step calculation.

Step 1: Allow $15,365 per usable acre. Our sample project has 2 acres, therefore:
15,365 X 2 = **30,730**

Step 2: 6% of the base grant for an elementary school project (3.75% for middle and high school projects):
0.06 X 4,727,500 = **283,650**

Step 3: 6% of the following grants: Multilevel Construction, Fire Detection/Alarm, Automatic Sprinkler System, Exceptional Needs grant, Replaced Facilities grant, Facility Hardship, Small Size Project grant, Geographic Location, New School grant, and Joint Use grant. Therefore:
5,500 (Fire Alarm) + 79,500 (Sprinkler) + 236,375 (Geographic) = 321,375 X 0.06 = **19,282.50**

30,730 + 283,650 + 19,282.50 = **$333,663**

HIGH PERFORMANCE INCENTIVE GRANT

There are separate calculations for projects accepted by DSA before and after 10/1/07. Our sample project will use the newer calculation. The new construction grant is calculated as follows.

Step 1: Allow **$150,000** one time per school site.

Step 2: Allow a percentage of the base grant based on how many CHPS points (as determined by DSA) the project has attained. Our sample project has 34 points, so the SFP regulations stipulate an allowance of 4% of the base grant at 34 points:
0.04 X 4,727,500 = **189,100**

Step 3: Allow 0.36% of the base grant for each CHPS point attained from 35 through 47. Our sample project has 34 points so we do not need to perform this step for this project.

150,000 + 189,100 + 0 = **$339,100**

URBAN/SECURITY/IMPACTED SITE GRANT

To qualify for this grant, a new construction project must include multilevel construction for at least 60% of the classrooms, the site size must be 60% or less than the CDE recommended site size, and if acquiring acreage, the value must be at least $750,000 per acre. The new construction grant is calculated as follows:

Step 1: Find the acre ratio. Proposed acres + existing acres divided by CDE recommended acres. Our sample project has two proposed acres, no existing acres, and the CDE recommends a site size of 10 acres: 2 divided by 10 = 0.2. The acre ratio is 0.2.

Step 2: Multiplier. Multiply the acre ratio by 100, subtract from 60, then multiply by 1.166. Finally, add 15:
0.2 X 100 = 20. 60 – 20 = 40. 40 X 1.166 = 46.64. 46.64 + 15 = 61.64.

Step 3: Divide Multiplier by 100, and take the resulting percentage of the base grant, the small size grant, and the new school grant, if applicable:
61.64 divided by 100 = 0.6164. 0.6164 X 4,727,500 (base grant) = **$2,914,031**

Modernization Program

Funding Sources: Propositions 1A, 47, 55 & 1D

Overview

- Modernization funding is designed to extend the useful life of existing facilities, or to enhance the physical environment of a school.
- Modernization funding can be used for a current project or reimbursement for a completed project.
- Typical projects include, but are not limited to, the following: structural upgrades, access compliance upgrades, air conditioning, plumbing, lighting, and electrical systems, roof replacement, new furniture and equipment, technology upgrades, and replacement of existing facilities.
- Modernization funding can also be used to demolish and replace existing facilities of like kind.
- Funding is provided based on a per pupil grant amount. The per pupil grant amount is multiplied by the number of pupils requested as part of a district's funding application. The pupils requested in each separate grade level receive specific grant amounts prescribed in law. The per pupil amount may be adjusted annually based on the Class B Construction Cost Index as approved by the State Allocation Board.
- The per pupil grant amount and funding for specific utility upgrades is available if permanent buildings to be modernized are 50 years of age or older.

Eligibility

- Modernization eligibility is site-specific. Each school site has its own separate modernization eligibility.
- Districts establish an initial Gross Classroom Inventory for the site. This inventory (a.k.a. *snapshot*) does not change as classrooms are added to or subtracted from the site.
- Eligibility Factors:
    - Building Age: Permanent Buildings must be at least 25 years old and Portable buildings must be at least 20 years old.
    - Site enrollment separated out by the total number of K-6, 7-8, 9-12, Non-Severe and Severe students housed at the site.
- Eligibility Options:
    - Classroom count; or
    - Square footage/classroom ratio
- Districts can alternate annually between classroom and square footage eligibility based on benefit to the district.
- Eligibility cannot exceed the total number of pupils housed at the site.
- Districts are not required to update modernization eligibility once it has been established. Districts can choose to update if eligibility will increase.
- Facilities that have been previously modernized with state funding may begin generating eligibility again 25 years after the Board approved apportionment for permanent facilities, and 20 years after the Board approved apportionment for portable facilities.
- Eligibility Calculation:

Eligibility Option: Classroom (CR) count

Number of Eligible Classrooms x Pupil Loading Standard = Number of Pupil Grants

Example for a K-6 School:

6 classrooms x 25 (loading standard) = 150 eligible pupil grants.

Eligibility Option: Square Footage Ratio

Ratio: Classroom or Sq. Ft of age/Total Classroom or Sq. Ft on the site x Total enrollment by grade = Number of Pupil Grants

Example:

Step 1:

$$\frac{2000 \text{ (eligible sq. ft.)}}{4000 \text{ (total sq. ft.)}} = 0.5$$

Step 2:

100 (K-6) pupils x 0.5 = 50 pupil grants

Funding

- The Modernization program provides funding on a 60/40 State and local match basis.
- Funding is provided based on a per pupil grant amount. The per pupil grant amount is multiplied by the number of pupils requested as part of a district's funding application. The pupils requested in each separate grade level receive specific grant amounts prescribed in law.
- The per pupil amount may be adjusted annually based on the Class B Construction Cost Index as approved by the State Allocation Board.
- Prior to application submittal, the District must receive the necessary project approvals from the California Department of Education and Division of the State Architect.
- The estimated or actual construction costs must be greater than or equal to 60 percent of the State grant plus the district's matching share.
- The 2012 modernization per pupil grant amounts are as follows:

Grade Level	Grant Amount
K - 6	$3,600
7 - 8	$3,809
9 - 12	$4,985
Non - Severe	$7,674
Severe	$11,470

Funding Formula

Funding is determined using the SFP modernization per pupil grant amounts of the grade level requested.

- In addition to the base grant, the district is eligible to request supplemental grants. The eligible supplemental grants under the modernization program have been identified on the supplemental grants matrix.
- A sample modernization project grant amount calculation is provided on the following page.

1) Pupil Grants Requested x Per Pupil Grant Amount = Base Grant

2) Base Grant + Supplemental Grants = Total State Share

3) State Share 60% + District Share 40% = Total Project Cost 100%

200 PUPIL GRANT MODERNIZATION PROJECT AT AN ELEMENTARY SCHOOL

BASE GRANT **$720,000.00**
($3,600 per pupil K-6)
(3,600 X 200 = 720,000)

FIRE DETECTION/ALARM SYSTEM **$23,000.00**
($115 per pupil for installation of a fire alarm system)
(115 X 200 = 23,000)

PROJECT ASSISTANCE **$3,040.00**
($3,040 flat rate for districts with less than 2,500 pupils)

HIGH PERFORMANCE INCENTIVE GRANT (34 points) **$278,800.00**
(Formula based grant for projects containing high performance components)
(The attached calculation page shows the calculation for the High Performance Incentive grant)

GEOGRAPHIC LOCATION (5%) **$36,000.00**
(5%-20% of base grant based on the geographic isolation of the site)
(0.05 X 720,000 = 36,000)

SMALL SIZE PROJECT (4%) **$28,800.00**
(4% or 12% of base grant for small scale project of 200 pupil grants or less)
(0.04 X 720,000 = 28,800)

HANDICAPPED ACCESS/FIRE CODE (3%) **$21,600.00**
(3% of base grant or formula based grant in order to meet accessibility and fire code requirements at the site)
(0.03 X 720,000 = 21,600)

TWO-STOP ELEVATORS GRANT **$96,160.00**
(96,160 flat rate for each two-stop elevator required by the DSA; $17,307 for each additional)

URBAN/SECURITY/IMPACTED SITE **$212,060.00**
(Formula based grant for projects in which the site size is less than 60% of that recommended by CDE)
(The attached calculation page shows the calculation for the Urban/Security/Impacted Site grant)

PREVAILING WAGE MONITORING GRANT **$3,549.00**
(One quarter of 1% of the total apportionment for DIR monitoring and enforcement)
(0.0025 X 1,419,460 = 3,549)

STATE SHARE 60%:	**$1,423,009.00**
DISTRICT SHARE 40%:	**$948,673.00**
TOTAL 100%:	**$2,371,682.00**

FORMULA BASED MODERNIZATION CALCULATIONS

HIGH PERFORMANCE INCENTIVE GRANT

There are separate calculations for projects accepted by DSA before and after 10/1/07. Our sample project will use the newer calculation. The grant is calculated as follows.

