

Pre-State Allocation Board Meeting

January 25, 2012

Presented By



Office of
Public School Construction



California Department of Education

DGS
GENERAL SERVICES

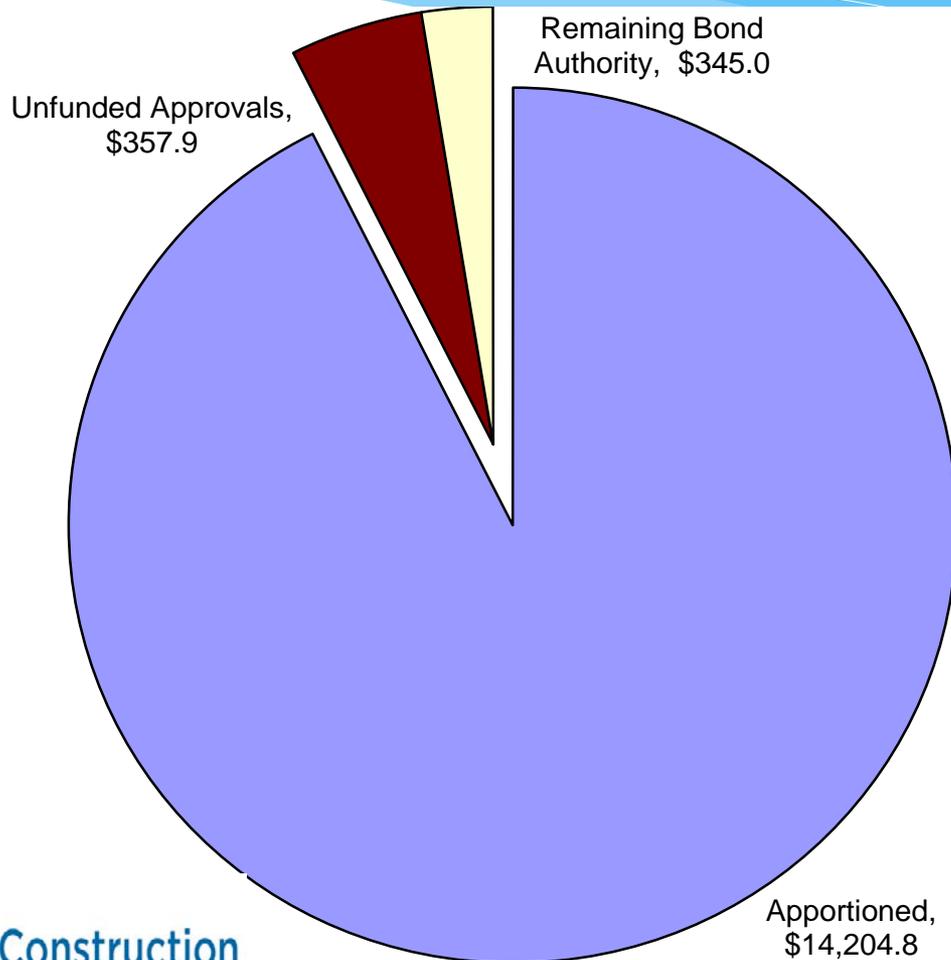
Excellence in the Business of Government

School Facility Program Funds Available

(in millions)	Dec. 2011	Jan. 2012
Oct 2011 Bond Sale	\$963.6	\$933.3
Nov 2010 Bond Sale	34.6	25.0
March 2010 Bond Sale	76.9	75.9
Nov/Dec 2009 Bond Sales	3.0	3.0
Oct/Nov 2009 Bond Sales	41.9	30.9
April 2009 Bond Sale	12.2	9.8
Total Funds Available	\$1,132.2	\$1,077.9

New Construction Bond Authority

Propositions 1D, 55 & 47 New Construction Bond Authority
 \$14.908 billion
 (in millions)



