

ADDITIONAL GRANT FOR GENERAL SITE DEVELOPMENT

PURPOSE OF REPORT

To request:

1. Adoption of amendments to the School Facility Program (SFP) Regulations to provide a new construction additional grant for general site development.
2. Authorization to file the proposed regulations on an emergency basis with the Office of Administrative Law (OAL).

BACKGROUND

A report was presented at the April 2006 State Allocation Board (SAB) meeting on the status of the Office of Public School Construction's (OPSC) ongoing analysis of the SFP new construction grants to build complete schools. As part of the analysis, the OPSC was requested to determine if the general site allowance was included in the base grant amount. General site work includes but is not limited to: finish grading, on-site hard surfaced areas for foot traffic, driveways, walkways, outdoor instructional play facilities, permanent playground equipment, athletic fields, and landscaping. The preliminary analysis resulted in discrepancies between the LPP and SFP; therefore, it is reasonable to conclude that general site development was not considered in the base grant. As a result, during the discussion of this report, the SAB requested Staff to develop proposals on an additional grant for general site development. At the May 2006 SAB meeting, Staff presented several options for consideration. The SAB requested the OPSC to develop proposed regulations to include an additional grant for general site development for all new schools and additions to existing sites wherein additional acreage is acquired. In addition, the SAB requested that the general site additional grant sunset no later than January 1, 2008, providing Staff time to complete a full analysis of the impact of the general site grant, the increase to the new construction base grant proposed in Assembly Bill (AB) 127, and the total SFP funding model.

AUTHORITY

Education Code Section 17072.12 states that the Board may provide funding for assistance in site development and acquisition. The SAB's Legal Counsel has opined that "because the SFP does not define site development, the Board may adopt regulations to define and clarify the types and amounts of site development assistance that can be provided."

STAFF COMMENTS

In order to provide the same level of funding that was provided under the LPP, this amendment will provide a six percent increase to the base grant for elementary and middle school projects and a 3.75 percent increase for high school projects. Districts will also receive, based upon the current 2006 construction index, an amount of \$26,112 per new acre acquired which will be adjusted annually based on the change in the Class B Construction Cost Index.

At the June 2006 SAB Implementation Committee meeting, Staff presented the item and gathered feedback from the Implementation Committee members and school district representatives regarding the general site additional grant. Some of the Implementation Committee members and school district representatives expressed concerns that since AB 127 provides for an adjustment to the New Construction base grant after January 1, 2008, if the general site additional grant was suspended, there could possibly be a period of time when school districts are not receiving adequate funding to complete their projects. It was also stated that since AB 127 gives the SAB the authority to increase or decrease the base grant allowance, a sunset provision was not necessary. The OPSC, however, plans to complete its analysis of the adequacy of the new construction grants no later than June 2007 as reported at last month's SAB meeting.

### STAFF COMMENTS (cont.)

This item is consistent with the SAB's request; however, another issue of concern to some of the Implementation Committee members and district representatives was that only new school projects and additions that are acquiring additional acreage are eligible for the general site additional grant. It was stated that since addition projects still incur general site expenses they should at least be eligible for the percentage increase proposed. As reported previously, this proposal is consistent with the current stage of the ongoing grant analysis as the OPSC has not completed a thorough examination of additions to existing school sites.

Staff recommends that the Board approve the attached emergency regulation amendments to provide an additional grant for general site work on new construction projects in the manner consistent with the SAB's request made at the May 2006 SAB meeting. These amendments will provide additional funds for school districts to complete their projects. Currently, school districts are experiencing difficulty completing their new construction projects as planned due to the lack of necessary funding. Therefore, the OPSC recommends that the SAB adopt the attached regulations on an emergency basis in order to provide school districts immediate funding relief which appears consistent with the preservation of the public peace, health and safety, or general welfare.

At the Board's request, Staff investigated the viability of authorizing the general site additional grant for apportionments made within the previous six months. After consulting with the SAB's Legal Counsel and considering the full and final statute provisions, it was determined that this option is not legally feasible. However, it was determined that the Board may specify that the apportionments made to the new construction projects in this and future consent agendas not be considered final in association with this action until the proposed regulations have been approved by the OAL. This would allow the Board to provide the general site additional grant to the new construction projects that qualify for the grant once the proposed regulations are in effect. The Board would then stipulate at the time of the adjustment for the general site additional grant that the adjustment constitutes the projects' full and final apportionment by the Board.

### RECOMMENDATIONS

1. Adopt the proposed regulations as shown on the Attachment and begin the regulatory process.
2. Authorize the OPSC to file these regulations on an emergency basis with the OAL.
3. Specify that the apportionments provided for the eligible new construction projects in this and future consent agendas are not final until the adjustment is made by the SAB for the general site additional grant to eligible new construction projects.

### BOARD ACTION

In considering this item, the Board approved the Staff's recommendations with a further recommendation to present a future item regarding General Site Development for additions to existing school sites for which the existing land is undeveloped.

## ATTACHMENT

### PROPOSED AMENDMENTS TO THE SCHOOL FACILITY PROGRAM REGULATIONS State Allocation Board Meeting, June 28, 2006

Amend Regulation Section 1859.2 as follows:

Section 1859.2. Definitions.

...

"Form SAB 50-01" means the *Enrollment Certification/Projection*, Form SAB 50-01 (Revised 03/05), which is incorporated by reference.

"Form SAB 50-02" means the *Existing School Building Capacity*, Form SAB 50-02 (Revised 09/02), which is incorporated by reference.

"Form SAB 50-03" means the *Eligibility Determination*, Form SAB 50-03 (Revised ~~06/04~~ 06/06), which is incorporated by reference.

"Form SAB 50-04" means the *Application For Funding*, Form SAB 50-04 (Revised ~~07/05~~ 06/06), which is incorporated by reference.

"Form SAB 50-05" means the *Fund Release Authorization*, Form SAB 50-05 (Revised ~~02/05~~ 06/06), which is incorporated by reference.

"Form SAB 50-06" means the *Expenditure Report*, Form SAB 50-06 (Revised 09/02), which is incorporated by reference.

"Form SAB 50-07" means the *Application For Joint-Use Funding*, Form SAB 50-07 (Revised 01/05), which is incorporated by reference.

"Form SAB 50-08" means the *Application For Preliminary Apportionment*, Form SAB 50-08 (Revised 09/04), which is incorporated by reference.

"Form SAB 50-09" means the *Application for Charter School Preliminary Apportionment*, Form SAB 50-09 (Revised ~~04/05~~ 06/06), which is incorporated by reference.

...

Note: Authority cited: Sections 17070.35 and 17078.64, Education Code.

Reference: Sections 17009.5, 17017.6, 17017.7, 17021, 17047, 17050, 17051, 17070.15, 17070.51(a), 17070.71, 17070.77, 17071.10, 17071.25, 17071.30, 17071.33, 17071.35, 17071.40, 17071.75, 17071.76, 17072.10, 17072.12, 17072.18, 17072.33, 17073.25, 17074.10, 17074.30, 17074.32, 17075.10, 17075.15, 17077.40, 17077.42, 17077.45, 17078.52, 17078.56, 17280, and 56026, Education Code; Section 53311, Government Code; and Section 1771.5, Labor Code.

...

Section 1859.76. New Construction Additional Grant for Site Development Costs.

In addition to any other funding authorized by these Regulations, the Board shall provide funding equal to 50 percent of the following approved site development and applicable design costs:

- (a) Service site development cost, within school property lines for:
  - (1) Site clearance including the removal of trees, brush, and debris.
  - (2) Demolition and removal of existing buildings and site improvements which lie in the footprint of a proposed building or proposed site development.
  - (3) Removal and rerouting of existing utility service which lie in the footprint of a proposed building or proposed site development.
  - (4) Rough grading including cut and fill, and leveling and terracing operations required in the design of the project.
  - (5) Soil compaction adhering to common engineering practices and engineered fill that is required by a soils report that is available for review by the OPSC.
  - (6) On-site drainage facilities including inlets below grade drainage facilities and retention basins.
  - (7) Erosion control improvements such as plant material, temporary sprinkler systems, jute mesh and straw, due to embankments having a slope of at least two to one and a vertical height greater than six feet.
  - (8) Outside stairways, handicap ramps and retaining walls due to embankments having a slope of at least two to one and a vertical height greater than six feet.

- (9) Relocation of existing portable buildings which lie in the footprint of a proposed building or proposed site development including the cost for set-up and utilities if the portable will be relocated on the same site. If the portable will be moved to another site, only the costs to move the portable to the new location.
- (10) Fire code requirements on site that are not a part of the building.
- (11) Funding for parking structures on a new construction project when all the following have been met:
  - (A) The new construction project will be located on site acreage that is less than 50 percent of the site size recommended by the CDE for the master planned project capacity.
  - (B) The number of parking stalls to be funded does not exceed 2.25 for each classroom constructed in an elementary or middle school project.
  - (C) The number of parking stalls to be funded does not exceed six for each high school classroom constructed in a high school project that will serve 9-12 pupils.
  - (D) The state grant does not exceed \$7,500 per parking stall. The amount shown shall be adjusted annually in the manner prescribed in Section 1859.71.
  - (E) The parking structure is any of the following:
    1. It is multilevel and has at least two floors of parking space.
    2. It is single level with site development above the single level parking space.
    3. It is single level that is subterranean or below ground level with site development above the single level parking space.
    4. It is single level with buildings above the single level parking space.
- (12) Removal and relocation of portable classrooms on a site eligible for replacement pursuant to Section 1859.82(a) that are available for housing pupils pursuant to Section 1859.35(a).
  - (b) Off-site development cost on up to two immediately adjacent sides of the site, for the following:
    - (1) Curbs, gutters and paving of streets not to exceed one-half the mandated local street code requirements. When the existing streets are to be widened inward toward the property line from the existing face of the curb, all new street improvements lying within the one-half of mandated street width adjacent to the project.
    - (2) Sidewalks mandated by local ordinances.
    - (3) Street lighting, planting areas, street signs, traffic signals, trees or other costs mandated by local ordinances.
    - (4) City and/or county or special district fees pursuant to active ordinances.
    - (5) Reasonable cost for storm drains to point of connection.
    - (6) Funding for safety paths for pedestrian use beyond two immediately adjacent sides of the site necessary for a safe route to the new school site when the following conditions are met:
      - (A) The school district governing board has made a finding at a public hearing that pedestrian safety concerns require improvements in the form of safety paths to provide access to the school site, and the Department of Education concurs with that finding.
      - (B) The improvements are limited to the work necessary to install concrete, asphalt, gravel or other paving necessary to provide the safe paths.
      - (C) The state grant does not exceed \$50,000.
      - (D) The improvements do not include any cost for the acquisition of land, easements or other rights-of-way.
      - (E) The SAB has determined that development of additional pedestrian paths is reasonable.
  - (c) Utility service costs associated with the CDE approved site size that are necessary to serve the master planned capacity of the site as follows:
    - (1) Water: Installation of water supply line(s) and connection fees from the utility company connection to the meter, meters not provided by the serving utility, or installation of a domestic water system (i.e. well, pump, tank).
    - (2) Sewage: Installation of main sewage disposal line from the utility company connection to the first building lateral and if applicable, connection fees. Installation of a sewage treatment/disposal system and a main disposal line from the treatment system to the nearest building lateral of the collection system.
    - (3) Gas: Installation of main supply line and connection fees from utility company to meter and connection fee if applicable. Installation of meters not provided by the utility. Connection of a liquefied petroleum system (and tank) from the main supply line to the first building lateral.
    - (4) Electric: Installation of service from the utility to the building switchboard. Primary electric service runs from the utility company's point of connection to the transformer. Secondary electric service runs from the transformer to the switchboard. Connection fee, transformer pads and protective devices.
    - (5) Communication systems: Installation of service from the company to the nearest distribution center.
  - (d) General Site Development costs within school property lines for an addition to an existing school site project wherein additional acreage is acquired, or a new school project, determined as follows:

- (1) \$19,200 per Useable Acre as approved by the CDE when funding is provided pursuant to Section 1859.74 or 1859.74.5. This sum may be increased by the percentage identified in Section 1859.83(b). The per acre amount shown above shall be adjusted annually in the manner prescribed in Section 1859.71.
- (2) 6 percent for Elementary School Pupils and Middle School Pupils and 3.75 percent for High School Pupils of the New Construction Grant. For purposes of this calculation, the percentage amount for Severely Disabled Individuals with Exceptional Needs and Non-Severely Disabled Individuals with Exceptional Needs pupils shall be based on the type of project selected by the district on the Form SAB 50-04.
- (3) 6 percent for Elementary School Pupils and Middle School Pupils and 3.75 percent for High School Pupils of the funding provided by Sections 1859.71.2, 1859.72, 1859.73, 1859.73.2, 1859.82, 1859.83(a),(b) and (c) and 1859.125(a).
- (e) The Board may provide General Site Development costs within school property lines for an addition to an existing school site project wherein no additional acreage is acquired provided the area did not previously contain any General Site Development. The district must justify the need for the additional grant and if warranted, the grant will be limited to the costs justified in the approved plans and specifications to support the function of the building(s) in the project, not to exceed the amount specified in subsection (d)(2) and (d)(3).