Step 1: Allow **$250,000** one time per school site.

Step 2: Allow a percentage of the base grant based on how many CHPS points (as determined by DSA) the project has attained. Our sample project has 34 points, so the SFP regulations stipulate an allowance of 4% of the base grant at 34 points:
0.04 X 720,000 = **28,800**

Step 3: Allow 0.36% of the base grant for each CHPS point attained from 35 through 47. Our sample project has 34 points so we do not need to perform this step for this project.

250,000 + 28,800 + 0 = **$278,800 Modernization**

URBAN/SECURITY/IMPACTED SITE GRANT

To qualify for this grant, the site size must be 60% or less than the CDE recommended site size. The modernization grant is calculated as follows:

Step 1: Find the acre ratio. Existing acres divided by CDE recommended acres. Our sample project has two existing acres and the CDE recommends a site size of 10 acres: 2 divided by 10 = 0.2. The acre ratio is 0.2.

Step 2: Multiplier. Multiply the acre ratio by 100, subtract from 60, then multiply by 0.333. Finally, add 15:
0.2 X 100 = 20. 60 – 20 = 40. 40 X 0.333 = 13.32. 13.32 + 15 = 28.32.

Step 3: Divide Multiplier by 100, and take the resulting percentage of the base grant and the small size grant, if applicable:
28.32 divided by 100 = 0.2832. 0.2832 X 748,000 (base grant + small size) = **$212,060**

Supplemental Grants

The Supplemental Grant Matrix provided in the next section details which supplemental grants are available for each specific School Facility Program (SFP) program.

Accessibility/Fire Code Requirements: Regulation Section 1859.83

There are two options for districts to choose from for this supplemental grant. The District may elect to receive up to 60 percent of the minimum work required to comply with current accessibility and fire code requirements or three percent of the base grant. The 60 percent allowance is based on actual hard costs as reported by the district on the accessibility/fire code requirements checklist. These costs must be the minimum work necessary to receive approval from the Division of the State Architect (DSA) and must be verified by the DSA and the Office of Public School Construction (OPSC). However, there is a cap on the grant amount.

Energy Efficiency: Regulation Sections 1859.71.3 & 1859.78.5

See page #.

Fire Code Requirements: Regulation Sections 1859.71.2 & 1859.78.4

The new construction grant will be increased for each pupil in a project that includes an automatic fire detection and alarm system. The grant amounts will be adjusted annually based on the change in the Class B Construction Cost Index as approved by the Board.

General Site Development: Regulation Section 1859.76

A supplemental grant for work including onsite driveways, walks, parking, curbs and gutters, outdoor play facilities, such as tennis/handball courts, running tracks, baseball, football, and soccer fields, and landscaping around these facilities. Funding for general site work is limited to $15,365 per usable acre plus a percentage of the base grant including specific additional grants (multi-level, automatic fire detection/alarm system, automatic sprinkler system, and excessive cost hardship grants). Districts receive a 6 percent increase for elementary and middle school projects and a 3.75 percent increase for high school projects. The grant amount will be adjusted annually based on the change in the Class B Construction Cost Index as approved by the Board.

Geographic Location: Regulation Section 1859.83

A supplemental grant is available to districts with projects that are located in areas of California that are remote, difficult to access, or lack a pool of contractors. A district may qualify and request an augmentation to the new construction grant due to their geographic location. The supplemental grant varies between 5% - 20% depending on the geographic location of the district as defined in regulation.

High Performance Incentive: Regulation Sections 1859.71. 6 & 1859.77.4

See page #

Labor Compliance Program: Regulation Sections 1859.71.4 & 1859.78.1

A labor compliance program, as specified by Labor Code Section 1771.5, must be initiated and enforced for each project funded wholly or in part from Propositions 47 or 55 funds if the Notice to Proceed was issued on or after April 1, 2003, and the contract was awarded prior to January 1, 2012. An additional grant is provided for these projects. The LCP grant is calculated on a sliding scale based on the total grant amount.

Prevailing Wage Monitoring: Regulation Sections 1859.71.4 & 1859.78.1

Section 1771.3 of California Labor Code (LC) requires the Department of Industrial Relations (DIR) to monitor and enforce compliance with applicable prevailing wage requirements for any public works project paid for in whole or in part out of State bond funds. The Prevailing Wage Monitoring grant is available for projects with a construction contract awarded after January 1, 2012, regardless of the bond source. The grant will be equal to one quarter of one percent of the State's share.

Multi-Level Construction: Regulation Section 1859.73

The SFP provides an additional grant to construct multi-level school facilities on small sites. This grant is available for projects in densely populated areas, where site acquisition costs are high and land is scarce, to provide funds to alleviate and mitigate the impact of small sites. If the useable site acreage for the project is less than 75 percent of the site size recommended by the CDE for the master planned project capacity, the new construction grant can be increased by 12 percent for each pupil housed in a multi-level building that will house pupils in all levels of the building.

New School Project: Regulation Section 1859.83

Districts that will construct an entirely new school, including an alternative education school, on a site without existing facilities may qualify for a supplemental allowance. This grant allowance is intended to provide funds to construct core facilities such as multi-purpose rooms, gymnasiums, libraries, kitchens, etc., for projects that have a minimal amount of classrooms, but not enough to generate a sufficient new construction grant to build these essential facilities. Because it is an allowance, when a district adds classrooms to the site in the future as part of a separate application, a portion of the original grant amount is reduced from the subsequent application(s).

Project Assistance: Regulation Sections 185973.1 and 1859.78.2

The Board may provide additional project grants for project assistance to school districts with enrollment of 2,500 pupils or less. The 2012 additional grant of $5,705 may be used for costs associated with the preparation and submission of the SFP eligibility and funding applications, including costs related to support documentation such as site diagrams. The grant amount will be adjusted annually based on the change in the Class B Construction Cost Index as approved by the Board.

Replacement with Multi-Story Construction: Regulation Section 1859.73.2

As part of a SFP new construction project, a school district may demolish a single story facility and replace it with a multi-story facility on the same site. This grant provides 50 percent of the replacement cost of the single story facility(s) to be replaced. In order to qualify, the site size must be less than 75 percent of the recommended CDE site size, the pupil capacity at the site must be increased, the cost of the demolition and replacement must be less than the cost of providing a new facility at a new site to house the increased pupil capacity, and the project must have CDE approval.

Site Acquisition: Regulation Sections 1859.74 through 1859.75

The site acquisition grant can be used to acquire and develop new school sites. Under some circumstances, a district may receive grants for a district-owned site. Eligible costs for site acquisition are:

- 50 percent of the lesser of the actual cost or the appraised value of the site.
- 50 percent of the relocation cost.
- 2 percent of the value of the site (minimum of $25,000).
- 50 percent of some Department of Toxic Substances Control (DTSC) review and oversight costs.
- 50 percent of hazardous waste removal (within one and one half times the appraised value).

Site Valuation - The district is required to submit one site appraisal with the funding application. A California licensed and duly-qualified appraiser must issue a current appraisal report for the proposed site using the Uniform Standards of Professional Appraisal Practice.

The site must be appraised as if it were a clean site, safe from all contaminants. The appraisal report must evaluate both the gross and net usable acreage and any severance damages.

The appraisal date of valuation, or an update, may not predate by more than six months the district's funding application to the OPSC. An SFP project which had the site funded as a LPP project shall use the value funded under the LPP.

DTSC Costs - Site acquisition costs may include up to 50 percent of the cost for the review, approval and oversight of the Phase One Environmental Site Assessment (POESA) and the Preliminary Endangerment Assessment (PEA). Note that these costs are prior to the actual clean-up costs, if any. Those costs may be included under some circumstances. See the paragraph entitled "Hazardous Waste Removal" below.