New Construction Totals		
Prop 1D	\$ 1,664.8	
<i>Seismic Repair</i>	\$ 4.7	
Prop 55	\$ 5,579.8	
Prop 47	\$ 6,955.5	
AppORTioned	\$ 14,204.8	95.3%
Prop 1D	\$ 6.3	
<i>Seismic Repair</i>	\$ -	
Prop 55	\$ 313.4	
Prop 47	\$ 38.2	
Unfunded Approvals	\$ 357.9	2.4%
Prop 1D	\$ 29.4	
<i>Seismic Repair</i>	\$ 194.8	
Prop 55**	\$ 96.4	
Prop 47	\$ 24.4	
Remaining Bond Authority	\$ 345.0	2.3%
Grand Total	\$ 14,907.7	100.0%

Agenda Highlights

- SCHOOL FACILITY PROGRAM REGULATORY AMENDMENTS for Special Day Class Pupil Grants
- STATE ALLOCATION BOARD NEW CONSTRUCTION SUB-COMMITTEE UPDATE

To provide the State Allocation Board (SAB) with a status update of the outcomes of the last SAB New Construction Sub-Committee hearings.

Implementation Committee

Meeting on January 13, 2012

- SB 128 (Lowenthal)
 - Additional uses of Modernization Grants
 - For High Performance Schools components
 - The statute addressed OPSC's interpretation of regulations
- SB 128 adds paragraph (b) to Ed Code Section 17074.25

(b) A modernization apportionment may also be used for the cost of designs and materials that promote the efficient use of energy and water, the maximum use of natural lighting and indoor air quality, the use of recycled materials and materials that emit a minimum of toxic substances, the use of acoustics conducive to teaching and learning, and other characteristics of high-performance schools.

Implementation Committee

- SFP Regulation Section 1859.79.2 governs use of Modernization Grants
 - This section already references Ed Code Section 17074.25
 - Therefore, revision of the SFP Regulations is not required for the law to be in effect
- The effective date of the statute is Jan. 1, 2012
- OPSC has notified districts and is accepting applications

Implementation Committee

- SB 128 proposed regulation changes
- Program Reporting Requirements
 - Districts installing new Renewable Energy Systems
 - Using state bond funds (Mod or New Construction)
- Revise *Application for Funding* (Form SAB 50-04)
 - Indicate if District is installing new renewable system
- Revise Project Information Worksheet (PIW)
 - To report on Renewable Energy System installed
 - Size, Cost, Project Savings, and Type of System

Implementation Committee

- SB 128 also specifies that Career Tech Education projects are eligible for HPI Grants
- Significant challenges to implement
 - CTE Grants based on project costs—HPI grant is % of per pupil grant amounts
 - Small project sizes for CTE, hard to access HPI grants
 - CTE grants for equipment probably wouldn't qualify
 - Only applications already received are eligible for funding
 - Regulations would be adopted after OPSC receipt of applications

Implementation Committee

- SB 128 Next steps
 - Finalize changes to PIW
 - Take these regulation changes to SAB in February
 - Begin process of finding appropriate HPI system for CTE
- Next meeting: Friday, February 10, 2012, 9:30am

January
Priority in Funding (PIF)
Certification Period

PIF Certification Reminders

The new certification period started January 11, 2012 and will end on February 9, 2012.

- Update your District Representative on the *Eligibility Determination* (Form SAB 50-03).
- Know your project's construction type for certification requirements or fund release requirements.
- Don't submit copies or PDFs.
- Include all projects in one letter.
- Hand delivery goes to the OPSC Business Services office.
- Bring a copy as proof of submittal.

Certification Letter Requirements

REQUIRED

- District Letterhead
- Name of School
- OPSC Project Number
- Original Signature

OPTIONAL

- Include District Representative's phone number with extension.
- Alternate District Representative and phone number with extension.
- Consultant's Name with a phone number.