Subsection (d) of this section shall be suspended no later than January 1, 2008, unless otherwise extended by amendments as adopted by the Board.

The district must submit a detailed cost estimate for all requests for site development work, with the exception of General Site Development costs requested pursuant to subsection (d), and any justification documents that will support the work with the Form SAB 50-04.

The Board will approve reasonable and appropriate site development work which meet common engineering practices and industry standards that are consistent with the specific site conditions if the site development costs are consistent with the most current edition of the Saylor Current Construction Costs. The design professional must certify to the district that the site development work does not exceed the minimum requirements to develop the site to meet educational needs and/or standards.

General Site Development provided pursuant to 1859.76(d)(1), sService site and off-site development costs shall be reduced, on a prorated basis, by the percentage of the excess acreage of the site that exceeds the master plan site acreage approved by the CDE.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17070.35, 17072.12 and 17072.35, Education Code.

...

#### Section 1859.83. Excessive Cost Hardship Grant.

In addition to any other funding authorized by these Regulations, a district is eligible for funding as a result of unusual circumstances that created excessive project costs beyond the control of the district. The Excessive Cost Hardship Grant shall be based on any of the following:

- (a) Excessive Cost due to Geographic Location.

A district with a project that is located in a geographic area designated in the Geographic Percentage Chart below is eligible for the sum of the Excessive Cost Hardship Grant(s) determined by multiplying the indicated percentage factor shown in the Geographic Percentage Chart below by each of the following amounts:

- (1) The New Construction Grant and the Modernization Grant.
- (2) The funding provided by Sections 1859.71.2, 1859.71.3, 1859.72, 1859.73, 1859.73.2, 1859.76(d)(1) and (2), 1859.78.4, 1859.78.5, 1859.82(a) and (b), 1859.83(b), (c), (d) and (f) and 1859.125(a).

...

Note: Authority cited: Sections 17070.35 and 17075.15, Education Code.

Reference: Sections 17072.32, 17074.15, 17074.16, 17075.10, 17075.15, 17077.40, 17077.42 and 17077.45, Education Code.

Section 1859.163.1. Preliminary Charter School Apportionment Determination.

The Preliminary Charter School Apportionment shall be separated into two categories, items that may be identified as construction costs versus site acquisition costs.

- (a) The Preliminary Charter School Apportionment for construction costs shall be equal to the lesser of the sum of (1) through (8) below or the amounts in the following chart:

Project Grade Level	Charter School Construction Cost Funding Cap	
	Non-Urban Ineligible for (a)(5) below	Urban Eligible for (a)(5) below
Elementary	\$5 million	\$6.6 million
Middle	\$7 million	\$9 million
High	\$10 million	\$12.9 million

The funding cap for a project containing a combination of grade levels shall be determined based on the pupil cap assigned pursuant to Section 1859.162.

- (1) The amounts shown below for each pupil included in a Preliminary Charter School Application:
  - (A) \$5,870 for each elementary school pupil.
  - (B) \$6,214 for each middle school pupil.
  - (C) \$8,116 for each high school pupil.
  - (D) \$18,703 for each pupil that is a Severely Disabled Individual with Exceptional Needs.
  - (E) \$12,509 for each pupil that is a Non-Severely Disabled Individual with Exceptional Needs.
- (2) An amount equal to 12 percent of the amount determined in (1) for multilevel construction, if requested by the Charter School.
- (3) An amount for site development cost determined, at the option of the Charter School, by one of the following:
  - (A) One-half of the ~~S~~site ~~D~~development ~~C~~cost for the specific site as authorized by Section 1859.76.
  - (B) One-half of the ~~S~~site ~~D~~development ~~C~~cost as authorized by Section 1859.76 using historical information in the Charter School General Location. Historical information that may be considered to determine this estimated cost may include prior SFP projects of the district or other districts in the Charter School General Location.
  - (C) \$70,000 multiplied by the proposed acres requested on the Form SAB 50-09.
  - (D) General Site Development costs within school property lines for an addition to an existing school site project wherein additional acreage is acquired or a new school project, determined as follows:
    1. \$19,200 per proposed acres requested on the Form SAB 50-09. This sum may be increased pursuant to the provisions in Section 1859.83(b). The per acre amount shown above shall be adjusted annually in the manner prescribed in Section 1859.71.
    2. 6 percent for Elementary School Pupils and Middle School Pupils and 3.75 percent for High School Pupils of the funding provided by Sections 1859.163.1(a)(1). For purposes of this calculation, the percentage amount for Severely Disabled Individuals with Exceptional Needs and Non-Severely Disabled Individuals with Exceptional Needs pupils shall be based on the type of project selected by the district on the Form SAB 50-09.
    3. 6 percent for Elementary School Pupils and Middle School Pupils and 3.75 percent for High School Pupils of the funding provided by Sections 1859.163.1(a)(2) and (4).
- (4) If the Preliminary Application request is for a small project that will house no more than 200 pupils, an amount pursuant to 1859.83(b)(1) or (b)(2), as appropriate.
- (5) An amount due to urban location, security requirements and impacted site equal to 15 percent of the amount determined in (1) and (4), plus 1.166 percent for each percentage decrease in the CDE recommended site size below 60 percent when the following criteria are met:
  - (A) The Charter School has requested an increase for multilevel construction pursuant to (2) above.

- (B) The Useable Acres of the existing and/or proposed site are 60 percent or less of the CDE recommended site size for a traditional school determined by multiplying the sum of the pupil grants requested on Form SAB 50-09, and the current CBEDS enrollment on the site (if applicable) by .01775 for elementary school pupils, .021 for middle school pupils and .02472 for high school pupils. For purposes of this calculation, assign Severely Disabled Individuals with Exceptional Needs and Non-Severely Disabled Individuals with Exceptional Needs pupil grants requested on Form SAB 50-09, as either elementary, middle or high school pupils based on the type of project selected by the district on Form SAB 50-09.
- (C) The value of the property as determined in Section 1859.163.2(a) is at least \$750,000 per Useable Acre. This criterion does not apply to an application for an addition to an existing school site.
- (6) An amount for the geographic location of the proposed project equal to the sum of the amounts determined in (1), (2), (3)(C), ~~(3)(D)~~1. and 2., (4) and (5) multiplied by the indicated percentage factor in the Geographic Percentage Chart shown in Section 1859.83(a).
- (7) An amount to initiate and enforce a LCP as prescribed in Section 1859.71.4.
- (8) If the Charter School is paying its matching share through the form of lease payments, pursuant to Section 1859.168, the value of the lease as determined by the Authority attributable to the items in (1) through (6) above.
- (b) The Preliminary Charter School Apportionment for site acquisition costs shall be:
  - (1) Equal to one-half of the site acquisition value determined in Section 1859.163.2(a) and (c).
  - (2) If the Charter School is paying its matching share through the form of lease payments, pursuant to Section 1859.168, the value of the lease as determined by the Authority attributable to (1) above.
- (c) The total amount calculated in (a) above will be added to any amount calculated in (b) above, which will provide the Preliminary Charter School Apportionment amount.

Subsection (a)(3)(D) of this section shall be suspended no later than January 1, 2008, unless otherwise extended by amendments as adopted by the Board.

Note: Authority cited: Sections 17070.35 and 17078.64, Education Code.

Reference: Sections 17078.52 and 17078.56, Education Code.

# ELIGIBILITY DETERMINATION

## SCHOOL FACILITY PROGRAM

SAB 50-03 (REV 06/04/06/06)

### GENERAL INFORMATION

This form is used by the School District to calculate the district's eligibility for new construction and modernization funding under the School Facility Program (SFP). The business address entered on the application should be the location that the school district wishes the Office of Public School Construction (OPSC) to mail all correspondence regarding this application.

#### Part I

Complete to designate or change the authorized district representative and/or alternate. Should this be the case, complete the school district information, identify the district representative(s) in Part I and complete the district certification information at the bottom of the form, including the date the district's governing board took appropriate action.

#### Part II

Complete for new construction baseline eligibility determination. This part is also used to request an adjustment to an approved new construction baseline eligibility as a result of subdivisions (f), (k) and (l) of Section 1859.51 due to either errors or omissions of information submitted by the district when it requested the initial baseline eligibility, because of a reorganization election that has changed the classroom inventory of the district or to change the classroom inventory that was reported at the time the district requested its initial determination of existing school building capacity as a result of special day class loading. The following documentation is necessary to determine new construction baseline eligibility and must be submitted with this form:

- A completed Form SAB 50-01 based on the latest enrollment data.
- A completed Form SAB 50-02.

#### Part III

Complete for modernization baseline eligibility determination at a specific site. Districts must be able to provide a drawing of the site where eligibility for modernization is generated with its request for an eligibility determination. The drawing must identify all permanent and portable classrooms on the site and their ages. If the district intends to use the square footage method in Option B, the drawings must also identify the square footage of all facilities on the site.

Part III is also used to request an adjustment to the approved baseline eligibility at a specific site as a result of subdivisions (c), (d), (e), (g) and (i) of Section 1859.61 due to one or more of the following:

- an increase in enrollment,
- additional facilities becoming at least 20/25 years old,
- facilities becoming eligible for an additional modernization apportionment, for permanent school buildings every 25 years after the date of its previous apportionment or for portable classrooms every 20 years after the date of its previous apportionment,

- because of errors or omissions of information submitted by the district when it requested the initial baseline eligibility for the site, or
- to change the classroom inventory that was reported at the time the district requested its initial determination of existing school building capacity as a result of special day class loading,

Complete for modernization baseline eligibility determination at a specific site. Districts must be able to provide a drawing of the site where eligibility for modernization is generated with its request for an eligibility determination. The drawing must identify all permanent and portable classrooms on the site and their ages. If the district intends to use the square footage method in Option B, the drawings must also identify the square footage of all facilities on the site. Part III is also used to request an adjustment to the approved baseline eligibility at a specific site as a result of subdivisions (c), (d), (e) (g) and (i) of Section 1859.61 due to either an increase in enrollment, additional facilities becoming at least 20/25 years old, facilities becoming eligible for an additional modernization apportionment, for permanent school buildings every 25 years after the date of its previous apportionment or for portable classrooms every 20 years after the date of its previous apportionment, because of errors or omissions of information submitted by the district when it requested the initial baseline eligibility for the site or to change the classroom inventory that was reported at the time the district requested its initial determination of existing school building capacity as a result of special day class loading. The following documentation is necessary (if not previously submitted to the OPSC) to determine modernization baseline eligibility and must be submitted with this form (as appropriate):

- Site diagram of school where modernization funding is requested. The diagram must indicate the ages and number of all permanent and portable classrooms on the site in accordance with the gross classroom inventory as provided by Section 1859.31.
- If the modernization eligibility will be determined by Option B, the site drawings must also include square footage and/or dimensions of all buildings on the site.

If modernization funding is requested for permanent or portable classrooms previously modernized with State funds, and qualifies for an additional apportionment pursuant to Section 1859.78.8, for purposes of establishing the beginning of the 25/20 year, it shall begin on the date of its previous modernization apportionment.

It is not necessary to complete Part III if the district is only requesting funding for new construction and it is not necessary to complete Part II if the district is only requesting funding for modernization.

A district may request that eligibility for new construction or modernization be reviewed and approved by the Board pursuant to Section 1859.20 prior to submitting Form SAB 50-04 to the Board.

For a list of the documents that must be submitted in order for the OPSC to deem an eligibility request for new construction or modernization complete and ready for OPSC processing, consult the OPSC Web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov).

# ELIGIBILITY DETERMINATION SCHOOL FACILITY PROGRAM

SAB 50-03 (REV 06/04/06/06)

## SPECIFIC INSTRUCTIONS

### Part I – District Representative Information

Enter the name(s) of district employee(s) that can act on behalf of the district's board. A consultant who is on contract with the district to communicate with the OPSC on behalf of the district's board may be listed. The designee of the Superintendent of Public Instruction shall file modernization applications on behalf of the California Schools for the Deaf and Blind.

### Part II – New Construction Eligibility Determination

Indicate if this request is for a new or adjusted eligibility determination. Enter the district-wide information unless filing on a High School Attendance Area (HSAA) or Super HSAA basis. The enrollment projection and the existing school building capacity data are obtained from information reported and determined on the Form SAB 50-01 and the Form SAB 50-02. Once the OPSC has verified the information provided on these forms, it will automatically be transferred to this form to determine the district's eligibility for new construction. The district may manually enter the information from these forms and compute its eligibility; however, it may be adjusted by the OPSC based on verification of Form SAB 50-01 and Form SAB 50-02.