Hazardous Waste Removal **-** Site acquisition costs may be increased by up to one-half of the costs associated with the removal or remediation of hazardous waste on the site to be acquired. The increase in site acquisition may not exceed the difference between one and one half times the appraised value of the site as if no contamination existed and the actual cost of the contaminated site.

Example:

Appraised Site Value (if no contamination existed) = $1,000,000
Actual Cost of the Site = $750,000

Step 1: Determine one and a half times the appraised value of the site
$1,000,000 x 1.5 = $1,500,000

Step 2: Determine difference between Step 1 and the actual cost of the site
$1,500,000 - $750,000 = $750,000

The supplemental grant increase for hazardous waste removal cannot exceed $750,000 unless approved by the Board under specific conditions defined in SFP Regulation.

Relocation Expenses **-** Reasonable and necessary costs to relocate residential occupants and businesses from the proposed new school site, including purchasing fixtures and equipment, personal property, new machinery and equipment, and the installation of any improvements at the replacement residences or business locations are permitted as site acquisition costs.

Two Percent Allowance – Districts are eligible for an additional grant of two percent of the appraised value to cover costs associated with appraisals, escrow, survey, site testing, CDE reviews/approvals and preparation of the POESA and PEA.

Incidental Site and Hazardous Waste Removal for Leased Sites or Existing School Site **-** If the funding application includes a vacant leased site that was never used for school purposes, the site acquisition costs may be increased by up to one-half of the costs associated with the removal or remediation of hazardous waste on the site to be leased.

Hazardous Waste Removal Required on an Existing School Site **-** Site acquisition funding may be available for the evaluation and response action in connection with hazardous substances at an existing school site in advance of submittal of the DSA approved plans.

Site Development: Regulation Sections 1859.76 & 1859.78.7

In addition to the new construction grant, the SFP provides a supplemental grant for the purpose of developing the site where the project is to be located. Fifty percent of the site development costs are available for both new sites and for existing sites where additional facilities are being constructed. These development costs fall under the three categories listed below:

Service site development - For improvements that are performed within school property lines and may include eligible site clearance, rough grading, soil compaction, drainage, erosion control and multi-level, single-level subterranean or under-building parking structures. This portion of the site preparation is accomplished prior to the general site development and construction of buildings.

Off -site – For improvements that are located along the perimeter of two sides of the site including street grading and paving, storm drainage lines, curbs, gutters, sidewalks, and street lighting. These improvements are commonly dedicated for public use. If a district is requesting off -site improvements, the local entities having jurisdiction of areas where the off -site development is proposed must approve the related plans and specifications. These approved plans and specifications must be submitted to the OPSC at the time the application for funding is submitted.

Utility service - Include improvements of water, sewer, gas, electric, and telephone from the closest existing utility connection.

As part of the application package, the district must submit an itemized site development worksheet that contains only work that can be verified on the plans and specifications.

Small Size Projects: Regulation Section 1859.83

A supplemental grant is available to districts with projects that house no more than 200 pupils. The grant is intended to provide additional funds for core facilities and to make up for the lack of economies of scale when districts build small projects. The new construction grant can be increased as follows:

Capacity of the project is 0 – 100 Pupils
Base grant x 12% = Small Size grant

Capacity of the project is 101 – 200 Pupils
Base grant x 4% = Small Size grant

Special Education – Therapy: Regulation Sections 1859.72, 1859.73.2, 1859.82, 1859.125 & 1859.125.1

The new construction grant will be increased for the area of therapy rooms, not to exceed 3,000 square feet, plus 750 square feet per additional Special Day Class classroom needed for severely disabled individuals with exceptional needs. The current unit cost per square foot of therapy area is as follows:

$278 per square foot for toilet facilities
$154 per square foot for other facilities

The grant amounts will be adjusted annually based on the change in the Class B Construction Cost Index as approved by the Board.

Two Stop Elevators: Regulation Section 1859.83

If the DSA requires two-stop elevators in a modernization project, the modernization grant will be increased by $96,160 for each two-stop elevator. The modernization grant will be increased by $17,307 for each additional stop required. The grant amounts will be adjusted annually based on the change in the Class B Construction Cost Index as approved by the Board.

Urban Locations/Security Requirements & Impacted Sites: Regulation Section 1859.83

Urban locations on impacted sites are generally in areas of high population density or high property values. In these situations, the environment makes it difficult for districts to acquire ample real property, which causes increased project costs uniquely associated with urban construction. Districts with projects on these impacted sites are also faced with extra security requirements. The supplemental grant provides funds for security fences, watchpersons, increased premiums for insurance for contractors, and storage or daily delivery of construction materials to prevent theft and vandalism.

Districts with projects in urban locations on impacted sites may request a supplemental grant if *all* of the following conditions are met:

1) The CDE Final Plan approval letter shows the useable site acreage for the project is 60 percent or less of the site size recommended for the net school building capacity for the project plus any existing enrollment at the site, if any.

2) At least 60 percent of the classrooms verified in the project construction plans are in multi-story facilities.

3) For new construction of a new school site, the value of the site being acquired is at least $750,000 per useable acre, determined by dividing the proposed acres by the appraised value of the site. This condition does not apply to new construction additions to existing school sites.

School Facility Program
Supplemental Grants Matrix

Type of Grant	New Construction	Modernization	Overcrowded Relief Grant	Critically Overcrowded Schools	Career Technical Education Facilities	Charter (NC)	Charter (Rehabilitation)	Facility Hardship (Replacement)	Facility Hardship-Rehabilitation	Joint-Use	Seismic Mitigation-Replacement	Seismic Mitigation-Rehabilitation
Accessibility/Fire Code Requirements		x					x					
Energy Efficiency	x	x	x	x		x	x	x			x	
Fire Detection Alarm System	x	x	x	x		x	x	x			x	
Fire Sprinkler System	x		x	x		x		x			x	
General Site	x		x	x		x		x			x	
Geographic % factor	x	x	x	x		x	x	x	x	x	x	x
High Performance Incentive (HPI)	x	x	x	x		x	x					
HPI Base Grant-only					x							
Labor Compliance Program	x	x		x		x	x	x	x	x	x	x
Prevailing Wage Monitoring	x	x	x	x	x	x	x	x	x	x	x	x
Multilevel Construction	x		x	x		x		x			x	
New School Project	x		x	x		x		x			x	
Project Assistance	x	x	x	x	x	x		x	x	x	x	x
Replacement with Multi-Story	x											
Site Acquisition -Actual or Appraised -Real Estate Fees (2%) -DTSC -Haz. Materials -Relocation Costs	x		x	x		x		x			x	
Site Development -Off-Site -Service Site -Utilities	x	*	x	x	x	x		x		x	x	
Small Size Project	x	x	x	x		x	x	x	x	x	x	x
Special Ed. Therapy/Other Area	x		x	x		x		x			x	
Special Ed. Toilet Area	x		x	x		x		x			x	
Two-Stop Elevator		x					x		x			x
Urban Security	x	x	x	x		x	x	x	x	x	x	x

*If Modernization includes facilitiesthat are 50 years old or more,
Utilities grants may apply.

Critically Overcrowded Schools Program

(Authority within this program is exhausted; there is no provision for any future funding)
Funding Sources: Propositions 47 & 55

Overview

- The Critically Overcrowded Schools (COS) program allows school districts with critically overcrowded school facilities to apply for a preliminary apportionment (reservation of funds) and an adjusted grant apportionment (final apportionment).
- School districts must convert the preliminary apportionment into a SFP new construction project within a four-year period.
- The project may be either a new school project or an addition to an existing site.

Eligibility

- Must have School Facility Program new construction eligibility to support the project or use an "alternative eligibility method", such as current enrollment, current residency data or a projection of residency data to justify the project.
- Must be listed as critically overcrowded on California Department of Education's (CDE) Source School List which identifies schools with qualifying site densities.
- District must identify at least 75 percent of the proposed pupil occupancy as coming from a source school(s)
- Project must be located within the attendance area or a one-mile radius of an elementary source school or, within the attendance area or a three-mile radius for a secondary source school.