Certification Requirements

- The District understands that the Time Limit on Fund Release shall be no more than 90 days from the date of Apportionment.
- The District acknowledges that failure to submit a completed *Fund Release Authorization* (Form SAB 50-05) within the 90-day period will result in the project being rescinded without further Board action. A rescinded application will revert back to an unfunded approval at the bottom of the unfunded list and can not be guaranteed bonding authority.

Certification Requirements

- The application will receive a new unfunded approval date equivalent to the due date of the Form SAB 50-05. In the case that multiple rescissions are made by the Board, each separate application will be placed at the bottom of the unfunded approvals list in the order of the original unfunded approval date. The District will not be required to re-submit the application and no further application review will be required.
- The District acknowledges that by participating in the priority funding round, the District is waiving its right to a standard 18-month timeline for fund release submittal.

Common Issues With Form SAB 50-05s

- Incorrect project number on 50-05
- Required boxes are not checked
- No signature page of construction contract
- No Notice to Proceed
- No LCP contract
- No DIR approval letters

Questions and Answers

New Prevailing Wage Monitoring
Requirements
for Projects with
Construction Contracts Awarded
After January 1, 2012

Department of Industrial Relations
Division of Labor Standards Enforcement

Public Works Compliance Monitoring



John Cumming

Counsel

Department of Industrial Relations

History Behind the CMU

- * Background of Prevailing Wage Laws and Enforcement
- * Creation of Labor Compliance Programs (“LCPs”)
- * Mandatory LCPs under AB 1506 and other statutes
- * In 2007, Legislative Analyst’s Office report on LCPs
- * SBX2-9 and AB 436

CMU Applicability

AB 436 and the new CMU regulations went live on 1/1/2012.

- * Public Works Contracts Awarded on or after 1/1/2012 are subject to CMU requirements
- * Contracts awarded *prior* to 1/1/2012 are subject to the old rules for the life of the project.
- * CMU requirements apply to –
 - * Projects funded by **any** state bond with the *exception of* Proposition 84
 - * Projects under 14 other statutes will require CMU
 - * Projects undertaken by an awarding body that chooses to use the CMU on all of its projects



Exceptions

- * Use of previously approved in house LCP
- * Projects covered by qualified project labor agreement
- * Proposition 84-funded projects: LCP required (no alternatives or exceptions)

Awarding Body Requirements

- * Bid and Contract Language
- * Notice to the Department of Industrial Relations (PWC 100 form)
- * Job Site Postings
- * Fees to the Department
- * Vigilance and Cooperation; Comply with withholding orders



PWC 100 – Required Notification

- * Required Awarding Body Notice to DIR
- * On-line capability
- * The PWC 100 fulfills the requirement of notification from:
 - * DAS – has all the information from the DAS 13
 - * CMU – new notification requirements from recent regulations
- * On-line Electronic Mail Correspondence from DIR
 - * Project was successfully submitted to DIR
 - * Reminder, that the project may be subject to CMU
 - * DLSE staff will contact the Awarding Body within 10 business days



Welcome to the PWC 100 form online application page. The PWC 100 form should be completed by the awarding body. The completion and submission of to both the Division of Apprenticeship Standards [Labor Code sec. 1773.3 (replacing former DAS-13 notification)] **and** the Division of Labor Standards Enforcement sec. 16451(a)].

An awarding body or body awarding the contract means department, board, authority, officer or agent awarding a contract for public work. In most cases the awarding body is a city, county, school district, water district, special district, or a state agency. However, in some cases the body awarding the contract may be a private entity.

Please note: This system was recently launched and some aspects are still in development. If you encounter any errors please email pwc100@dir.ca.gov for assistance with the submission of your PWC 100.

Please keep your login and password since you may only register once.