1. Enter the five year projected enrollment as shown in Part G of Form SAB 50-01 for grades K–6, 7–8, 9–12 and for the total of non-severe and severe special day class (SDC) projected enrollment.
2. Enter the amounts on Form SAB 50-02, Part III, line 5 for grades K–6, 7–8, 9–12, non-severe and severe.
3. New construction eligibility (i.e., the "baseline eligibility") is determined by subtracting the existing school building capacity (line 2) from the projected five year enrollment (line 1). Report negative numbers in brackets.

Adjustments to the district's new construction baseline eligibility will be made by the OPSC pursuant to Section 1859.51. Contact your project manager at the OPSC for the adjusted baseline eligibility for future request for new construction grants.

### Part III – Modernization Eligibility Determination

Modernization eligibility is calculated based on information at a specific site when modernization SFP grants are requested within the district. Therefore, completion of Form SAB 50-01 and Form SAB 50-02 are not needed to determine eligibility for modernization funding. Since the eligibility is site specific, the district must submit a separate Form SAB 50-03 for each site for which it is requesting modernization funding. Indicate if this request is for new baseline eligibility determination or for an adjustment to an approved baseline eligibility as a result of Section 1859.61.

The district may use one of two options to calculate its modernization eligibility at a specific site within the district. The district may select only one option at a time to calculate its modernization eligibility at any given school site. The district may switch options at a later date, if it results in a net gain in eligibility at the site, regardless of whether a funding application has been submitted. Hence, for purposes of adjusting modernization eligibility to include non-classroom buildings previously modernized under the Lease-Purchase Program, a district may switch options for the purposes of obtaining additional modernization apportionments as provided by Section 1859.78.8. To assure timely processing of the application, districts must provide a drawing of the site (if not previously submitted to the OPSC) where modernization funds are generated with the eligibility request to the OPSC. The drawing must identify all permanent and portable classrooms and their ages on the site. If the square

footage of Option B is selected, the drawings must also identify the square footages of all facilities on the site. In item 1, enter the school site name from the California Public School Directory published by the California Department of Education. For purposes of determining the age of the building for modernization funding, the 25/20 year period shall begin 12 months after the plans for the building were approved by the Division of the State Architect (DSA); or in the case of permanent or portable classrooms previously modernized with State funds, which are eligible for an additional apportionment, the 25/20 year period shall begin on the date of its previous modernization apportionment. Any drawing that includes classrooms eligible for an additional apportionment pursuant to Section 1859.78.8 should specify both the date the classroom's plans were originally approved by the DSA and the date of its previous modernization apportionment.

1. Enter the school site name from the California Public School Directory published by the California Department of Education.

#### Option A

2. Enter the number of permanent classrooms by grade level at the school site that would have been included in the Gross Classroom Inventory pursuant to Section 1859.31 that are at least 25 years old and include any permanent classrooms not previously reported that have become at least 25 years old. If the school is a 6–8 middle school only, then report all classrooms at the 7–8 grade level. If this request is to adjust the classrooms reported for non-severe or severe pupil loading, the total classrooms reported must be equal to the classrooms reported at the time of the district request for initial modernization baseline eligibility. In no event may the number of classrooms reported for non-severe or severe pupils exceed the number of classrooms needed to house non-severe and severe pupils as reported on line 6 using loading standards of 13 for non-severe and 9 for severe classrooms. For purposes of the California Schools for the Deaf and Blind, the loading standard for these severe pupils shall be 9.
3. Enter the total number of portable classrooms by grade level at the school site that would have been included in the Gross Classroom Inventory pursuant to Section 1859.31 that are at least 20 years old and include any portable classrooms not previously reported that have become at least 20 years old. If the school is a 6–8 middle school only, then report all classrooms at the 7–8 grade level. If this request is to adjust the classrooms reported for non-severe or severe pupil loading, the total classrooms reported must be equal to the classrooms reported at the time of the district request for initial modernization baseline eligibility. In no event may the number of classrooms reported for non-severe or severe pupils exceed the number of classrooms needed to house non-severe and severe pupils as reported on line 6 using loading standards of 13 for non-severe and 9 for severe classrooms.
4. Add lines 2 and 3 by the grades shown.
5. Multiply line 4 by 25 for K–6, 27 for 7–8 and 9–12, 13 for non-severe and 9 for severe.
6. Enter the latest California Basic Educational Data Systems (CBEDS) enrollment for the school site identified as it would have been reported utilizing the criteria in Parts A, B and C of Form SAB 50-01. Report continuation high pupils as 9–12. If the school is a 6–8 middle school only, report 6th graders as 7–8.
7. Modernization eligibility (i.e., the baseline eligibility) is the lesser of each column of lines 5 or 6.

**ELIGIBILITY DETERMINATION  
SCHOOL FACILITY PROGRAM****Option B**

2. Enter the total number of permanent classrooms at the school site that would have been included in the Gross Classroom Inventory pursuant to Section 1859.31 or all permanent square footage at the site that is at least 25 years old.
3. Enter the total number of portable classrooms at the school site that would have been included in the Gross Classroom Inventory pursuant to Section 1859.31 or all portable square footage at the site that is at least 20 years old pursuant to Section 1859.60.
4. Add lines 2 and 3.
5. Enter the remaining number of permanent and portable classrooms at the school site that would have been included in the Gross Classroom Inventory pursuant to Section 1859.31 or all remaining permanent or portable space that is under 25/20 years old.
6. Add lines 4 and 5.
7. Determine the percentage of space on the site that is at least 25/20 years old by dividing line 4 by line 6. Round to four decimal places.
8. Enter the latest CBEDS enrollment for each grade group at the school site identified as it would have been reported utilizing the criteria in Parts A, B and C of Form SAB 50-01. Report continuation high pupils as 9–12. If the school is a 6–8 middle school only, report 6th graders as 7–8.
9. Modernization eligibility (i.e., the baseline eligibility) is determined by multiplying line 7 by each grade group reported in line 8. Round up.

Adjustments to the District's modernization baseline eligibility will be made pursuant to Section 1859.61. These adjustments will **automatically** be made by the OPSC. Contact your project manager at the OPSC for the adjusted baseline eligibility for future requests for modernization grants at the specific site.

DRAFT

STATE OF CALIFORNIA  
**ELIGIBILITY DETERMINATION**  
**SCHOOL FACILITY PROGRAM**

SAB 50-03 (REV 06/04/06/06)

SCHOOL DISTRICT	FIVE-DIGIT DISTRICT CODE NUMBER (SEE CALIFORNIA PUBLIC SCHOOL DIRECTORY)
BUSINESS ADDRESS	HIGH SCHOOL ATTENDANCE AREA (HSAA) OR SUPER HSAA (IF APPLICABLE)
CITY/COUNTY	

**Part I – District Representative Information**

The following individual(s) have been designated as district representative(s) by school board minutes or the designee of the Superintendent of Public Instruction:

DISTRICT REPRESENTATIVE	TELEPHONE NUMBER	E-MAIL ADDRESS
DISTRICT REPRESENTATIVE	TELEPHONE NUMBER	E-MAIL ADDRESS

**Part II – New Construction Eligibility Determination**     NEW     ADJUSTED

	K-6	7-8	9-12	Non-Severe	Severe
1. Projected Enrollment (Part G, Form SAB 50-01)					
2. Existing School Building Capacity (Part III, Line 5 of Form SAB 50-02)					
3. New Construction Baseline Eligibility (Line 1 minus Line 2)					

**Part III – Modernization Eligibility Determination**     NEW     ADJUSTED

1. School Name					
	K-6	7-8	9-12	Non-Severe	Severe
<b>Option A</b>					
2. Permanent classrooms at least 25 years old					
3. Portable classrooms at least 20 years old					
4. Total (Lines 2 and 3)					
5. Multiply Line 4 by: 25 for K-6, 27 for 7-8 and 9-12, 13 for Non-Severe and 9 for Severe					
6. CBEDS enrollment at school					
7. Modernization Eligibility (lesser of each column of Lines 5 or 6)					

	K-6	7-8	9-12	Non-Severe	Severe
<b>Option B</b>					
2. Permanent space at least 25 years old (report by classroom or square footage)					
3. Portable space at least 20 years old					
4. Total (Lines 2 and 3)					
5. Remaining permanent and portable space (report by classroom or square footage)					
6. Total (Lines 4 and 5)					
7. Percentage (divide Line 4 by Line 6)					
	K-6	7-8	9-12	Non-Severe	Severe
8. CBEDS enrollment at school					
9. Modernization Eligibility (multiply Line 7 by each grade group reported on Line 8)					

I certify, as the District Representative, that the information reported on this form is true and correct and that:

- I am designated as an authorized district representative by the governing board of the district or the designee of the Superintendent of Public Instruction; and,
- A resolution or other appropriate documentation supporting this application under Chapter 12.5, Part 10, Division 1, commencing with Section 17070.10, et seq., of the Education Code was adopted by the School District's Governing Board or the designee of the Superintendent of Public Instruction on \_\_\_\_\_; and,
- This form is an exact duplicate (verbatim) of the form provided by Office of Public School Construction. In the event a conflict should exist, then the language in the OPSC form will prevail.

SIGNATURE OF DISTRICT REPRESENTATIVE	DATE
--------------------------------------	------

# APPLICATION FOR FUNDING SCHOOL FACILITY PROGRAM

SAB 50-04 (REV 01/06/06/06)

## GENERAL INFORMATION

Once the Board has determined or adjusted the district's eligibility for either new construction or modernization funding, the district may file an application for funding by use of this form. The Board will only provide new construction funding if this form is submitted prior to the date of occupancy of any classrooms included in the construction contract. If the district has a pending reorganization election that will result in the loss of eligibility for the proposed project, the district may not file an application for funding until the Board has adjusted the district's new construction baseline eligibility as required in Section 1859.51. This may be accomplished by completion of Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03.

For purposes of Education Code Section 17073.25, the California Department of Education (CDE) is permitted to file modernization applications on behalf of the California Schools for the Deaf and Blind.

Requests for funding may be made as follows:

1. A separate apportionment for site acquisition for a new construction project for environmental hardship pursuant to Section 1859.75.1. For purposes of this apportionment, the following documents must be submitted with this form (as appropriate):
  - Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03 (if not previously submitted).
  - Contingent site approval letter from the CDE.
  - Preliminary appraisal of property.
  - Approval letter from the Department of Toxic Substances Control.
2. A separate apportionment for site acquisition and/or design costs for a new construction project pursuant to Section 1859.81.1. This apportionment is available only to districts that meet the financial hardship criteria in Section 1859.81. Districts may apply for a separate apportionment for the design and for site acquisition on the same project. For purposes of this apportionment, the following documents must be submitted with this form (as appropriate):
  - Form SAB 50-01, Form SAB 50-02, and Form SAB 50-03 (if not previously submitted).
  - Contingent site approval letter from the CDE (site apportionment only).
  - Preliminary appraisal of property (site apportionment only).
3. A separate apportionment for district-owned site acquisition cost pursuant to Section 1859.81.2. For purposes of this apportionment, the following documents must be submitted with this form (as appropriate):
  - Form SAB 50-01, Form SAB 50-02, and Form SAB 50-03 (if not previously submitted).
  - Site approval letter from the CDE.
  - Appraisal of district-owned site.
  - Cost benefit analysis as prescribed in Section 1859.74.6 or a copy of the Board finding that the non-school function on the district-owned site must be relocated.
4. A separate apportionment for design cost for a modernization project pursuant to Section 1859.81.1. This apportionment is available only to districts that meet the financial hardship criteria in Section 1859.81. For purposes of this apportionment, the Form SAB 50-03 must accompany this form (if not previously submitted).
5. A New Construction Adjusted Grant pursuant to Section 1859.70. If the funding request includes site acquisition, the proposed site must either be owned by the district, in escrow, or the district has filed condemnation proceedings and received an order of possession of the site. For purposes of this apportionment, the following documents must be submitted with this form (as appropriate):

- Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03 (if not previously submitted).
- Site/plan approval letter from the CDE.
- Appraisal of property if requesting site acquisition funds.
- Plans and specifications (P&S) for the project that were approved by the DSA. Submittal of plans may be on CD-ROM or "Zip Drive" readable in AutoCAD 14. The specifications may be provided on a diskette that is IBM compatible.
- Cost estimate of proposed site development, if requesting site development funding.
- If this request is pursuant to Section 1859.77.2 and the district's housing plan is other than those listed in the certification section of this form, a copy of the school board resolution and the approved housing plan.
- If the site apportionment is requested pursuant to Regulation Section 1859.74.5, a cost benefit analysis as prescribed in Regulation Section 1859.74.6 or a copy of the Board finding that the non-school function on the district-owned site must be relocated.
- If this request is fully or partially based on eligibility derived from an Alternative Enrollment Projection, a justification of how the project relieves overcrowding, including but not limited to, the elimination of the use of Concept 6 calendars, four track year-round calendars, or bussing in excess of 40 minutes.