Funding

- Funding is based on a 50/50 State and local match.
- Funding is provided based on a per pupil grant amount. The per pupil grant amount is multiplied by the number of pupils requested as part of a district's funding application. The pupils requested in each separate grade level receive specific grant amounts prescribed in law.
- The per pupil amount may be adjusted annually based on the Class B Construction Cost Index as approved by the State Allocation Board.
- Projects are awarded preliminary apportionments. Within four years the reservation of funds must be converted to a final apportionment. A single one-year extension may be granted.
- The estimated preliminary apportionment grant amounts are based on new construction pupil base grant amounts and any additional site acquisition, site development, and/or supplemental allowances.
- Advanced fund release is available for site and design costs.
- Preliminary apportionments are a reservation of funds based on a proposed project; a final apportionment is the full project, complete with Division of the State Architect and CDE approved plans.
- The 2012 new construction per pupil grant amounts are as follows:

Grade Level	Grant Amount
K - 6	$9,455
7 - 8	$9,999
9 - 12	$12,721
Non - Severe	$17,765
Severe	$26,564

Funding Formula

1) Pupil Grants Requested x Per Pupil Grant Amount = Base Grant

2) Base Grant + Supplemental Grants = Total State Share

3) State Share 50% + District Share 50% = Total Project Cost 100%

Overcrowding Relief Grant Program

Funding Source: Proposition 1D

Overview

- The Overcrowding Relief Grant Program (ORG) replaces portable classrooms with permanent classrooms on overcrowded school sites. Projects must reduce overcrowding at each site that eligibility is drawn from.
- ORG projects must increase useable outdoor space for play areas, green space, or outdoor lunch areas.
- Projects may include construction of a new school or replacement of classrooms at an existing school.

Eligibility

- Eligibility is calculated on a school site-specific basis by the California Department of Education (CDE).
- Eligible ORG school sites must have a population density equal to or greater than 175 percent of CDE's recommended population density. Population density is based on the 2005/2006 academic year enrollment.
- After eligibility is established with the CDE, the district must establish district-wide eligibility with the OPSC prior to or concurrently with a funding application.
- The district-wide eligibility will identify the total number of pupils and portable classrooms that can be requested through ORG applications.

Funding

- The ORG provides funding on a 50/50 State and local match basis.
- ORG funding is determined using the SFP New Construction Program per pupil grant amounts based on the number of pupils requested.
- The per pupil amount may be adjusted annually based on the Class B Construction Cost Index as approved by the State Allocation Board.
- Unlike New Construction funding, ORG funding is not based on the grade levels served by the portable classrooms. ORG funding can be requested at any grade level.
- A single funding application can pull eligibility from multiple ORG-eligible sites.
- The base grant provides funding for design, construction, testing, inspection, furniture, equipment, and other costs related to the actual school facilities construction.
- Prior to the district's funding application submittal, it must obtain approvals from the California Department of Education and the Division of the State Architect.
- The per pupil amount may be adjusted annually based on the Class B Construction Cost Index as approved by the State Allocation Board.
- In addition to the base grant, the district may request supplemental grants. The eligible supplemental grants that apply to ORG are identified in Supplemental Grant Matrix.
- The 2012 new construction per pupil grant amounts are as follows:

Grade Level	Grant Amount
K - 6	$9,455
7 - 8	$9,999
9 - 12	$12,721
Non - Severe	$17,765
Severe	$26,564

Funding Formula

1) Pupil Grants Requested x Per Pupil Grant Amount = Base Grant

2) Base Grant + Supplemental Grants = Total State Share

3) State Share 50% + District Share 50% = Total Project Cost 100%

Charter School Facilities Program
New Construction & Rehabilitation

Funding Sources: Propositions 47, 55 & 1D

Overview

The Charter School Facilities Program (CSFP) provides charter schools funding to construct new charter school facilities and/or rehabilitate existing school district-owned facilities that are at least 15 years old for charter school use. Applications may be submitted by charter school directly or through the school district where the projects will be physically located. Title to project facilities is generally held by the local school district; however, charter schools may submit a request to hold title.

Eligibility

- The school district in which the charter school is physically located must have established and updated SFP new construction eligibility.
- The school district must certify to the number of district unhoused students a charter school will house in a new construction project.
- The charter school must be deemed financially sound by the California School Finance Authority (CSFA).
- The buildings in a proposed Rehabilitation project must be at least 15 years old.

Funding

- Upon State Allocation Board approval, charter school projects receive a reservation of funds known as a "preliminary apportionment." Within four years, the reservation of funds must be converted into a final apportionment. A single one-year extension may be granted.
- The preliminary apportionment grant amounts are based on the grade level served by the CSFP project, and any additional site acquisition, site development, and/or supplemental allowances.
- Charter schools may receive an advanced fund release for site and design costs.
- Funding is provided based on a 50/50 State and local match.
- Final apportionment funding is provided based on a per pupil grant amount. The per pupil grant amount is multiplied by the number of pupils requested as part of a district's funding application. The pupils requested in each separate grade level receive specific grant amounts prescribed in law.
- The per pupil amount may be adjusted annually based on the Class B Construction Cost Index as approved by the State Allocation Board.
- Charter schools may borrow their matching share from the State through the CSFA.
- Charter schools must enter into the appropriate Charter School Agreements outlining property use, State loan repayments, and other project details prior to receipt of any State funds.
- Preliminary apportionments are a reservation of funds based on a proposed project; a final apportionment is the full project, complete with Division of the State Architect and California Department of Education approved plans.
- CSFP new construction final apportionments are funded similarly to SFP new construction projects with the same base grant and most of the same supplemental grants.
- CSFP rehabilitation final apportionments are calculated based on the square footage rehabilitated. Some of the SFP supplemental modernization grants are also available for CSFP rehabilitation projects.

- The 2012 new construction per pupil grant amounts are as follows:

Grade Level	Grant Amount
K - 6	$9,455
7 - 8	$9,999
9 - 12	$12,721
Non - Severe	$17,765
Severe	$26,564

- The 2012 replacement costs are as follows:

Square Footage Type	Grant Amount per Square Foot
Toilet	$555
Non-Toilet	$307

Funding Formula

New Construction

1) Pupil Grants Requested x Per Pupil Grant Amount = Base Grant

2) Base Grant + Supplemental Grants = Total State Share

3) State Share 50% + District Share 50% = Total Project Cost 100%

Rehabilitation

1) Toilet Square Footage x Toilet Facilities Grant Amount) + (Non- Toilet Square Footage x Therapy/Other Grant Amount) = Base Grant

2) Base Grant + Supplemental Grants = Total State Share

3) State Share 50% + District Share 50% = Total Project Cost 100%

High Performance Incentive

Funding Source: Proposition 1D

Overview

- Provides additional funds to New Construction, Modernization, Overcrowding Relief Grant, Critically Overcrowded Schools, Charter and Career Technical Education projects as an incentive to include *high performance* attributes in the project.

- High Performance attributes include project design that promotes energy and water efficiency, maximizes the use of natural lighting, improves indoor air quality, utilizes recycled materials, and materials that emit a minimum of toxic substances, and employs acoustics that are conducive to teaching and learning.

Eligibility

- A High Performance Rating Criteria (HPRC) was established to determine the high performance attributes in a project, and assign each application a score that will directly correlate to the amount of additional funding a project receives.

- The HPRC was modeled after the rating criteria as identified in the 2002, 2006 and 2009 California Collaborative of High Performance Schools (CHPS) criteria. However, the criteria were modified to assure that funds allocated from this program focus on facility components that enhance high performance.

- The project must include components from each of the following five pre-requisite HPRC categories:
    - Sustainable Site Selection
    - Reduced Water Usage
    - Energy Efficiency
    - Use of Sustainable, Renewable, and/or Recycled Materials
    - Indoor Environmental Quality

- The Division of the State Architect (DSA) reviews the plans using the HPRC to determine the number of High Performance Credits attained in the project design

Funding Requirements

- The DSA verifies the HPI attributes in the project plans using the HPRC and concurs with the total "HP points" achieved in the project.

- New Construction on New School Sites
    - In order to qualify for the additional grant, new school/new construction projects must meet all prerequisites in all HPRC categories; then, the district may select the credits it wishes to pursue. The minimum point threshold to qualify is 27 points and the maximum possible is 88 points, with a minimum of four points being obtained in the superior energy performance and/or alternate energy sources categories.