Username:

Password:

[Register for an Account](#)

Login

Job site Posting

Public Works Compliance Monitoring
Division of Labor Standards Enforcement

WORKSITE POSTING

Compliance Monitoring Unit (CMU)

Mandatory State Regulations for Public Works Projects



CMU

This public works project is subject to monitoring and investigative activities by the Compliance Monitoring Unit (CMU) of the Division of Labor Standards Enforcement, Department of Industrial Relations, State of California. This Notice is intended to provide information to all workers employed in the execution of the contract for public work and to all contractors and other persons having access to the job site to enable the CMU to ensure compliance with and enforcement of prevailing wage laws on public works projects.

PREVAILING WAGE

The prevailing wage laws require that all workers be paid at least the minimum hourly wage as determined by the Director of Industrial Relations for the specific classification (or type of work) performed by workers on the project. These rates are listed on a separate job site posting of minimum prevailing rates required to be maintained by the public entity which awarded the public works contract. Complaints concerning nonpayment of the required minimum wage rates to workers on this project may be filed with the CMU at any office of the Division of Labor Standards Enforcement (DLSE).

COMPLAINTS

Complaints should be filed in writing immediately upon discovery of any violations of the prevailing wage laws due to the short period of time following the completion of the project that the CMU may take legal action against those responsible. Complaints should contain details about the violations alleged (for example, wrong rate paid, not all hours paid, overtime rate not paid for hours worked in excess of 8 per day or 40 per week, etc.) as well as the name of the employer, the public entity which awarded the public works contract, and the location and name of the project.

Local Office Telephone Number:

Division of Labor Standards Enforcement

For general information concerning the prevailing wage laws and how to file a complaint concerning any violation of these prevailing wage laws, you may contact any DLSE office. Complaint forms are also available at the Department of Industrial Relations website found at www.dir.ca.gov/dlse/dlsePublicWorks.html.

Department of Industrial Relations 1515 Clay Street Oakland CA 94612 www.dir.ca.gov

DLSE 01/11

Public Works Compliance Monitoring
Division of Labor Standards Enforcement

WORKSITE POSTING

Documento de la Unidad de Control de Cumplimiento

Unidad de control de cumplimiento



CMU

Este proyecto de obras públicas está sujeto a las actividades de vigilancia e investigación de la Unidad de control de cumplimiento (CMU, por sus siglas en inglés), de la División de Aplicación de las Normas Laborales, del Departamento de Relaciones Industriales del Estado de California. Este AVISO tiene el propósito de proveer información a todos los trabajadores que están empleados en la ejecución de un contrato de obras públicas y a todos los contratistas y otras personas que tienen acceso al sitio de trabajo, para permitir que la CMU garantice el cumplimiento y la aplicación de las leyes establecidas para salarios en los proyectos de obras públicas.

SALARIO VIGENTE

Las leyes establecidas para salarios exigen que a todos los trabajadores se les pague por lo menos un salario mínimo por horas como lo ha determinado el Director de Relaciones Industriales, de acuerdo a la clasificación específica (o tipo de trabajo) que desempeñen los trabajadores en el proyecto. Estas tarifas son publicadas en el sitio de trabajo en un lugar único para las tarifas mínimas establecidas; estas deben ser las tarifas exigidas por la entidad pública que adjudicó el contrato de obras públicas. Los reclamos relacionados con el no pago de las tarifas exigidas de salario mínimo a los trabajadores de este proyecto, pueden presentarse ante la CMU en cualquier oficina de la División de Aplicación de las Normas Laborales (DLSE).

QUEJAS

Los reclamos deben presentarse por escrito, inmediatamente después del descubrimiento de alguna violación a las leyes establecidas para salarios, debido al corto periodo de tiempo que hay después de la terminación del proyecto para que la CMU pueda ejercer acciones legales contra los responsables. Los reclamos deben incluir detalles acerca de las presuntas violaciones (por ejemplo, los pagos con tarifas incorrectas, las horas no pagadas, el no pago de la tarifa de horas extra por las horas trabajadas después de 8 horas diarias o de 40 por semana, etc.), así como el nombre del empleador, la entidad pública que adjudicó el contrato de obras públicas, la ubicación y el nombre del proyecto.