Modernization Adjusted Grant pursuant to Section 1859.70. For purposes of this apportionment, the following documents must be submitted with this form (as appropriate):

- Form SAB 50-03 (if not previously submitted).
- P&S for the project that were approved by the DSA.
- DSA approval letter for elevator to meet handicapped compliance, if funding is requested.
- Plan approval letter from the CDE.
- Districtwide enrollment data on Form SAB 50-01 when requesting project assistance (if not previously submitted).
- If the request includes funding for 50 year old permanent buildings pursuant to Section 1859.78.6, a site diagram identifying all buildings to be modernized in the project. The diagram must specify those buildings that are at least 50 years old.

Prior to acceptance of an application for funding that includes a financial hardship request, the district must have its financial hardship status "pre-approved" by the Office of Public School Construction (OPSC). To apply for a financial hardship "pre-approval", consult the OPSC Web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov).

If the district is requesting New Construction funding after the initial baseline eligibility was approved by the Board and the district's current CBEDS enrollment reporting year is later than the enrollment reporting year used to determine the district's baseline eligibility or adjusted eligibility, the district must complete a new Form SAB 50-01 based on the current year CBEDS enrollment data, and submit it to the OPSC with this form. In addition, if the district's request is fully or partially based on eligibility derived from an Alternative Enrollment Projection, the district must update the Alternative Enrollment Projection to correspond with the CBEDS enrollment data for the current year. A small district with 2,500 or less enrollment as defined in Section 1859.2 will not have its eligibility reduced for a period of three years from the date the district's baseline eligibility was approved by the Board as a result of reduction in projected enrollment.

For a list of the documents that must be submitted in deorr for the OPSC to deem a funding request for new construction or modernization complete and ready for OPSC processing, consult the SFP handbook and other information located on the OPSC Web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov).

For purposes of completing this form for a Final Charter School Apportionment, a charter school shall be treated as a school district.

**SPECIFIC INSTRUCTIONS**

The district must assign a Project Tracking Number (PTN) to this project. The same PTN is used by the OPSC, the DSA and the CDE for all project applications submitted to those agencies to track a particular project through the entire state application review process. If the district has already assigned a PTN to this project by prior submittal of the P&S to either the DSA or the CDE for approval, use that PTN for this application submittal. If no PTN has been previously assigned for this project, a PTN may be obtained from the OPSC Web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov) "PT Number Generator"

**1. Type of Application**

Check the appropriate box that indicates the type of School Facility Program (SFP) grant the district is requesting for purposes of new construction, modernization, a separate design and/or site apportionment, site apportionment as an environmental hardship or New Construction (Final Apportionment). If the application is for the modernization of school facilities and includes facilities that are eligible for an additional apportionment pursuant to Section 1859.78.8, include a site diagram with this application that specifies the age of each facility eligible for modernization. The diagram should also indicate the date of its original DSA plan approval and the date the facility received its prior modernization apportionment. If known include the project modernization number on the diagram. If the application is for modernization of a California School for the Deaf or Blind, the CDE shall check the box identified as Modernization of California Schools for the Deaf/Blind. If the request is for a separate design apportionment, the CDE shall check the appropriate box. If the eligibility for this project was established as a result of the need for new or replacement facilities pursuant to Section 1859.82 (a) and (b), or rehabilitation pursuant to Section 1859.83 (e), check the appropriate box.

If this request is for an addition to an existing site and advance funding for the evaluation and RA costs, check the appropriate box and refer to Section 1859.74.4.

If this request is to convert a Preliminary Apportionment or a Preliminary Charter School Apportionment to a Final Apportionment, check the New Construction (Final Apportionment or Final Charter School Apportionment) box.

If the district is requesting a separate site and/or design apportionment, complete boxes 2a, 3, 4, the site acquisition data in box 5 (d and e), and boxes 12, 13, 14, 15 and 21 only.

**2. Type of Project**

a. Select the type of project that best represents this application request and enter the total number of pupils assigned to the project for each grade group. Include pupils to be housed in a new or replacement school authorized by Section 1859.82 (a). The amount entered cannot exceed the district's baseline eligibility determined on Form SAB 50-03 and will be the basis for the amount of the new construction or modernization grants provided for the project.

If this request is for a Final Apportionment, the pupils assigned to the project must be at least 75 percent, but not more than 100 percent, of the pupils that received the Preliminary Apportionment. Refer to Section 1859.147.

b. Check the box if the project is eligible for funding for 50 year or older permanent buildings and report, at the option of the district:

- The total number of eligible classrooms or the total eligible square footage building area at the site. Refer to Section 1859.78.6(b)(1)(A) or (b)(2)(A).
  - The total number of permanent classrooms or the total permanent square footage building area that is at least 50 years old and not been previously modernized with state funds. Refer to Section 1859.78.6(b)(1)(B) or (b)(2)(B).
  - Enter the greater percentage as calculated under Regulation Section 1859.78.6(b)(1)(C) or Regulation Section 1859.78.6(b)(2)(C).
  - If this project includes eligible 50 year or older pupil grants, enter the appropriate number assigned to the project for each grade group. The number of pupils entered cannot exceed the cumulative number of 50 year or older permanent buildings pupil grants requested for all modernization funding applications for the site as determined by using the percentage factor above.
- c. If this request includes pupil grants generated by an Alternative Enrollment Projection Method, enter the number of pupils by grade level.
- d. Indicate if this request is for funding of a 6–8 school and/or an Alternative Education School.
- e. Indicate the site scenario that best represents the project request **Check the box(es) if the district requests and the project qualifies for additional funding for fire code requirements authorized in Sections 1859.71.2 or 1859.78.4.**
- f. Check the applicable box if the district is requesting additional pupil grants assigned to the project that exceed the capacity of the project or if the pupils assigned represent eligibility determined at another grade level and check the appropriate box to indicate under which regulation the district is applying. The pupil capacity of the project may be determined by multiplying the classrooms reported in box 3 by 25 for K–6; 27 for 7–8, 9–12 grades; 13 for non-severe and 9 for severe.
- g. If the request is for replacement facilities pursuant to Section 1859.82 (a) or (b) on the same site, check the facility hardship box.

**3. Number of Classrooms**

Enter the:

- Number of classrooms as shown on the plans and specifications (P&S). If there was demolition at the site, report the net increase in the number of classrooms showing in the P&S.
- Master plan site size, as recommended by the California Department of Education.
- Recommended site size, as determined by the California Department of Education.
- Existing Useable Acres already owned at that location (if any).
- Proposed Useable Acres that was/will be purchased as part of the application (if any).

**4. Financial Hardship Request**

Check the box if the district is requesting financial hardship assistance because it is unable to meet its matching share requirement. Refer to Section 1859.81 for eligibility criteria. Districts requesting financial assistance must have received a pre-approval for financial hardship status by the OPSC. Consult the OPSC Web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov) for details and necessary documentation needed in order to determine eligibility.

**5. New Construction Additional Grant Request**

Check the appropriate box(es) if the district requests an augmentation to the new construction grant for "additional" grants for the items listed or for replacement facilities pursuant to Section 1859.82 (a) and (b). Refer to Sections 1859.72 through 1859.76 and 1859.82 (a) and (b) for eligibility criteria. Enter the:

- a. Therapy area in square feet as provided in Section 1859.72.
- b. Multilevel classrooms in the P&S pursuant to Section 1859.73.
- c. Check the box if the district is requesting project assistance pursuant to Section 1859.73.1. If the district has not submitted a request for new construction baseline eligibility on a district-wide basis, it must submit a current Form SAB 50-01 based on district-wide enrollment data with this form.

d. [If the project the district is requesting SFP funding does not require an RA](#) **Indicate the site scenario that best represents the project request. If no RA is required**, refer to Section 1859.74. If a RA is required on a site that is not leased or an addition to an existing site, refer to Section 1859.74.2. If RAs are required on a leased site or an addition to an existing site, refer to Sections 1859.74.3 or 1859.74.4, respectively. The limitation of 50 percent may be exceeded when unforeseen circumstances exist, the CDE determines that the site is the best available site, and substantiation that the costs are the minimum required to complete the evaluation and RA.

- (1) Enter 50 percent of the actual cost.
- (2) Enter 50 percent of the appraised value of the site. If the request is made pursuant to Regulation Section 1859.74.5, enter 50 percent of the appraised value.
- (3) Enter 50 percent of the allowable relocation cost.
- (4) Enter two percent of the lesser of the actual cost or appraised value of the site (minimum \$25,000).
- (5) Enter 50 percent of the Department of Toxic Substances Control (DTSC) fee for review and approval of the phase one environmental site assessment and preliminary endangerment assessment reports. Refer to Sections 1859.74, 1859.74.1, 1859.74.5, 1859.75, 1859.75.1 and 1859.81.1.

A project that received site acquisition funds under the Lease-Purchase Program (LPP) as a priority two project is not eligible for site acquisition funds under the SFP. A district-owned site acquired with LPP, SFP or Proposition 1A funds is not eligible for funding under Regulation Section 1859.74.5.

- e. Enter 50 percent of the amount allowable for hazardous materials/waste removal and/or remediation for the site acquired pursuant to Sections 1859.74.2, 1859.74.3, 1859.74.4, 1859.75.1 or 1859.81.1. If an RA is required, check the box.
- f. Enter 50 percent of eligible service-site development, off-site development including pedestrian safety paths and utilities costs allowed pursuant to Section 1859.76. Attach cost estimates of the proposed site development work which shall be supported and justified in the P&S. All cost estimates shall reflect 100 percent of the proposed work.

[Check the box if the district is requesting an Additional Grant for General Site Development pursuant to Section 1859.76.](#)

- g. If the district is requesting replacement facilities on the same site, enter the square footage requested as provided in Section 1859.82 (a) or (b).
- h. Enter the square feet of eligible replacement area as provided by Section 1859.73.2.

- i. If the district is requesting an Additional Grant for Energy Efficiency pursuant to Section 1859.71.3, enter the percentage of energy efficiency that exceeds Title 24 requirements as prescribed in Section 1859.71.3 (a)(3).

j. [Check the box\(es\) if the district requests and the project qualifies for additional funding for fire code requirements authorized in Section 1859.71.2.](#)

**6. Modernization Additional Grant Request**

- a. Check the box if the district is requesting project assistance allowance pursuant to Section 1859.78.2. If the district has not submitted a request for new construction baseline eligibility on a district-wide basis, it must submit a current Form SAB 50-01 based on district-wide enrollment data with this form.
- b. If the district is requesting an Additional Grant for Energy Efficiency pursuant to Section 1859.78.5, enter the percentage of energy efficiency that exceeds Title 24 requirements as prescribed in Section 1859.78.5 (a)(3).
- c. Check the box if the district requests an additional grant for site development utility cost necessary for the modernization of 50 years or older permanent building(s). Enter 60 percent of the eligible costs allowable pursuant to Section 1859.78.7(a).
- d. [Check the box\(es\) if the district requests and the project qualifies for additional funding for fire code requirements authorized in Section 1859.78.4.](#)

**7. Excessive Cost Hardship Request**

Check the appropriate box to request an augmentation to the New Construction or Modernization Grants for an excessive cost hardship for the items listed. Refer to Section 1859.83 for eligibility criteria. Requests for excessive cost grants for a new two-stop elevator(s) and for additional stops in a modernization project are allowed only if required by the Division of the State Architect (DSA). Attach copy of the DSA letter that requires that the elevator(s) be included in the project for handicapped access compliance.

If the request is for the excessive cost grant for a new Alternative Education school pursuant to Section 1859.83(c)(2) and the district wishes to request less than the maximum allowance, please submit a letter along with application indicating the desired amount.

If the request is for rehabilitation mitigation, report 80 percent or 60 percent (as appropriate) of health/safety rehabilitation mitigation cost for a modernization project as authorized by Section 1859.83 (e).

**8. Project Priority Funding Order**

Enter the priority order of this project in relation to other new construction applications submitted by the district on the same date. If applications are not received on the same date, the OPSC will assign a higher district priority to the application received first. Check the box(es) if the project meets the criteria outlined in Section 1859.92(c)(3),(4) and (6), as appropriate. This information is needed for purposes of priority points.

**9. Prior Approval Under the LPP**

If the project the district is requesting SFP grants for received a Phase P, S, or C approval under the LPP, report the application number of that project, regardless if the project actually received funding or was included on an "unfunded" list. Failure to report this information may delay the processing of the application by the OPSC.

# APPLICATION FOR FUNDING SCHOOL FACILITY PROGRAM

SAB 50-04 (REV 01/06/06/06)

## 10. Prior Apportionment Under the SFP

If the project received a separate apportionment under the SFP for either site and/or design, or site environmental hardship, enter the application number of the project. Failure to report this information may delay the processing of the application by the OPSC.