- New Construction Additions to a Site and Modernization
  - New Construction additions to a site and modernization projects must meet all the prerequisites in the HPRC categories that are within the scope of the project; then, the district may select the credits it wishes to pursue. The minimum point threshold to qualify is 20 points and a maximum of 84 points can be attained.

- Career Technical Education Facilities Program projects are now eligible to receive the High Performance Base Incentive grant amount.

Funding Formula

- HP Points are converted to a percentage following criteria specified in SFP Regulations.
- SFP Base Grant can be increased from 2% to just over 11%, depending on the number of HP points achieved.

2009 % increase for Modernization or New Construction Addition to Existing Site Applications

HPI Points	Base Grant Increase Percentage Range
20 -29	2% - 2.9%
30 - 33	3% - 3.9%
34 - 36	4% - 4.9%
37 - 39	5% - 5.9%
40 - 42	6% - 6.9%
43 - 45	7% - 7.9%
46 - 47	8% - 8.9%
48 - 63	9% - 9.9%
64 - 80	10% - 10.9%
81 - 84	11% - 11.21%

- All projects meeting the 2009 HPRC requirements are eligible to receive the High Performance Base Incentive grant.
  - HPI Base grant: $150,000 for a new school and $250,000 for a modernization project or a new construction project at an existing site

Example: Modernization Project with 46 HPI Points
Project Base Grant = $500,000

HPI Base Grant = $250,000
Project Base Grant Increase = $500,000 x 8.32% = $41,600
Total HPI Grant = $250,000 + $41,600 = $291,600

Energy Efficiency

(Authority within this program is exhausted; there is no provision for any future funding)
Funding Sources: Propositions 47 & 55

Overview

The Energy Efficiency supplemental grant preceded the High Performance Incentive (HPI) grant program. While similar in nature to HPI, the Energy Efficiency supplemental grant differs in that it solely focused on energy-saving features. The grant provides additional funding for energy cost savings. Currently, there is no remaining Energy Efficiency funding.

Eligibility

- The average energy efficiency score of all buildings in the project must exceed the nonresidential building energy efficiency standards specified in Part 6 of Title 24 of the California Code of Regulations by at least:
    - 10% for Modernization
    - 15% for New Construction

- Energy efficiency components that may be included as part of the project include the following:
    - Conservation
    - Load reduction technology
    - Peak-load shifting
    - Solar water heating technology
    - Ground source heating and cooling
    - Photovoltaics
    - Other technologies that meet emerging technology eligibility criteria

- The Division of the State Architect reviews the plans and concurs with the reported energy efficiency score.

Funding Formula

- Districts are eligible to receive a graduated percentage (up to five percent of the project's base grant) based on their energy efficiency score.

Career Technical Education Facilities Program

Funding Source: Proposition 1D

Overview

- Provides funding to school districts and joint powers authorities (JPA) for the construction of new Career Technical Education (CTE) facilities, modernization of existing CTE facilities, and/or purchase of equipment for the CTE program.
- School districts have two options available when submitting a funding application.

  Option 1: A district with Division of State Architect (DSA) and California Department of Education (CDE) approved plans may request full project funding.

  Option 2: Prior to receiving DSA and CDE approvals, districts may request a reservation of funds. The district has up to 12 months from the date of apportionment to submit the necessary approvals.

- CTE projects can consist of facilities and equipment, or consist solely of equipment with at least a ten-year average useful life expectancy.
- Districts may choose to have a stand-alone CTE project, or they may combine a CTE project with a new construction or modernization project.
- The CDE currently recognizes 15 industry sectors for CTE programs.

Eligibility

- The district must have an active career technical advisory committee.
- The CTE program plans must be reviewed and scored by CDE. Scores are based on the overall CTE plan for each course of study within the approved industry sector, enrollment projections, identification of feeder schools and industry partners, approval of the plan by these entities, outcome accountability, coordination with other area schools, and evidence that the district will meet all statutory obligations relating to CTE.
- Plans receiving the minimum score or higher are eligible to submit an application for funding.

Funding

- Funding is a 50/50 State and local match. The total grant amount is based on the combined construction, site development and equipment costs, and any eligible supplemental grants.
- Districts are required to submit an itemized list of equipment including cost, a detailed construction cost estimate, and a detailed cost estimate of proposed site development (if requesting site development funding).
- Districts may request a loan for all or part of their required 50 percent match. As districts repay their loans, the State re-deposits the loan repayments into the CTEFP fund.
- The maximum grant amount is $3 million for new construction and $1.5 million for modernization.
- Funding order is based on the project's locale and CDE score. A project's locale is Urban, Suburban or Rural, as determined by the National Center for Education Statistics (NCES). Funds are apportioned to projects in each locale. If there are no applications in a given locale, projects will be apportioned in the remaining locales.

Funding Formula

1) 50%Construction Costs + 50% Equipment + Supplemental Grants = Total State Share

2) State Share 50% + District Share 50% = Total Project Cost 100%

NOTE: The State Share cannot exceed the grant amount caps set in statute. This cap does not include funding for the High Performance Incentive grant, because it is a separate funding source.

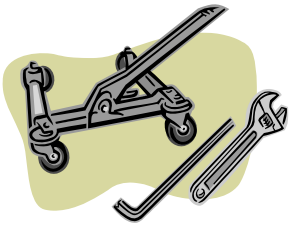
STAND ALONE FACILITY

OR

WITHIN A NC OR MOD PROJECT

OR

EQUIPMENT ONLY



Joint-Use Program

Funding Source: Proposition 1A, 47, 55 & 1D

Overview

The Joint-Use Program allows school districts to use funds from a Joint-Use partner to build a Joint-Use project the district would not otherwise be able to build due to lack of financial resources. Each project requires a Joint-Use partner that is a government agency, higher education provider, or non-profit organization.

Eligibility

School districts may apply for two types of Joint-Use projects: Type I and Type II. For both types, the district must have executed its construction contract after April 29, 2002, and enter into a Joint-Use Agreement with a Joint-Use partner.

Type I Project

- The project must increase the size, create extra cost, or do both for a multipurpose room, gymnasium, childcare facility, library, or teacher education facility.
- The Joint-Use project must be part of an SFP New Construction application.

Type II Project

- The project must reconfigure existing school buildings, construct new buildings, or both, to provide for a multipurpose room, gymnasium, childcare facility, library, or teacher education facility.
- The Joint-Use project must be part of an SFP modernization application, or it may be a stand-alone project.
- The school site cannot have the type of facility planned in the project or the existing facility must be inadequate.

Funding

- The Joint-Use grant provides State funds on a 50/50 State and local sharing basis. The Joint-Use partner must provide a minimum of 25 percent of the eligible project costs.
- If the district has passed a bond which specifies that the monies are to be used specifically for the purposes of the Joint-Use project, then the district can opt to pay up to the full 50 percent local share of eligible costs. Anything beyond the eligible project cost is the responsibility of the Joint-Use partner and/or the district.

- Each project has a maximum state contribution of $1 million for an elementary school, $1.5 million for a middle school, and $2 million for a high school.
- The 2012 Joint-Use grant amounts are as follows:

Square Footage Type	Grant Amount per Square Foot
Toilet	$278
Non-Toilet	$154

Funding Formula

1) Proposed Square Footage x Square Foot Grant Amount = Base Grant

2) Base Grant + Extra Cost (Type 1 only) + Supplemental Grants = Total State Share

3) State Share 50% + District Share 50% = Total Project Cost 100%

Facility Hardship Program

Funding Sources: Propositions 1A, 47, 55 & 1D

Overview

The purpose of the grant is to assist districts with funding when it has been determined that the district has a critical need for pupil housing, because the condition of the facilities, or the lack of facilities, presents a health and safety threat to the pupils. The program provides funding for the minimum work necessary to mitigate the health and safety threat.

Eligibility

- In order for a project to be eligible under the Facility Hardship Program, one of the following two conditions must exist:
  - Facilities must be in need of repair or replacement due to a health and safety threat
    Or
  - Facilities were lost or destroyed due to fire, flood, earthquake, or other disaster

- The District must provide a report from an industry specialist with governmental concurrence to identify the health and safety threat and the minimum work required to mitigate the threat.

- SFP New Construction or Modernization eligibility is not required to participate.