Número telefónico de la oficina local:

Division of Labor Standards Enforcement

Para obtener información general relacionada con las leyes establecidas para salarios y cómo presentar un reclamo por cualquier violación de tales leyes establecidas para salarios, usted puede ponerse en contacto con cualquier oficina de la DLSE. Los formularios de reclamo también están disponibles en el sitio Web del Departamento de Relaciones Industriales en: www.dir.ca.gov/dlse/dlsePublicWorks.html.

Department of Industrial Relations 1515 Clay Street Oakland CA 94612 www.dir.ca.gov

DLSE 01/11

Summary- CMU Responsibilities

- ❖ DLSE will review electronic Certified Payroll Records (eCPR) within 30 days of receipt
- ❖ Confirm accuracy of payroll reports randomly
- ❖ Conduct on-site visits



Summary- CMU Responsibilities

- ❖ May verify compliance with other laws enforced by the DLSE
- ❖ May prepare an Audit to reflect prevailing wage deficiencies for each underpaid worker and penalties
- ❖ May issue civil assessments, withhold payments, debar contractors from public works and initiate criminal investigations.

CMU website: www.dir.ca.gov/cmucmu

Division of Labor Standards Enforcement - COMPLIANCE MONITORING UNIT (CMU) - Windows Internet Explorer

DIR <http://www.dir.ca.gov/dlse/cmucmu.html>

File Edit View Favorites Tools Help

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Compliance Monitoring Unit (CMU)

The Compliance Monitoring Unit or "CMU" is a new unit within the DLSE that was created to monitor and enforce prevailing wage requirements on public works projects that receive state bond funding and on other projects that are legally required to use the CMU. The CMU is scheduled to begin operations on January 1, 2012, following the recent adoption of AB 436 and approval of revisions to program regulations. By actively monitoring compliance on an ongoing basis while work is being performed, the CMU will play a special role in ensuring that public works construction workers are promptly paid the proper prevailing wage rates and in helping maintain a level playing field for contractors who comply with the law.

Effective Date and Applicability: The laws and regulations that govern the new program are effective January 1, 2012. Only projects for which the public works contract is awarded on or after January 1, 2012 are subject to the CMU requirements. Contracts awarded *prior* to January 1, 2012 will remain subject to the prior monitoring and enforcement rules (labor compliance programs for some bond-funded or design-build projects or no specific monitoring requirement) for the life of those projects.

PWC 100 – Awarding Bodies - this puts you in compliance with the requirement to notify both the Division of Apprenticeship Standards and the Division of Labor Standards Enforcement, Compliance Monitoring Unit of a public works awarded contract. Please fill out [the electronic PWC 100 form](#) and email to pwc100@dir.ca.gov.

Definition of Awarding Body:

An awarding body or body awarding the contract means department, board, authority, officer or agent awarding a contract for public work. In most cases the awarding body is a unit of state or local government, such as a city, county, school district, water district, special district, or a state agency. However, in some cases the body awarding the contract may be a private entity that uses public funds for a public works construction project.

CMU requirements apply to:

- Any public works project paid for in whole or part out of public funds that are derived from bonds issued by the state, **except** Proposition 84 (2006 Water project bond initiative)
- Public entities that utilize design – build contracts as a project delivery method that have a CMU requirement within the authorizing statute
- Projects undertaken by an awarding body that elects to use the CMU on all of its projects.

Exceptions (i.e., projects not covered by CMU):

- Construction projects under the control of an awarding body that has been previously approved by the Department of Industrial Relations to operate its own in-house labor compliance program (LCP) for all projects. A list of approved in-house LCP programs is listed at www.dir.ca.gov/lcp.asp.
- Neither CMU or LCP are required on projects covered by qualified project labor agreements (i.e. collective bargaining agreements that bind all contractors on the project and contain mechanisms for resolving wage disputes).
- Proposition 84-funded projects require LCP – no alternatives or exceptions.
- Any project that does not fall within the CMU requirements or one of the three exception categories listed above are not covered by CMU requirements. Such a project may include:
 - A locally or federally funded project that does not receive any state bond funding or
 - Design-build projects that do not have a CMU requirement within the authorizing statute (including CSU design-build projects).