## 11. Preliminary Apportionment to a Final Apportionment

If this request is to convert a Preliminary Apportionment to a Final Apportionment, enter the application number of the Preliminary Apportionment. Failure to report this information may delay the processing of the application by the OPSC.

## 12. Alternative Developer Fee

The district must report certain alternative fees collected pursuant to Government Code Section 65995.7, as of the date of application submittal to the OPSC. Refer to Section 1859.77 for details. Districts are advised that the OPSC may perform an audit of the developer fees collected prior to application approval by the Board.

## 13. Adjustment to **New Construction** Baseline Eligibility

**Complete only for new construction projects:**

Pursuant to Section 1859.51 certain adjustments to the district's new construction baseline eligibility must be made each time a district submits Form SAB 50-04, to the OPSC for SFP **new construction or modernization** grants. These adjustments are made **automatically** by the OPSC based on information reported by the district on this form.

- Report all additional classroom(s) provided after the district submitted its request for determination of its new construction baseline eligibility for the grades shown, **or indicate N/A if there are none**. Refer to Section 1859.51(j).
- If the eligibility for this project was determined on a high school attendance area (HSAA) or Super HSAA pursuant to Section 1859.41, enter the number of pupils by grade level type that were included in the latest report by the CDE pursuant to Education Code Section 42268 that received operational grants in that HSAA or Super HSAA.

## 14. Pending Reorganization Election

Complete only for new construction projects. Indicate if there is a pending reorganization election that will result in a loss of eligibility for this project. If the answer is "yes", the district must complete Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03, to adjust the district's new construction baseline eligibility as a result of the reorganization and submit them with this form.

## 15. Joint-Use Facility/Leased Property

Check the box if:

- The facilities to be constructed/modernized as part of this project will be for joint use by other governmental agencies.
- The new construction or modernization grants will be used for facilities located or to be located on leased property.

## 16. Project Progress Dates

Complete this section for new construction/modernization projects:

- Enter the date the initial construction contract was signed for this project. If a construction contract has not been executed, enter N/A.
- Enter the issue date for the Notice to Proceed for the construction phase of the project, or enter N/A if a Notice to Proceed has not been issued.

## 17. Labor Compliance Program

Indicate whether the district is subject to a Labor Compliance Program that has been approved by the Department of Industrial Relations pursuant to Labor Code Section 1771.7 by checking the appropriate box.

## 18. Construction Delivery Method

Check the box that best represents the construction delivery method that the district has or will use for this project, if known.

## 19. Architect of Record or Licensed Architect Certification

The architect of record or the licensed architect must complete this section.

## 20. Architect of Record or Design Professional Certification

The architect of record or the appropriate design professional must complete this section.

## 21. Certification

The district representative must complete this section. For additional information regarding district certifications, refer to the SFP handbook located on the OPSC web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov).

**APPLICATION FOR FUNDING  
SCHOOL FACILITY PROGRAM**

The school district named below applies to the State Allocation Board via the Office of Public School Construction for a grant under the provisions of Chapter 12.5, Part 10, Division 1, commencing with Section 17070.10, et seq., of the Education Code and the Regulations thereto.

SCHOOL DISTRICT		APPLICATION NUMBER
SCHOOL NAME		PROJECT TRACKING NUMBER
COUNTY	DISTRICT REPRESENTATIVE'S E-MAIL ADDRESS	HIGH SCHOOL ATTENDANCE AREA (HSAA) OR SUPER HSAA (IF APPLICABLE)

**1. Type of Application—Check Only One**

- New Construction
- New Construction (Final Apportionment)
- New Construction (Final Charter School Apportionment)
- Modernization
- Modernization of California Schools for Deaf/Blind

**Separate Apportionment**

- Site Only—New Construction [Section 1859.81.1]
- Site Only (District owned)—New Construction [Section 1859.81.2]
- Site Only—Environmental Hardship [Section 1859.75.1]
- Design Only—New Construction [Section 1859.81.1]
- Design Only—Modernization
- Design Only—Modernization of California Schools for Deaf/Blind
- Facility Hardship [Section 1859.82(a)]
- Facility Hardship [Section 1859.82(b)]
- Rehabilitation [Section 1859.83(e)]
- Advance Funding for Evaluation and RA

**2. Type of Project**

- a.  Elementary School  
 Middle School  
 High School

**Total Pupils Assigned:**

- K-6: \_\_\_\_\_
- 7-8: \_\_\_\_\_
- 9-12: \_\_\_\_\_
- Non-Severe: \_\_\_\_\_
- Severe: \_\_\_\_\_

- b.  50 Years or Older Building Funding (Modernization Only)

Total Eligible Classrooms/Square Footage: \_\_\_\_\_  
 Classroom/Square Footage at Least 50 Years Old: \_\_\_\_\_  
 Ratio of 50 Years-Old Classrooms/Square Footage: \_\_\_\_\_ %  
 From 2a above, how many are 50 Year or Older Pupil Grants?

- K-6: \_\_\_\_\_
- 7-8: \_\_\_\_\_
- 9-12: \_\_\_\_\_
- Non-Severe: \_\_\_\_\_
- Severe: \_\_\_\_\_

- c. Included in 2a above, how many pupils are generated by the Alternative Enrollment Projection? (New Construction Only)

- K-6: \_\_\_\_\_
- 7-8: \_\_\_\_\_
- 9-12: \_\_\_\_\_
- Non-Severe: \_\_\_\_\_
- Severe: \_\_\_\_\_

- d. Is this a 6-8 school?  Yes  No

If you answered yes, how many K-6 pupils reported above are sixth graders? \_\_\_\_\_

- Is this an Alternative Education School?  Yes  No

**e. Project to be located on:**

- Leased Site
- New Site
- Existing Site with Additional Acreage Acquired
- Existing Site with No Additional Acreage Acquired

- e.  Automatic Fire Detection/Alarm System  
 Automatic Sprinkler System**

- f. Is this a use of grant request pursuant to Section 1859.77.2?  Yes  No

Is this request pursuant to Section 1859.77.2(c)?  Yes  No

If yes, enter date of successful bond election: \_\_\_\_\_

Is this a use of grant request pursuant to Section 1859.77.3?  Yes  No

Is this request pursuant to Section 1859.77.3(c)?  Yes  No

If yes, enter date of successful bond election: \_\_\_\_\_

- g.  Facility Hardship (no pupils assigned)

**3. Number of Classrooms:**

Master Plan Acreage Site Size (Useable): \_\_\_\_\_  
 Recommended Site Size (Useable): \_\_\_\_\_  
 Existing Acres (Useable): \_\_\_\_\_  
 Proposed Acres (Useable): \_\_\_\_\_

**4.  Financial Hardship Request—Must Have Pre-Approval by OPSC**

**5. New Construction Additional Grant Request—New Construction Only**

a. Therapy: Toilets (sq. ft.) \_\_\_\_\_  
 Other (sq. ft.) \_\_\_\_\_

b. Multilevel Construction (CRS): \_\_\_\_\_

c.  Project Assistance

d. Site Acquisition:

- Leased Site
- Additional Acreage to Existing Site
- Addition to Existing Site

- (1) 50 percent Actual Cost: \$ \_\_\_\_\_
- (2) 50 percent Appraised Value: \$ \_\_\_\_\_
- (3) 50 percent Relocation Cost: \$ \_\_\_\_\_
- (4) 2 percent (min. \$25,000): \$ \_\_\_\_\_
- (5) 50 percent DTSC Fee: \$ \_\_\_\_\_

e. 50 percent hazardous waste removal: \$ \_\_\_\_\_

Response Action (RA)

**APPLICATION FOR FUNDING  
SCHOOL FACILITY PROGRAM**

- f. Site Development
  - 50 percent Service-Site: \$ \_\_\_\_\_
  - 50 percent Off-Site: \$ \_\_\_\_\_
  - 50 percent Utilities: \$ \_\_\_\_\_
  - General Site
- g. Facility Hardship Section 1859.82(a) or (b)
  - Toilet (sq. ft.): \_\_\_\_\_
  - Other (sq. ft.): \_\_\_\_\_
- h. Replacement area
  - Toilet (sq. ft.): \_\_\_\_\_
  - Other (sq. ft.): \_\_\_\_\_
- i.  Energy Efficiency: \_\_\_\_\_ %
- j.  Automatic Fire Detection/Alarm System
- Automatic Sprinkler System

**6. Modernization Additional Grant Request—Modernization Only**

- a.  Project Assistance
- b.  Energy Efficiency: \_\_\_\_\_ %
- c.  Site Development—60 percent utilities: \$ \_\_\_\_\_
- d.  Automatic Fire Detection/Alarm System
- Automatic Sprinkler System

**7. Excessive Cost Hardship Request**

**New Construction Only**

- Geographic Percent Factor: \_\_\_\_\_ %
- New School Project [Section 1859.83(c)(1)]
- New School Project [Section 1859.83(c)(2)]
- Small Size Project
- Urban/Security/Impacted Site;
- If a new site, \$ \_\_\_\_\_ per Useable Acre [Section 1859.83(d)(2)(C)]

**Modernization Only**

- Rehabilitation/Mitigation [Section 1859.83(e)]: \$ \_\_\_\_\_
- Geographic Percent Factor: \_\_\_\_\_ %
- Handicapped Access/Fire Code (3 percent)
- Number of 2-Stop Elevators: \_\_\_\_\_
- Number of Additional Stops: \_\_\_\_\_
- Small Size Project
- Urban/Security/Impacted site

**8. Project Priority Funding Order—New Construction Only**

Priority order of this application in relation to other new construction applications submitted by the district at the same time: # \_\_\_\_\_

Project meets:

- Density requirement pursuant to Section 1859.92(c)(3).
- Stock plans requirement pursuant to Section 1859.92(c)(4).
- Energy efficiency requirement pursuant to Section 1859.92(c)(6).

**9. Prior Approval Under the LPP**

New Construction: 22/ \_\_\_\_\_

Modernization: 77/ \_\_\_\_\_

**10. Prior Apportionment Under the SFP**

Site/Design—New Construction: 50/ \_\_\_\_\_

Design—Modernization: 57/ \_\_\_\_\_

**11. Preliminary Apportionment to Final Apportionment**

Preliminary Apportionment Application Number: # \_\_\_\_\_

**12. Alternative Developer Fee—New Construction Only**

Alternative developer fee collected and reportable pursuant to Regulation Section 1859.77: \$ \_\_\_\_\_

**13. Adjustment to New Construction Baseline Eligibility—New Construction Only**

- a. Additional Classroom(s) provided:
  - K-6: \_\_\_\_\_
  - 7-8: \_\_\_\_\_
  - 9-12: \_\_\_\_\_
  - Non-Severe: \_\_\_\_\_
  - Severe: \_\_\_\_\_
- b. Operational Grant (HSAA) only:
  - K-6: \_\_\_\_\_
  - 7-8: \_\_\_\_\_
  - 9-12: \_\_\_\_\_
  - Non-Severe: \_\_\_\_\_
  - Severe: \_\_\_\_\_

**14. Pending Reorganization Election—New Construction Only**  Yes  No

**15. Joint-Use Facility/Leased Property**

- a.  Joint-Use Facility
- b.  Leased Property

**16. Project Progress Dates**

- a. Construction Contract signed on: \_\_\_\_\_
- b. Notice to Proceed issued on: \_\_\_\_\_

**17. Labor Compliance Program**

Will you be required to initiate and enforce a Labor Compliance Program pursuant to Labor Code Section 1771.7 for this project?  Yes  No

**18. Construction Delivery Method**

- Design-Bid-Build
- Design-Build
- Developer Built
- Lease Lease-Back
- Energy Performance Contract
- This project includes or will include piggyback contract(s)
- Other: \_\_\_\_\_

**19. Architect of Record or Licensed Architect Certification**

I certify as the architect of record for the project or as a licensed architect that:

- The P&S for this project were submitted to the OPSC by electronic medium (i.e., CD-ROM, zip disk or diskette) or as an alternative, if the request is for a modernization Grant, the P&S were submitted in hard copy to the OPSC.
- Any portion of the P&S requiring review and approval by the Division of the State Architect (DSA) were approved by the DSA on \_\_\_\_\_ (enter DSA approval date).
- Any portion of the P&S not requiring review and approval by the DSA meets the requirements of the California Code of Regulations, Title 24, including any handicapped access and fire code requirements.
- If the request is for a Modernization Grant, the P&S include the demolition of more classrooms than those to be constructed in the project, the difference is \_\_\_\_\_ classroom(s). (Indicate N/A if there are none.)
- If the request is for a Modernization Grant, the P&S include the construction of more classrooms than those to be demolished in the project, the difference is \_\_\_\_\_ classroom(s). (Indicate N/A if there are none.)