- Enrollment must justify a continuing need for the facilities
  - The maximum eligible replacement square footage is defined in SFP regulations.

Funding Determination

- Funding is provided in two categories: Replacement or Repair of facilities.

- Funding category is confirmed by a Cost Benefit Analysis (CBA) of cost to repair vs. cost to replace.
  - Replacement: if cost to repair is greater than 50 percent of the cost of replacement.
  - Repair: if the cost to repair is less than 50 percent of replacement.

- There are three types of Facility Hardship projects:
  1. Replacement of entire school, with or without site acquisition.
  2. Replacement of individual buildings and/or facilities on an existing site.
  3. Repair of individual buildings or facilities on an existing site.

- Replacement projects are considered a type of new construction project. Therefore, funds are provided on a 50/50 State and local sharing basis.

- Rehabilitation projects are considered a type of modernization project. Therefore funds are provided on a 60/40 State and local sharing basis.

- Districts can request a conceptual approval or submit a full funding application. The conceptual approval of a Facility Hardship project is an approval from the Board that indicates that the health and safety threat warrants an application under the program. This approval gives the district a comfort level that State funding may be provided if they move forward with the project.

- The 2012 new construction per pupil grant amounts are as follows:

Grade Level	Grant Amount
K - 6	$9,455
7 - 8	$9,999
9 - 12	$12,721
Non - Severe	$17,765
Severe	$26,564

- The 2012 replacement costs are as follows:

Square Footage Type	Grant Amount per Square Foot
Toilet	$555
Non-Toilet	$307

Funding Formula by Project Type

1. Replacement of Entire School – Similar to New Construction Program

   Step 1) Enrollment @ Site ÷ Grade Level Loading Standard = Number of Classrooms (Round up)

   Step 2) (Number of Classrooms x Grade Level Loading Standard) x Per Pupil Grant = Base Grant

   Step 3) Base Grant + Supplemental Grants = Total State Share

   Step 4) State Share 50% + District Share 50% = Total Project Cost 100%

2. Replacement of Individual Buildings/Facilities/Facility Components
   a. Building Replacement is based on total square footage – Currently $555 (toilet) and $307 (other) per square foot and adjusted each year
   b. Cost to replace a facility component, such as a heating system is based on the cost estimate submitted by the District and verified by the OPSC.

3. Rehabilitation – Funding is based on the detailed cost estimate for the minimum work required to mitigate the health and safety threat submitted by the district and verified by the OPSC.

- State funding is reduced by any insurance or lawsuit settlement funds the district receives for the project.

Seismic Mitigation Program

Funding Source: Proposition 1D

Overview

The Seismic Mitigation Program is a sub-component of the Facility Hardship program that provides funding for seismic construction projects with buildings determined to have "most vulnerable California school facilities" status.

Eligibility

- Facility must be identified by the Division of the State Architect (DSA) as a qualifying Category 2 building.
- The building is designed for occupancy by students and staff
- The project funding provided shall be the minimum work necessary to obtain DSA approval
- The DSA concurs with a structural engineer's report that identifies structural deficiencies in accordance with the requirements of DSA Procedure 08-03.
- If building eligibility is based on the presence of faulting, liquefaction, or landslide, the California Geological Survey must concur with a geologic analysis.
- The construction contract was executed on or after May 20, 2006
- SFP New Construction or Modernization eligibility is not required to participate.

Funding Determination

- Funding is provided in two categories: Replacement or Repair of facilities.
- Funding category is confirmed by a Cost Benefit Analysis (CBA) of cost to repair vs. cost to replace.
  - Replacement: if cost to repair is greater than 50 percent of the cost of replacement.
  - Repair: if the cost to repair is less than 50 percent of replacement.
- There are three types of Seismic Mitigation projects as follows:
  1. Replacement of entire school, with or without site acquisition.
  2. Replacement of individual facilities on an existing site.
  3. Repair of individual facilities on an existing site.
- Replacement and rehabilitation projects are funded on a 50/50 State and local sharing basis per statute.
- Districts can request a conceptual approval or submit a full funding application.
- The 2012 new construction per pupil grant amounts are as follows:

Grade Level	Grant Amount
K - 6	$9,455
7 - 8	$9,999
9 - 12	$12,721
Non - Severe	$17,765
Severe	$26,564

- The 2012 replacement costs are as follows:

Square Footage Type	Grant Amount per Square Foot
Toilet	$555
Non-Toilet	$307

Funding Formula by Project Type

1. Replacement of Entire School – Similar to New Construction Program

   Step 1) Enrollment @ Site ÷ Grade Level Loading Standard = Number of Classrooms (Round up)

   Step 2) (Number of Classrooms x Grade Level Loading Standard) x Per Pupil Grant = Base Grant

   Step 3) Base Grant + Supplemental Grants = Total State Share

   Step 4) State Share 50% + District Share 50% = Total Project Cost 100%

2. Replacement of individual facilities is based on total square footage – Currently, $555 (toilet) and $307 (other) per square foot and adjusted each year for the change in Class B Construction Cost Index as approved by the Board.

3. Rehabilitation – Funding based on the detailed cost estimate for the minimum work required to mitigate the health and safety threat submitted by the district and verified by the OPSC.

School Facility Program (SFP) Financial Hardship (FH) Program

Overview

The SFP FH program assists school districts and County Offices of Education (COE) that cannot provide their matching share to an SFP new construction or modernization project.

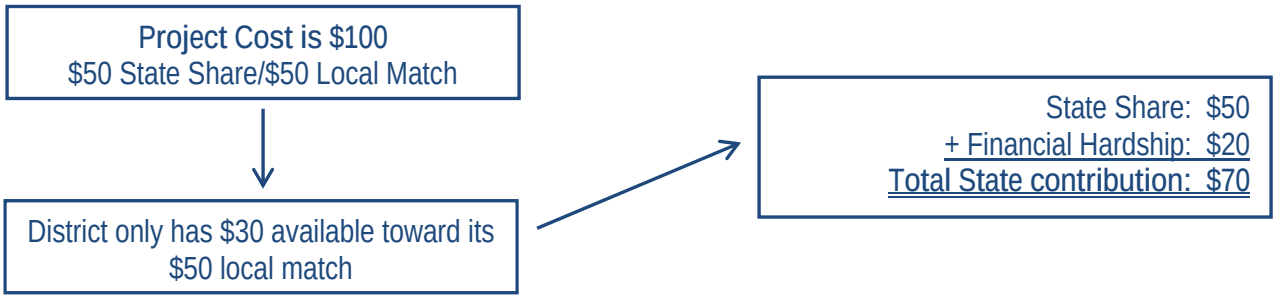
Eligibility

Financial Hardship Criteria
In order to qualify for financial hardship, the district must be levying the developer fee justified under law, AND meet one of the following criteria:
1. The district's current outstanding bond indebtedness is at least 60 percent of the district's total bonding capacity.
2. The district has had a successful registered voter bond election for at least the maximum amount allowed under Proposition 39 within the previous two years.
3. The district is a County Superintendent of Schools (County Office of Education).
4. The district's total bonding capacity is $5 million or less.
5. Other evidence of reasonable effort as approved by the State Allocation Board.

- Once a district or COE has met the basic the eligibility requirement, the OPSC will review its financial records to determine how much funding the district or COE has to contribute.
- Only after both the review of the eligibility requirements and the review of the financial records for available funds are complete can a district or COE qualify for FH status.

Funding

- If an FH district meets the basic eligibility requirements, and local funds are less than the district's required contribution to the project, then the State will fund the difference between the available amount and the district match, up to 100 percent of a project.



Funding (cont.)

- FH districts also have the added flexibility to request separate site and design funding prior to requesting full (construction) funding.
- Once granted FH status, a district's expenditures within capital facility related funds are limited to verifiable contracts and payables (encumbrances) entered into and approved by the OPSC prior to the initial FH application. Spending for other purposes will result in an offset to the FH apportionment equal to the ineligible amount during subsequent FH reviews.
- FH project savings must be applied to future SFP FH projects planned by the district or paid back to the State. After three years, any remaining savings plus interest must be returned to the State.
- FH Status: Once a district is approved for a FH apportionment, the district has six months from the date of the approval letter to submit an application for funding for the projects and phases of projects listed on the FH approval. If no application is received within six months, the district is subject to another full FH review.
- If a district's project is on the unfunded list for more than 180 days, the district's financial records will undergo a re-review to determine whether additional funds have become available to offset the FH apportionment. In this case, the basic eligibility review is not conducted.