Awarding Bodies

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Awarding Body Requirements

Division of Labor Standards Enforcement - COMPLIANCE MONITORING UNIT (CMU) - Windows Internet Explorer

http://www.dir.ca.gov/dlse/cmu/CMU_AwardingBodies.html

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Compliance Monitoring Unit (CMU)

What awarding bodies must do

[FAQs for awarding bodies](#)

An awarding body or body awarding the contract means department, board, authority, officer or agent awarding a contract for public work. In most cases the awarding body is a unit of state or local government, such as a city, county, school district, water district, special district, or a state agency. However, in some cases the body awarding the contract may be a private entity that uses public funds for a public works construction project.

Every Public Works Project:

- Provide notice of the state's prevailing wage requirements in every bid document and public works contract.
- Provide for applicable prevailing wage determinations to be posted at each job site.
- Require all contractors and subcontractors working on the project to keep certified payroll records in accordance with Labor Code section 1776 and to provide those records on request.
- Upon awarding the public works contract, provide notice of the project to DIR using the [PWC-100 form](#). (By law, this notice is required only for projects of \$30,000 or more that are subject to apprenticeship requirements or for projects that are subject to CMU requirements. However, awarding bodies are encouraged to send these notices for all projects.)
- Take cognizance of and report any suspected violations of prevailing wage requirements to the Labor Commissioner.
- Cooperate with the Labor Commissioner/Division of Labor Standards Enforcement (DLSE) in any investigation of suspected violations, and withhold contract payments in accordance with any lawful order by DLSE.

Project Subject to DIR Monitoring and Enforcement:

- Include language in bid invitation and public works contract that project will be subject to monitoring and enforcement by DIR, including the obligation to submit certified payroll records directly to the CMU.
- Upon receipt of e-mail notification from DLSE that project is subject to CMU requirements (normally within 10 days after submission of PWC-100 form), follow instructions provided in that notice to confirm registration of project in the CMU's electronic certified payroll reporting (eCPR) system.
- Require contractors and subcontractors on project to submit certified payroll reports to the CMU *at least monthly* using the CMU's eCPR system. Contractors and subcontractors should be directed to go to <https://app.mylcm.com> and follow the instructions to enroll in this system. *Note:* the awarding body will have direct and immediate access to the CPRs for their projects that are submitted through the eCPR system. Awarding bodies can use this information for any appropriate purpose, including monitoring compliance, identifying suspected violations, and responding to Public Records Act requests.
- At each job site post (or require the contractor to post) the notice required by 8 Cal. Code Reg. section 16451(d). The CMU provides the required posters to awarding bodies. [Posters](#) are also available on the CMU website, at the [Division of Labor Standards Enforcement District Offices](#) or by emailing a request to CMU@dir.ca.gov.

LINKS

- [Public Works](#)
- [Division of Labor Standards Enforcement](#)
- [Division of Apprenticeship Standards](#)
- [Division of Labor Statistics Research](#)
- [National Labor Relations Board](#)
- [Contractors State License Board](#)
- [U.S. Dept. of Labor](#)

Done

start | Inbox - Micr... | 50 Reminders | LETF Execu... | Division of L... | DAS - Buildi... | 1771.5(f) A... | CASH Work... | CMU for CASH | CMU Januar... | 1:58 PM

Contractor requirements

The screenshot shows a web browser window displaying the California Department of Industrial Relations website. The page title is "Division of Labor Standards Enforcement - COMPLIANCE MONITORING UNIT (CMU) - Windows Internet Explorer". The URL is "http://www.dir.ca.gov/dlse/cmu/CMU_Contractors.html".