\_\_\_\_\_  
ARCHITECT OF RECORD OR LICENSED ARCHITECT (PRINT NAME)

_____ SIGNATURE	_____ DATE
--------------------	---------------

**20. Architect of Record or Design Professional Certification**

I certify as the architect of record for the project or the appropriate design professional, that:

- If the request is for a New Construction Grant, I have developed a cost estimate of the proposed project which indicates that the estimated construction cost of the work in the P&S including deferred items (if any) relating to the proposed project, is at least 60 percent of the total grant amount provided by the State and the district's matching share, less site acquisition costs. This cost estimate does not include site acquisition, planning, tests, inspection, or furniture and equipment and is available at the district for review by the OPSC.
- If the request is for a Modernization Grant, I have developed a cost estimate of the proposed project which indicates that the estimated construction cost of the work in the P&S, including deferred items and interim housing (if any) relating to the proposed project, is at least 60 percent of the total grant amount provided by the State and the district's matching share. This cost estimate does not include planning, tests, inspection or furniture and equipment and is available at the district for review by the OPSC.

\_\_\_\_\_  
ARCHITECT OF RECORD OR DESIGN PROFESSIONAL (PRINT NAME)

_____ SIGNATURE	_____ DATE
--------------------	---------------

**21. Certification**

I certify, as the District Representative, that the information reported on this form, with the exception of items 16 and 17, is true and correct and that:

- I am an authorized representative of the district as authorized by the governing board of the district; and,
- A resolution or other appropriate documentation supporting this application under Chapter 12.5, Part 10, Division 1, commencing with Section 17070.10, et. seq., of the Education Code was adopted by the school district's governing board or the designee of the Superintendent of Public Instruction on, \_\_\_\_\_; and,
- The district has established a "Restricted Maintenance Account" for exclusive purpose of providing ongoing and major maintenance of school buildings and has developed an ongoing and major maintenance plan that complies with and is implemented under the provisions of Education Code Section 17070.75 and 17070.77 (refer to Sections 1859.100 through 1859.102); and,
- Pursuant to Education Code Section 17070.755, the district has made a priority of the funds in the restricted maintenance account, established pursuant to Education Code Section 17070.75, to ensure that facilities are functional and meet local hygiene standards; and,
- The district has considered the feasibility of the joint use of land and facilities with other governmental agencies in order to minimize school facility costs; and,
- If this funding request is for the modernization of portable classrooms eligible for an additional apportionment pursuant to Education Code Section 17073.15, the district certifies that (check the applicable box below):
  - 1. The state modernization funds will be used to replace the portable classrooms and permanently remove the displaced portables from the classroom use within six months of the filing of the Notice of Completion for the project; or,
  - 2. It has provided documentation to the Office of Public School Construction which indicates that modernizing the portable classrooms eligible for an additional apportionment is better use of public resources than the replacement of these facilities.
- Facilities to be modernized have not been previously modernized with Lease-Purchase Program, Proposition 1A Funds or School Facility Program state funds; and,
- All contracts entered on or after November 4, 1998 for the service of any architect structural engineer or other design professional for any work under the project have been obtained pursuant to a competitive process that is consistent with the requirements of Chapter 10 (commencing with Section 4525) of Division 5, of Title 1, of the Government Code; and,
- If this request is for new construction funding, the district has received approval of the site and the plans from the CDE. Plan approval is not required if request is for separate design apportionment; and,
- If this request is for modernization funding, the district has received approval of the plans for the project from the CDE. Plan approval is not required if request is for separate design apportionment; and,
- The district has or will comply with the Public Contract Code regarding all laws governing the use of force account labor; and,
- This district has or will comply with Education Code Section 17076.11 regarding at least a 3 percent expenditure goal for disabled veteran business enterprises; and,

# APPLICATION FOR FUNDING SCHOOL FACILITY PROGRAM

SAB 50-04 (REV 01/06/06/06)

- The district matching funds required pursuant to Sections 1859.77.1 or 1859.79 has either been expended by the district, deposited in the County School Facility Fund or will be expended by the district prior to the notice of completion for the project; and,
- The district has received the necessary approval of the plans and specifications from the Division of the State Architect unless the request is for a separate site and/or design apportionment; and,
- If the district is requesting site acquisition funds as part of this application, the district has complied with Sections 1859.74 through 1859.75.1 as appropriate; and,
- With the exception of an apportionment made pursuant to Section 1859.75.1, the district understands that the lack of substantial progress toward increasing the pupil capacity or renovation of its facilities within 18 months of receipt of any funding shall be cause for the rescission of the unexpended funds (refer to Section 1859.105); and,
- If the apportionment for this project was made pursuant to Section 1859.75.1, the district understands that the lack of substantial progress toward increasing the pupil capacity or renovation of its facilities within 12 months of receipt of any funding shall be cause for the rescission of the unexpended funds (refer to Section 1859.105.1); and,
- The district understands that funds not released within 18 months of apportionment shall be rescinded and the application shall be denied (refer to Section 1859.90); and,
- The statements set forth in this application and supporting documents are true and correct to the best of my knowledge and belief; and,
- All school facilities purchased or newly constructed under the project for use by pupils who are individuals with exceptional needs, as defined in Education Code Section 56026, shall be designed and located on the school site so as to maximize interaction between those individuals with exceptional needs and other pupils as appropriate to the needs of both; and,
- This form is an exact duplicate (verbatim) of the form provided by the OPSC. In the event a conflict should exist, the language in the OPSC form will prevail; and,
- The district understands that some or all of the State funding for the project must be returned to the State as a result of an audit pursuant to Sections 1859.105, 1859.105.1, 1859.106; and,
- The district has complied with the provisions of Sections 1859.76 and 1859.79.2 and that the portion of the project funded by the State does not contain work specifically prohibited in those Sections; and,
- If the SFP grants will be used for the construction or modernization of school facilities on leased land, the district has entered into a lease agreement for the leased property that meets the requirements of Section 1859.22; and,
- If the application contains a "Use of New Construction Grant" request, the district has adopted a school board resolution and housing plan at a public hearing at a regularly scheduled meeting of the governing board on \_\_\_\_\_ as specified in Sections 1859.77.2, or 1859.77.3, as appropriate. The district's approved housing plan is as indicated (check all that apply):
  - 1. The district will construct or acquire facilities for housing the pupils with funding not otherwise available to the SFP as a district match within five years of project approval by the SAB and the district must identify the source of the funds. [Applicable for Sections 1859.77.2(a) and (b) and 1859.77.3(a) and (b)]
  - 2. The district will utilize higher district loading standards providing the loading standards are within the approved district's teacher contract and do not exceed 33:1 per classroom. [Applicable for Sections 1859.77.2(a) and (b) and 1859.77.3(a) and (b)]
  - 3. The pupils requested from a different grade level will be housed in classrooms at an existing school in the district which will have its grade level changed, to the grade level requested, at the completion of the proposed SFP project. [Applicable for Sections 1859.77.2(b) and 1859.77.3(b)]
- If the district requested additional funding for fire code requirements pursuant to Sections 1859.71.2 or 1859.78.4, the district will include the automatic fire detection/alarm system and/or automatic sprinkler system in the project prior to completion of the project; and
- If this request is for a Large New Construction Project or a Large Modernization Project, the district has consulted with the career technical advisory committee established pursuant to Education Code Section 8070 and it has considered the need for vocational and career technical facilities to adequately meet its program needs in accordance with Education Code Sections 51224, 51225.3(b) and 52336.1; and
- If the district is requesting an Additional Grant for Energy Efficiency pursuant to Sections 1859.71.3 or 1859.78.5, the increased costs for the energy efficiency components in the project exceeds the amount of funding otherwise available to the district; and
- If this application is submitted after January 1, 2004 for modernization funding, the district has considered the potential for the presence of lead-containing materials in the modernization project and will follow all relevant federal, state, and local standards for the management of any identified lead; and
- The district has or will initiate and enforce a Labor Compliance Program that has been approved by the Department of Industrial Relations, pursuant to Labor Code Section 1771.7, if the project is funded from Propositions 47 or 55 and the Notice to Proceed for the construction phase of the project is issued on or after April 1, 2003; and,
- Beginning with the 2005/2006 fiscal year, the district has complied with Education Code Section 17070.75(e) by establishing a facilities inspection system to ensure that each of its schools is maintained in good repair.

SIGNATURE OF DISTRICT REPRESENTATIVE

DATE

**FUND RELEASE AUTHORIZATION**  
**SCHOOL FACILITY PROGRAM**

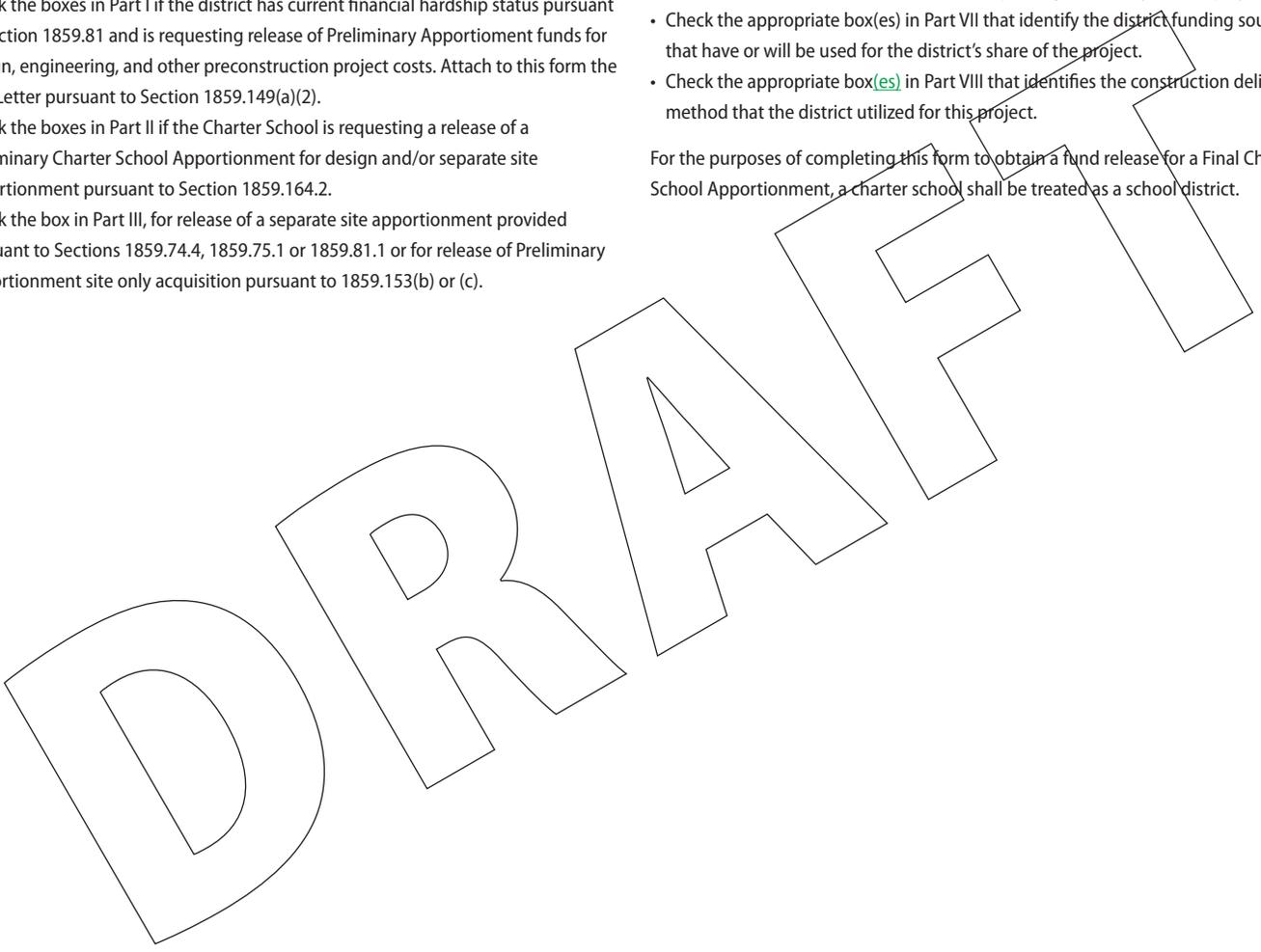
**GENERAL INSTRUCTIONS (Refer to Title 2, California Code of Regulations Sections 1859.90 and 1859.91)**

After a School Facility Program (SFP) grant has been funded by the Board, the Office of Public School Construction (OPSC) will release the apportioned funds with the exception of design funds, to the appropriate county treasury once the district has completed and submitted this form to the OPSC. Design funds will automatically be released to the district within 30 days of the apportionment, with the exception of Preliminary Apportionments.