ATTACHMENT A

ANNUAL ADJUSTMENT TO SCHOOL FACILITY PROGRAM GRANTS
State Allocation Board Meeting, January 25, 2012

Grant Amount Adjustments

		Regulation Section	Current Adjusted Grant Per Pupil Effective 1-1-11	Current Grant Per Pupil Effective 1-1-12
New Construction	Elementary	1859.71	$9,112	$9,455
	Middle	1859.71	$9,637	$9,999
	High	1859.71	$12,260	$12,721
	Special Day Class – Severe	1859.71.1	$25,601	$26,564
	Special Day Class – Non-Severe	1859.71.1	$17,121	$17,765
	Automatic Fire Detection/Alarm System – Elementary	1859.71.2	$11	$11
	Automatic Fire Detection/Alarm System – Middle	1859.71.2	$15	$16
	Automatic Fire Detection/Alarm System – High	1859.71.2	$24	$25
	Automatic Fire Detection/Alarm System – Special Day Class – Severe	1859.71.2	$47	$49
	Automatic Fire Detection/Alarm System – Special Day Class – Non-Severe	1859.71.2	$32	$33
	Automatic Sprinkler System – Elementary	1859.71.2	$153	$159
	Automatic Sprinkler System – Middle	1859.71.2	$182	$189
	Automatic Sprinkler System – High	1859.71.2	$189	$196
	Automatic Sprinkler System – Special Day Class – Severe	1859.71.2	$484	$502
	Automatic Sprinkler System – Special Day Class – Non-Severe	1859.71.2	$324	$336
Modernization	Elementary	1859.78	$3,470	$3,600
	Middle	1859.78	$3,671	$3,809
	High	1859.78	$4,804	$4,985
	Special Day Class - Severe	1859.78.3	$11,054	$11,470
	Special Day Class – Non-Severe	1859.78.3	$7,396	$7,674
	State Special School – Severe	1859.78	$18,429	$19,122
	Automatic Fire Detection/Alarm System – Elementary	1859.78.4	$111	$115
	Automatic Fire Detection/Alarm System – Middle	1859.78.4	$111	$115
	Automatic Fire Detection/Alarm System – High	1859.78.4	$111	$115
	Automatic Fire Detection/Alarm System – Special Day Class – Severe	1859.78.4	$310	$322
	Automatic Fire Detection/Alarm System – Special Day Class – Non-Severe	1859.78.4	$208	$216
	Over 50 Years Old – Elementary	1859.78.6	$4,819	$5,000
	Over 50 Years Old – Middle	1859.78.6	$5,098	$5,290
	Over 50 Years Old – High	1859.78.6	$6,674	$6,925
	Over 50 Years Old – Special Day Class – Severe	1859.78.6	$15,360	$15,938
	Over 50 Years Old – Special Day Class – Non-Severe	1859.78.6	$10,272	$10,658
	Over 50 Years Old – State Special School – Severe	1859.78.6	$25,601	$26,564

(Continued on Page Two)

ANNUAL ADJUSTMENT TO SCHOOL FACILITY PROGRAM GRANTS

Grant Amount Adjustments

New Construction / Modernization / Joint-Use	Regulation Section	Current Adjusted Grant Per Pupil Effective 1-1-11	Current Grant Per Pupil Effective 1-1-12
Therapy/Multipurpose Room/Other (per square foot)	1859.72 1859.73.2 1859.82 1859.125 1859.125.1	$148	$154
Toilet Facilities (per square foot)	1859.72 1859.73.2 1859.82 1859.125 1859.125.1	$268	$278
New Construction Only			
Parking Spaces	1859.76	$11,586	$12,022
General Site Grant (per acre for additional acreage being acquired)	1859.76	$14,808	$15,365
Project Assistance (for school district with less than 2,500 pupils)	1859.73.1	$5,498	$5,705
Modernization Only			
Two-stop Elevator	1859.83	$92,675	$96,160
Additional Stop	1859.83	$16,680	$17,307
Project Assistance (for school district with less than 2,500 pupils)	1859.78.2	$2,930	$3,040
Facility Hardship / Rehabilitation			
Current Replacement Cost - Other (per square foot)	1859.2	$296	$307
Current Replacement Cost - Toilets (per square foot)	1859.2	$535	$555
Interim Housing – Financial Hardship (per classroom)	1859.81	$30,539	$31,687
Charter School Facilities Program - Preliminary Apportionment Amounts			
Charter School Elementary	1859.163.1	$8,638	$8,963
Charter School Middle	1859.163.1	$9,145	$9,489
Charter School High	1859.163.1	$11,944	$12,393
Charter School Special Day Class - Severe	1859.163.1	$27,524	$28,559
Charter School Special Day Class - Non-Severe	1859.163.1	$18,406	$19,098

(Continued on Page Three)

ANNUAL ADJUSTMENT TO SCHOOL FACILITY PROGRAM GRANTS

New School Adjustments (Regulation Section 1859.83)

Class- rooms in Project	Elementary School Adjusted Grant Effective 1-1-11	Elementary School Adjusted Grant Effective 1-1-12	Middle School Adjusted Grant Effective 1-1-11	Middle School Adjusted Grant Effective 1-1-12	High School Adjusted Grant Effective 1-1-11	High School Adjusted Grant Effective 1-1-12	Alternative Education New School Effective 1-1-11	Alternative Education New School Effective 1-1-12
1	$247,135	$256,427	$1,041,062	$1,080,206	$2,264,383	$2,349,524	$671,438	$696,684
2	$582,315	$604,210	$1,167,718	$1,211,624	$2,355,517	$2,444,084	$814,622	$845,252
3	$874,243	$907,115	$1,297,464	$1,346,249	$2,911,575	$3,021,050	$1,424,060	$1,477,605
4	$1,107,480	$1,149,121	$1,439,568	$1,493,696	$3,405,844	$3,533,904	$1,602,137	$1,662,377
5	$1,300,552	$1,349,453	$1,587,849	$1,647,552	$3,750,292	$3,891,303	$1,780,215	$1,847,151
6	$1,577,040	$1,636,337	$1,737,677	$1,803,014	$4,094,737	$4,248,699	$1,958,293	$2,031,925
7	$1,856,612	$1,926,421	$1,887,502	$1,958,472	$4,439,182	$4,606,095	$2,136,368	$2,216,695
8	$2,071,311	$2,149,192	$2,051,232	$2,128,358	$4,704,854	$4,881,757	$2,323,341	$2,410,699
9	$2,071,311	$2,149,192	$2,224,225	$2,307,856	$4,918,006	$5,102,923	$2,516,432	$2,611,050
10	$2,435,835	$2,527,422	$2,398,765	$2,488,959	$5,129,621	$5,322,495	$2,709,522	$2,811,400
11	$2,435,835	$2,527,422	$2,573,305	$2,670,061	$5,342,772	$5,543,660	$3,458,809	$3,588,860
12	$2,564,037	$2,660,445			$5,537,394	$5,745,600	$3,651,898	$3,789,209
13					$5,728,922	$5,944,329	$3,844,990	$3,989,562
14					$5,920,454	$6,143,063	$4,038,081	$4,189,913
15					$6,113,532	$6,343,401	$4,231,170	$4,390,262
16					$6,305,059	$6,542,129	$4,424,261	$4,590,613
17					$6,498,136	$6,742,466	$4,617,352	$4,790,964
18					$6,689,666	$6,941,197	$4,810,443	$4,991,316
19					$6,881,196	$7,139,929	$5,003,533	$5,191,666
20					$7,074,270	$7,340,263	$5,196,623	$5,392,016
21					$7,265,804	$7,538,998	$5,389,853	$5,592,511
22					$7,457,333	$7,737,729	$5,582,944	$5,792,863
23							$5,776,035	$5,993,214
24							$5,969,125	$6,193,564
25							$6,162,213	$6,393,912
26							$6,355,308	$6,594,268
27							$6,548,397	$6,794,617

School Facility Program Forms by Number

Form SAB 50-01: *Enrollment Certification/Projection*
To determine a district's initial eligibility for new construction funding under the School Facility Program (SFP), the district must provide enrollment information for the current and previous three or seven years, as appropriate.