- Check the boxes in Part I if the district has current financial hardship status pursuant to Section 1859.81 and is requesting release of Preliminary Apportionment funds for design, engineering, and other preconstruction project costs. Attach to this form the CDE Letter pursuant to Section 1859.149(a)(2).
- Check the boxes in Part II if the Charter School is requesting a release of a Preliminary Charter School Apportionment for design and/or separate site apportionment pursuant to Section 1859.164.2.
- Check the box in Part III, for release of a separate site apportionment provided pursuant to Sections 1859.74.4, 1859.75.1 or 1859.81.1 or for release of Preliminary Apportionment site only acquisition pursuant to 1859.153(b) or (c).

- Check the box(es) in Part IV for release of new construction or modernization funds and enter the appropriate dates:
  - a. [Date of written approval by the Division of the State Architect \(DSA\).](#)
  - a**b.** Issue date of the Notice to Proceed for the construction phase of the project; and,
  - b**c.** Signature date of the initial construction contract entered into by the district for this project.
- Check the boxes in Part V if the district is requesting a separate release of site acquisition funds as part of a new construction project.
- Check the boxes in Part VI if the district is requesting release of joint-use project funds.
- Check the appropriate box(es) in Part VII that identify the district funding sources that have or will be used for the district's share of the project.
- Check the appropriate box(es) in Part VIII that identifies the construction delivery method that the district utilized for this project.

For the purposes of completing this form to obtain a fund release for a Final Charter School Apportionment, a charter school shall be treated as a school district.



# FUND RELEASE AUTHORIZATION

## SCHOOL FACILITY PROGRAM

SAB 50-05 (REV 02/05 06/06)

SCHOOL DISTRICT	APPLICATION NUMBER
SCHOOL NAME	FIVE-DIGIT DISTRICT CODE NUMBER (SEE CALIFORNIA PUBLIC SCHOOL DIRECTORY)
COUNTY	HIGH SCHOOL ATTENDANCE AREA (HSAA) (IF APPLICABLE)

### Part I. Preliminary Apportionment—Design Only

- The district certifies it has complied with Section 1859.149(a).
- The district certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
  - has already been expended by the district for the project
  - will be expended by the district prior to the Notice of Completion for the project
- The district certifies that it currently has Financial Hardship status under the provisions of Section 1859.81.

### Part II. Preliminary Charter School Apportionment

#### A. Design Only

Pursuant to Section 1859.164.2(a), must be able to check all boxes:

- The Charter School certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
  - has already been expended by the Charter School for the project
  - will be expended by the Charter School prior to the Notice of Completion for the project
- The Charter School certifies it has current financial soundness status from the California School Finance Authority.

#### B. Separate Site Apportionment

Pursuant to Section 1859.164.2(b), must be able to check all boxes:

- Release site acquisition funds. The Charter School certifies the funds are needed to place on deposit in order to secure the site acquisition.
- The Charter School certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
  - has already been expended by the Charter School for the project
  - will be expended by the Charter School prior to the Notice of Completion for the project
- The Charter School certifies it has current financial soundness status from the California School Finance Authority.

### Part III. Separate Site Apportionment

- RA on additions to existing school sites pursuant to Section 1859.74.4.

Pursuant to Sections 1859.75.1 or 1859.81.1, district must be able to check both boxes:

- Release site acquisition funds. The district certifies the funds are needed to place on deposit in order to secure the site acquisition.
- The district certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
  - has already been expended by the district for the project
  - will be expended by the district prior to the Notice of Completion for the project

### Part IV. New Construction/Modernization

District must be able to check both boxes:

- The district certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
  - has already been expended by the district for the project
  - will be expended by the district prior to the Notice of Completion for the project
- The district certifies it has entered into a binding contract(s) for at least 50 percent of the construction included in the plans applicable to the state funded project, which received written DSA approval on \_\_\_\_\_, and has issued the Notice to Proceed on \_\_\_\_\_ for that contract signed on \_\_\_\_\_.

The amount of State funds released for new construction shall be 100 percent of the total SFP New Construction Adjusted Grant, less any site acquisition funds previously released in Part III.

The amount of State funds released for modernization shall be 100 percent of the SFP Modernization Adjusted Grant.

### Part V. New Construction—Site Acquisition Only

District must be able to check both boxes:

- The district certifies it has entered escrow for the site (attach copy of escrow instructions).
- The district certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
  - has already been expended by the district for the project
  - will be expended by the district prior to the Notice of Completion for the project

The amount of State funds released shall be equal to the additional grant provided for site acquisition.

### Part VI. Joint-Use Projects

- The district certifies that the Joint-Use Partners' financial contribution has either:
- been received and deposited in the County School Facility Fund
  - has been received and expended by the district
  - will be received and expended by the district prior to the Notice of Completion for the project
- The district certifies it has entered into a binding contract(s) for at least 50 percent of the construction included in the plans applicable to the state funded project.

The amount of State funds released for new construction shall be 100 percent of the Joint-Use Grant.

**FUND RELEASE AUTHORIZATION  
SCHOOL FACILITY PROGRAM**

**Part VII. Identify District and Joint-Use Partners' Funding Sources**

- Available bond funds such as general obligation, or Mello-Roos.
- Available developer fees, proceeds from the sale of surplus property, or federal grants.
- Other funds available (identify)
- Funds already expended by the district for the project.
- Funds already expended by the Joint-Use Partners for the project.
- Future revenue sources to be used for the project (identify)

**Part VIII. Identify District's Construction Delivery Method**

- Design-Bid-Build
- Design-Build
- Developer Built
- Lease Lease-Back
- Energy Performance Contract
- This project includes or will include piggyback contract(s)
- Other: \_\_\_\_\_

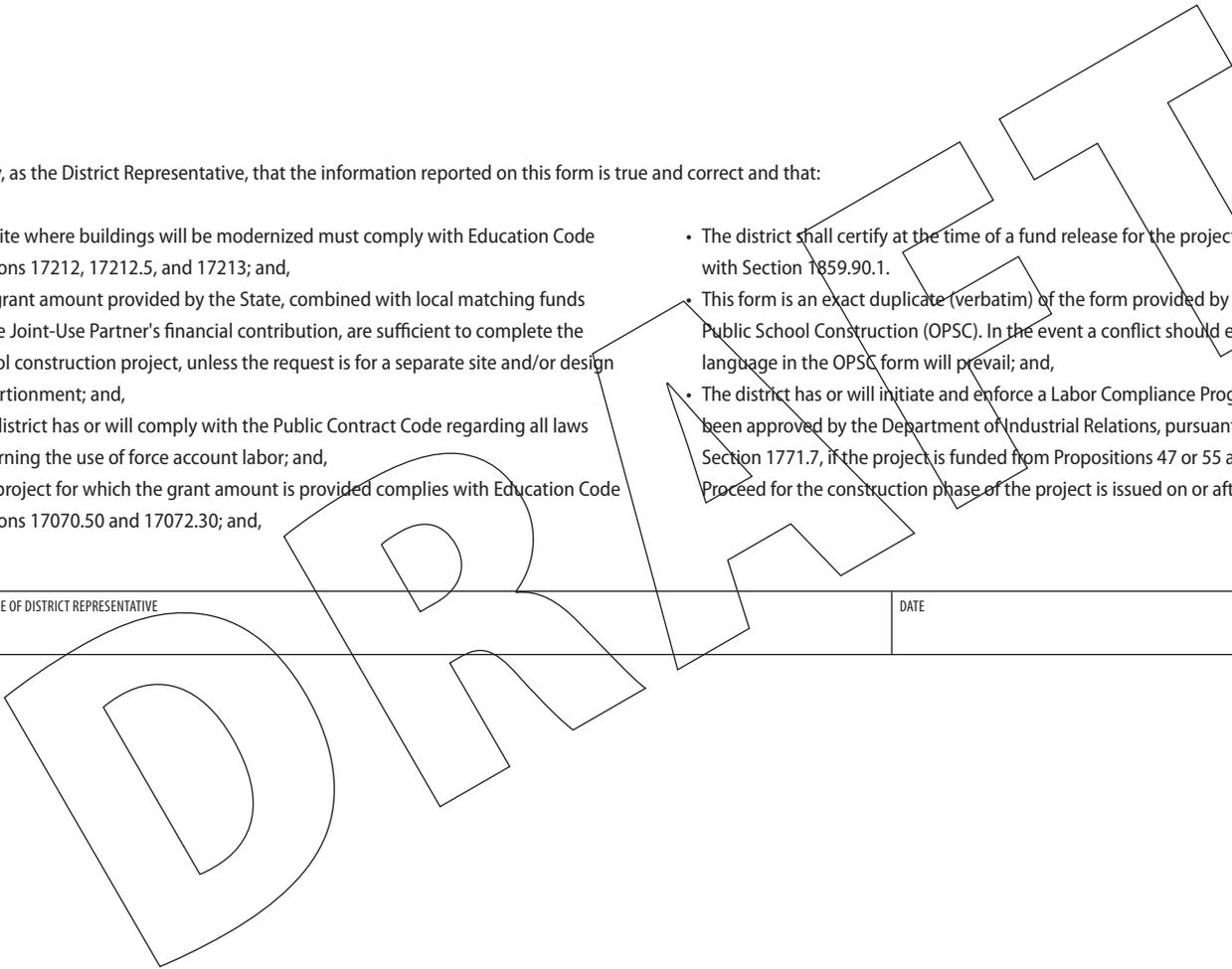
I certify, as the District Representative, that the information reported on this form is true and correct and that:

- The site where buildings will be modernized must comply with Education Code Sections 17212, 17212.5, and 17213; and,
- The grant amount provided by the State, combined with local matching funds or the Joint-Use Partner's financial contribution, are sufficient to complete the school construction project, unless the request is for a separate site and/or design apportionment; and,
- The district has or will comply with the Public Contract Code regarding all laws governing the use of force account labor; and,
- This project for which the grant amount is provided complies with Education Code Sections 17070.50 and 17072.30; and,

- The district shall certify at the time of a fund release for the project that it complies with Section 1859.90.1.
- This form is an exact duplicate (verbatim) of the form provided by the Office of Public School Construction (OPSC). In the event a conflict should exist, then the language in the OPSC form will prevail; and,
- The district has or will initiate and enforce a Labor Compliance Program that has been approved by the Department of Industrial Relations, pursuant to Labor Code Section 1771.7, if the project is funded from Propositions 47 or 55 and the Notice to Proceed for the construction phase of the project is issued on or after April 1, 2003.

SIGNATURE OF DISTRICT REPRESENTATIVE

DATE



**GENERAL INSTRUCTIONS**

This Form is used to request a preliminary apportionment for the new construction of charter school facilities. This Form may be submitted by either a charter school directly or by a school district on behalf of a charter school, provided the school is within the geographical boundaries of the district. The apportionment will be a reservation of funds for the project to allow time to receive the necessary approvals from other State entities and shall be converted to a Final Charter School Apportionment based on Sections 1859.165 through 1859.166.1.

The charter school must assign a Project Tracking Number (PTN) to this project. The same PTN is used by the OPSC, the Division of the State Architect (DSA) and the California Department of Education (CDE) for all project applications submitted to those agencies, which assist those agencies to track a particular project through out the entire state application review process. If a PTN has already been assigned to this project by prior submittal of the plans and specifications to either the DSA or the CDE for approval, use that PTN for this application submittal. If no PTN has been previously assigned for this project, a PTN may be obtained from the Office of Public School Construction (OPSC) Web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov) "PT. Number Generator." (Obtain from school district.)

Prior to submitting this Form, the Board must determine or adjust the appropriate district's eligibility for new construction funding on the Form SAB 50-03. If the district that is providing eligibility to the charter school has a pending reorganization election that will result in the loss of eligibility for the proposed project, the district may not file this application until the Board has adjusted the district's new construction baseline eligibility as required in Section 1859.51. This may be accomplished by completion of Form SAB 50-01, Form SAB 50-02, and Form SAB 50-03. The following documents must be submitted with this Form (as appropriate):

- Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03 (if not previously submitted by the school district).
- An Appraisal or Preliminary Appraisal of the property, or documentation supporting the Median Cost of the property, if requesting site acquisition funds. See Section 1859.163.2(a).
- Supporting documentation for relocation expenses and Department of Toxic Substance Control (DTSC) costs, if requesting amounts other than the 215 percent standard allowance. See Section 1859.163.2(b).

**SPECIFIC INSTRUCTIONS**

A preliminary application may be submitted by either a school district on behalf of a charter school or a charter school on its own behalf if the charter school has notified both the superintendent and the governing board of its intent to do do in writing at least 30 days prior to submission of the preliminary application. See Education Code Section 17078.53 (c)(1) and (2). The notice shall be sent by certified mail through the U.S. Postal Service and indicate to the school district the number of pupils the charter school intends to apply for. Please indicate method of filing by checking appropriate box. If the eligibility being requested from the school district is on a HSAA basis, the proposed project shall be constructed within the boundaries of that attendance area.

Prior to submitting a request for a preliminary apportionment the appropriate chartering entity must have either approved a charter petition or a material revision to a charter for the school in which the application references.

- A cost estimate for site development using the historical data of School Facility Program projects within the district or adjacent school districts within the General Location, if requesting amounts other than the standard allowance of \$70,000 per acre. See Section 1859.163.1(a)(3).

For purposes of determining an amount for site acquisition pursuant to Section 1859.164.2(b), the following documents must be submitted with this form (as appropriate):

- Contingent site approval letter from the CDE.
- Preliminary appraisal of property.

This request is available only to Charter Schools that have current financial soundness status from the California School Finance Authority. Charter Schools may apply for a separate amount for the design and for the site acquisition on the same project. Charter Schools may apply for a separate amount for the design of the project by submittal of Form SAB 50-05.

For a complete list of the application submittal guidelines, consult the OPSC Web site at [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov).

If the charter school or district is requesting a Preliminary Apportionment after the initial baseline eligibility was approved by the Board and the district's current California Basic Education Data System (CBEDS) enrollment reporting year is later than the enrollment reporting year used to determine the district's baseline eligibility or adjusted eligibility, the district must complete a new Form SAB 50-01, based on the current year CBEDS enrollment data, and submit it to the OPSC with this Form. The district must also update its eligibility by separation of Special Day Class from regular K-12 grade level pupils by submitting a revised Form SAB 50-02 and Form SAB 50-03, if it has not already done so. A Small School District with 2,500 or less enrollment as defined in Section 1859.2 will have its eligibility adjusted as provided in Section 1859.51(j).

**1. Type of Application**

Check the appropriate box that indicates the type of request the Charter School is applying for with this form. If the Charter School is requesting a determination of eligible site acquisition costs from a Preliminary Charter School Apportionment previously approved by the Board, complete boxes 2, 3 and the site acquisition data in 4b.

**2. Type of Project**

- Select the type of project that best represents this application request and enter the number of pupils assigned to the project for each grade group. Include pupils to be housed in an addition to an existing school or a new school project. The amount entered cannot exceed the lesser of district's available new construction baseline eligibility determined on

Form SAB 50-03, as adjusted by Section 1859.51 or the limits established in Section 1859.162(c). The amount entered will be the basis for the amount of the Preliminary Charter School Apportionment provided for the project.

- b. Enter the name of the school district where the charter school is physically located.
- c. Is this request an addition to an existing site? Yes or No. If yes, enter school name.

### 3. Number of Classrooms/Useable Acres

Enter the:

- Estimated number of classrooms in the proposed project.
- Existing Useable Acres (if addition to existing site).
- Estimated Proposed Useable Acres to be acquired for the project.

The proposed Useable Acres requested shall not exceed the net useable acres included in an appraisal, preliminary appraisal or multiplying the pupils assigned by 0.00888 for elementary school pupils, 0.0105 for middle school pupils and 0.01236 for high school pupils. Assign Severely Disabled and Non-severely Disabled Individuals with Exceptional Needs as either elementary, middle or high school pupils based upon the type of project selected in item 1. See Section 1859.74.1.

### 4. Increase in Preliminary Apportionment

Complete the appropriate Sections if the district is requesting an increase in the Preliminary Apportionment for the items listed. Refer to Sections 1859.163.1 and 1859.163.2.

- a. Check the box if the district request additional funding due to multilevel construction. See Section 1859.163.1(a)(2).
- b. Site Acquisition:
  - (1) Enter 50 percent of the appraised value or the preliminary appraised value or the Median Cost of the property. See Section 1859.163.2(a). If the purchase price of the site is being determined using the median cost of the Charter School General Location enter the nearest street intersection to the charter school site.
  - (2) To determine an allowance for relocation cost and DTSC cost, the charter school may request 15 percent of the property value determined above or specific or historic values of these costs. See Section 1859.163.2(b). If specific or historic values are reported, the charter school must submit appropriate documentation to support the amount reported.
  - (3) Enter 50 percent of the amount allowable for hazardous material/waste removal and/or remediation for the site acquired. This amount may not exceed the limit set in Section 1859.163.2(d).
- c. To determine an allowance for site development, the charter school may request \$70,000 per proposed Usable Acres or a specific or historic value of the estimated costs. See Section 1859.163.1(a)(3). If specific or historic estimated costs are used, the district must submit appropriate cost estimate of the proposed work conforming to Section 1859.76.

In addition, check the box if the district is requesting General Site Development pursuant to Section 1859.163.1.

- d. Check the box if this request is for a small size project. See Section 1859.163.1(a)(4).
- e. Check the box if the proposed project qualifies for an urban location allowance. See Section 1859.163.1(a)(5).
- f. Check the box if the proposed project is eligible for an increase due to geographic location. See Section 1859.163.1(a)(6).

### 5. Priority Order

Enter the priority order of this application in relation to other applications for Preliminary Charter School Apportionment submitted on the same date by the same applicant within the same school district.

### 6. Charter School Information

The information requested in (d) and (e) below can be obtained from the Charter School Information Listing posted on the OPSC's Web site.

- a. Enter the charter school enrollment currently being served by the applicant for the purpose of calculating if the Charter School is Small, Medium, or Large. See Section 1859.2.
- b. Indicate if the charter school operates as not for profit. If yes, must comply with the definition of Non-Profit Entity in Section 1859.2.
- c. Enter the locale code of the charter school as identified in the definitions for "Rural," "Suburban," or "Urban." See Section 1859.2.
- d. To determine if the charter school is low income, enter the percentage of pupils at the charter school participating in the Free/Reduced Lunch Program. See Section 1859.2 and 1859.164.1(a).
- e. If the charter school has submitted an additional application for this project under the requirements of Section 1859.162.1, enter the application number for that project.

### 7. Certification

The authorized representative for the charter school, or the school district representative on behalf of the charter school must complete this certification section.

- Part A – The authorized representative for the charter school, must complete this section if filing on its own behalf; or,
- Part B – The authorized school district representative must sign and date if filing on behalf of the charter school.

**APPLICATION FOR CHARTER SCHOOL PRELIMINARY APPORTIONMENT**  
**SCHOOL FACILITY PROGRAM**

The school district or charter school named below applies to the State Allocation Board via the Office of Public School Construction for a Preliminary Charter School Apportionment under the provisions of Chapter 12.5, Part 10, Division 1, Article 12, commencing with Section 17078.50, et seq, of the Education Code and the Regulations thereto.

<input type="checkbox"/> SCHOOL DISTRICT APPLYING ON BEHALF OF CHARTER SCHOOL	<input type="checkbox"/> CHARTER SCHOOL APPLYING ON ITS BEHALF	PRELIMINARY APPLICATION NUMBER
PROPOSED PROJECT NAME		PROJECT TRACKING NUMBER
COUNTY		HIGH SCHOOL ATTENDANCE AREA (IF APPLICABLE)
SCHOOL BOARD APPROVAL DATE OF CHARTER PETITION OR MATERIAL REVISION		

**1. Type of Application—Check Only One**

- Preliminary Charter School Apportionment
- Site Acquisition Costs [Section 1859.164.2(b)]

**c. Site Development**

- \$70,000 per proposed useable acre
- 50 percent of specific or historical cost: \$ \_\_\_\_\_

**2. Type of Project**

- a.  Elementary School
- Middle School
- High School

Pupils Assigned:

K-6 \_\_\_\_\_

7-8 \_\_\_\_\_

9-12 \_\_\_\_\_

Non-Severe \_\_\_\_\_

Severe \_\_\_\_\_

**d. Small Size Project**

- e.  Urban Allowance
- f.  Geographical Percentage Factor: \_\_\_\_\_ %

**5. Priority Order**

# \_\_\_\_\_

**6. Charter School Information**

- a. Current charter school enrollment: \_\_\_\_\_
- b. Is charter school not for profit?  Yes  No
- c. Enter locale code of charter school: \_\_\_\_\_
- d. Free/Reduced Lunch: \_\_\_\_\_ %
- e. Additional Application Number: # \_\_\_\_\_

**3. Number of Classrooms/Useable Acres**

Number of Classrooms: \_\_\_\_\_

Existing Acres (Useable): \_\_\_\_\_

Proposed Acres (Useable): \_\_\_\_\_

**4. Increase in Preliminary Apportionment**

- a.  Multilevel Construction
- b. Site Acquisition:
  - (1) 50 percent appraised value or median cost: \$ \_\_\_\_\_
  - Enter the nearest street intersection to the Charter School General Location if determined by median cost: \_\_\_\_\_
  - (2) Relocation/DTSC Cost:
    - 15 percent
    - 50 percent of specific or historical cost: \$ \_\_\_\_\_
  - (3) Hazardous material clean-up: \$ \_\_\_\_\_

**APPLICATION FOR CHARTER SCHOOL PRELIMINARY APPORTIONMENT  
SCHOOL FACILITY PROGRAM**

**7. Certification**

I certify that the information reported on this form is true and correct and that:

- I am an authorized representative of the charter school designated by the governing board or equivalent authority of the charter school and have notified both the Superintendent and the governing board of the school district in writing, at least 30 days prior to the date of this application, of our intent to submit a preliminary application (complete Part A below); or,
- I am an authorized school district representative submitting this application on behalf of a charter school pursuant to Education Code Section 17078.53 (c)(1) (complete Part B below). If this box is checked the following certifications shall apply to the school district.
- A resolution or other appropriate documentation supporting this application under Article 12, Chapter 12.5, Part 10, Division 1, Title 2, commencing with Section 17078.50, et. seq., of the Education Code was adopted by the School District's Governing Board or the governing board or other equivalent authority of the charter school on, \_\_\_\_\_; and,
- The charter school has or will establish a "Restricted Maintenance Account" for exclusive purpose of providing ongoing and major maintenance of school buildings and has developed an ongoing and major maintenance plan that complies with and is implemented under the provisions of Education Code Section 17070.75 and 17070.77 (Refer to Sections 1859.100 through 1859.102); and,
- The charter school has or will consider the feasibility of the joint use of land and facilities with other governmental agencies in order to minimize school facility costs; and,
- The charter school will comply with all laws pertaining to the construction of its school building; and,
- All contracts entered for the service of any architect, structural engineer or other design professional for any work under the project have been obtained pursuant to a competitive process that is consistent with the requirements of Chapter 10 (commencing with Section 4525) of Division 5, of Title 1, of the Government Code; and,
- The charter school has or will comply with the Public Contract Code regarding all laws governing the use of force account labor; and,
- This charter school has or will comply with Education Code Section 17076.11 regarding at least a 3 percent expenditure goal for disabled veteran business enterprises; and,

- The charter school understands that the lack of substantial progress toward increasing the pupil capacity of its facilities within the timelines prescribed for a Preliminary Charter School Apportionment shall be cause for rescission of the Preliminary Charter School Apportionment; and,
- The charter school acknowledges this request may be subject to the material inaccuracy penalty provisions in Section 1859.104.1; and
- All school facilities purchased or newly constructed under the project for use by pupils who are individuals with exceptional needs, as defined in Education Code Section 56026, shall be designed and located on the school site so as to maximum interaction between those individuals with exceptional needs and other pupils as appropriate to the needs of both; and,
- If the Preliminary Charter School Apportionment is requested for the construction of school facilities on leased land, the charter school has or will execute a lease agreement for the leased property that meets the requirements of Section 1859.22; and,
- The charter school understands that when the Preliminary Charter School Apportionment is converted to a Final Charter School Apportionment, the funding available for the Final Charter School Apportionment is subject to the provisions of Section 1859.167; and,
- The statements set forth in this application and supporting documents are true and correct to the best of my knowledge and belief; and,
- This form is an exact duplicate (verbatim) of the form provided by the OPSC. In the event a conflict should exist, then the language in the OPSC form will prevail; and,
- The charter school has or will initiate and enforce a Labor Compliance Program that has been approved by the Department of Industrial Relations, pursuant to Labor Code Section 1771.7, if the project is funded from Propositions 47 or 55 and the Notice to Proceed for the construction phase of the project is issued on or after April 1, 2003; and,
- Beginning with the 2005/2006 fiscal year, the district has complied with Education Code Section 17070.75(e) by establishing a facilities inspection system to ensure that each of its schools is maintained in good repair.

**Part A. Charter School Filing on its Own Behalf**

NAME OF REPRESENTATIVE		TITLE
ADDRESS		
TELEPHONE	FAX NUMBER	E-MAIL
SIGNATURE OF AUTHORIZED CHARTER SCHOOL REPRESENTATIVE		DATE

**Part B. School District Filing on Behalf of Charter School**

SIGNATURE OF AUTHORIZED DISTRICT REPRESENTATIVE	DATE
---	------