Form SAB 50-02: *Existing School Building Capacity*
This form is used to determine a district's existing school building capacity to house students. This one-time report and the Form SAB 50-01 are used to calculate the district's eligibility for SFP New Construction funding.

Form SAB 50-03: *Eligibility Determination*
This form is used by a district to calculate their eligibility for new construction and modernization funding under the SFP.

Form SAB 50-04: *Application for Funding*
Once eligibility has been established, a district can submit this form to apply for SFP funds.

Form SAB 50-05: *Fund Release Authorization*
After an SFP grant has been funded by the Board, the OPSC will release the apportioned funds to the appropriate county treasury once the district has completed and submitted this form to the OPSC.

Form SAB 50-06: *Expenditure Report* (SFP)
Districts use this form to report SFP-funded project expenditures annually to the State until project completion.

Form SAB 50-07: *Application for Joint-Use Funding*
This form is used by a district to request State funding for a project on a K-12 school site in which the district has entered into a joint-use agreement with a governmental agency, public community college, public college or public university, or a nonprofit organization approved by the board.

Form SAB 50-08: *Application for Preliminary Apportionment*
This form is used by eligible applicants with critically overcrowded schools in advance of full compliance with all of the application requirements for final apportionment.

Form SAB 50-09: *Application for Charter School Preliminary Apportionment*
This form is used by eligible applicants to request a preliminary apportionment for the new construction or rehabilitation of charter school facilities in advance of full compliance with all the application requirements for a final apportionment.

Form SAB 50-10: *Application for Career Technical Education Facilities Funding*
This form is to be used by a school district/joint powers authority to request a Career Technical Education Facilities grant.

Form SAB 50-11: *Overcrowding Relief Grant District-Wide Eligibility Determination*
As part of the district's request for new construction funding for the Overcrowding Relief Grant, this form is used to determine the district's District-wide/High School Attendance Area pupil eligibility.

Form SAB 189: *School District Appeal Request*
School districts are required to use this form to initiate an appeal for consideration by the State Allocation Board.

State Agency Roles

School districts planning to construct or modernize existing schools require the assistance of several local, State, and federal agencies. It is essential that those dealing with the school construction process have an understanding of the role each agency plays. The five primary State agencies are the Office of Public School Construction (OPSC), the Division of the State Architect (DSA), the California Department of Education (CDE) School Facilities Planning Division (SFPD), the Department of Toxic Substances Control (DTSC), and the Department of Industrial Relations (DIR). School districts may also come into contact with many other agencies. The OPSC encourages district representatives to contact each agency to obtain more information about its procedures and processes.

Office of Public School Construction

As staff to the State Allocation Board (Board), the Office of Public School Construction (OPSC) is responsible for facilitating the processing of school district applications for State funding for eligible new construction and modernization projects to provide safe and adequate facilities for California's public school children. The OPSC is also responsible for the management of these funds and the expenditures made with them. Additionally, the OPSC prepares regulations, policies, and procedures for Board approval in order to carry out statutory mandates.

Department of General Services, Division of the State Architect

The primary role of the DSA in the school construction process is to review plans and specifications to ensure that they comply with California's building codes, with an emphasis on structural and seismic safety. The DSA reviews the working drawings to assure that the proposed structures meet codes and requirements for structure (seismic), fire and life safety, and universal design compliance.

DSA approval of all plans and specifications is required prior to a construction contract being signed for new construction, modernization or alteration of any school building. The only exception to this requirement is for relocatable buildings, for which districts may enter into a contract to acquire the plans and specifications; however, construction cannot commence until DSA approval has been obtained.

California Department of Education, School Facilities Planning Division

The SFPD's role is to review and approve school district sites and construction plans. The SFPD review begins when a school district plans to acquire a new school construction site. Prior to approving a site for school purposes, the SFPD reviews many factors, including, but not limited to, environmental hazards, proximity to airports, freeways, and power transmission lines. The SFPD's review of construction plans focuses mainly on the educational adequacy of the proposed facility and whether the needs of students and faculty will be met.

Department of Toxic Substances Control

The role of the DTSC in the school construction process begins with the SFPD's site approval process. The DTSC will assist the district with an assessment of any possible contamination, and, if necessary, with the development and implementation of a mitigation plan.

Department of Industrial Relations

DIR's role in the school construction process is to enforce labor laws relating to contractors and employers.

The DIR has established the Compliance Monitoring Unit (CMU) to monitor and enforce prevailing wage requirements, required by Labor Code Section 1771.3, on public works projects that receive state bond funding and on other projects with construction contracts awarded after January 1, 2012.

For projects for which the initial public works construction contract was awarded before January 1, 2012, California Labor Code Section 1771.7 requires districts to certify that a DIR-approved LCP has been initiated and enforced for a project apportioned under the SFP, if both of the following conditions exist:

- The project is apportioned from either Proposition 47 or 55; and
- The construction phase of the project commences on or after April 1, 2003, as signified by the date of the Notice to Proceed.

School Facility Program Fast Facts
(funding by each program since 1998)

Program	Fast Facts
New Construction*	$17.7 billion in SAB-approved projects $17.4 billion apportioned projects and $0.3 billion in unfunded approvals 3,684 SAB-approved projects 3,573 apportioned projects and 111 unfunded approvals
Modernization*	$11.3 billion in SAB-approved projects $10.6 billion apportioned projects and $0.7 billion in unfunded approvals 6,440 SAB-approved projects 6,080 apportioned projects and 360 unfunded approvals
Critically Overcrowded Schools	$2.2 billion in SAB-approved projects $2.2 billion apportioned projects and $0.03 in unfunded approvals 72 SAB-approved projects 70 apportioned projects and 2 unfunded approvals
Charter School Facilities	$0.8 billion in SAB-approved Preliminary Apportionments (PA): $0.2 billion in Final Apportionments; $0.09 billion in Unfunded Approvals; $0.2 billion in advance funding. $0.4 billion is still set aside for PAs. 64 SAB-approved projects 16 Final Apportionments; 2 Unfunded Approvals; 46 have not converted to Final Apportionments
Overcrowding Relief Grant	$0.7 billion in SAB-approved projects $0.6 billion apportioned projects and $0.1 billion in unfunded approvals 108 SAB-approved projects 91 apportioned projects and 17 unfunded approvals
Career Technical Education Facilities	$0.5 billion in SAB-approved projects $0.4 billion apportioned projects and $0.1 billion in unfunded approvals 472 SAB-approved projects 415 apportioned projects and 57 unfunded approvals
Joint-Use	$0.2 billion in SAB-approved projects $0.2 billion apportioned projects and $0 in unfunded approvals 170 SAB-approved projects 170 apportioned projects and 0 unfunded approvals

*includes Facility Hardship and Seimic Repair projects

School Facility Program Regulations

Link

Leroy F. Greene School Facilities Act of 1998, Chapter 12.5

Article No.	Title	Education Code Section
1	General Provisions	17070.10-17070.99
2	Existing School Building Capacity	17071.10-17071.46
3	New Construction Eligibility Determination	17071.75-17071.76
4	New Construction Grant Eligibility Determination	17072.10-17072.18
5	New Construction Funding Process	17072.20-17072.35
6	Modernization Eligibility Determination	17073.10-17073.25
7	Modernization Apportionment	17074.10-17074.30
8	Hardship Application	17075.10-17075.15
9	Program Accountability	17076.10-17076.11
10	School Project Safety Components	17077.10
10.5	Energy Efficiency	17077.30-17077.35
10.6	Joint-Use Facilities	17077.40-17077.45
11	Critically Overcrowded School Facilities	17078.10-17078.30
12	Charter Schools	17078.52-17078.66
13	Career Technical Education Facilities Program	17078.70-17078.72
14	Overcrowding Relief Grants	17079-17079.30

Public Education Bonds – Fund Schedules 11-08-12

Bond Title	Education Code Section
Class Size Reduction Kindergarten-University Public Education Facilities Bond Act Of 1998	100420
Kindergarten-University Public Education Facilities Bond Act Of 2002	100620
Kindergarten-University Public Education Facilities Bond Act Of 2004	100820
Kindergarten-University Public Education Facilities Bond Act Of 2006	101012