The website header includes the California State logo and the text "Welcome to the California DEPARTMENT OF INDUSTRIAL RELATIONS". A navigation menu lists various topics: DIR, Labor Law, Cal/OSHA, Workers' Comp, Apprenticeship, Statistics & Research, Mediation, Boards, and Media. Below this, a secondary menu lists: Wages, Offices, BOFE, Minors, Policy, Databases, Opinions, Public works, Retaliation, Training, Postings, and Permits.

The main content area is titled "Division of Labor Standards Enforcement" and "Compliance Monitoring Unit (CMU)". A sub-section is titled "What contractors must do" with a link to "FAQs for contractors".

Under "Every Public Works Project:", there is a bullet point: "Comply will all prevailing wage and other public works requirements, including but not limited to all relevant notice and posting requirements, keeping certified payroll records in accordance with Labor Code section 1776, and ensuring that subcontractors working under you comply with these requirements."

Under "Project Subject to DIR Monitoring and Enforcement:", there are two bullet points: "Submit certified payroll records (CPRs) to the CMU and awarding body using the CMU's eCPR system – My LCM. CPRs must be submitted at least monthly, or more frequently if required by the public works contract. To enroll in My LCM, obtain additional information and assistance, go to the third party non-government website at <https://app.mylicm.com>." and "Require subcontractors working under you to submit certified payroll records (CPRs) to the CMU, the awarding body, and you using the CMU's eCPR system – My LCM. Subcontractors may also enroll in My LCM, obtain additional information and assistance, by going to the third party non-government website at <https://app.mylicm.com>."

The date "January 2012" is displayed at the bottom of the main content area.

The left sidebar contains a "LINKS" section with the following items: Public Works, Division of Labor Standards Enforcement, Division of Apprenticeship Standards, Division of Labor Statistics Research, National Labor Relations Board, Contractors State License Board, and U.S. Dept. of Labor.

The bottom of the screenshot shows the Windows taskbar with the Start button and several open applications, including "Inbox - Micros...", "50 Reminders", "LETF Executiv...", "Division of Lab...", "1771.5(f) Agre...", "CASH Worksho...", "CMU for CASH", and "CMU January4...". The system clock shows "2:01 PM".

Contact us

- * Web: www.dir.ca.gov/dlse/cmu
- * Email: cmu@dir.ca.gov
- * Posters available
- * Local offices

Prevailing Wage Monitoring Requirements

The new requirements apply to public works projects that:

- Are funded from state bonds (School Facility Program)
- Have an initial contract award date after January 1, 2012.

SAB Additional Grant

The SAB additional grant for Prevailing Wage Monitoring is:

- Only effective after it receives approval from the Office of Administrative Law
- Equal to the State share of one-fourth of one percent of the “Total Projected Bond Apportionment”

State share is 50% for New Construction projects and 60% for Modernization projects.

SAB Additional Grant

Continued

The “Total Projected Bond Apportionment” is the total state share plus any of the following:

- Financial Hardship grant
- Career Technical Education loan amount
- Charter School Facility loan amount

SAB Additional Grant

Continued

SAB grant will be provided for projects that meet the new requirements by any of the following:

- DIR Compliance Monitoring Unit
 - DIR approved internal LCP
 - A qualifying Collective Bargaining Agreement (CBA) or “PLA”
-
- If new Prevailing Wage Monitoring requirements are not met, the entire State apportionment, with interest, must be returned to the State.

Fund Release Process

- Districts are required to submit the DIR form PWC 100 to the DIR when they award a contract after January 1, 2012 that will be State bond funded.
- Districts must submit the notification that the PWC 100 was received by the DIR

Through July 1, 2012, the district may submit a copy of its PWC 100 in lieu of the DIR notification.

Transition to New Regulations

Projects approved or apportioned before the new regulations become effective and with initial contract award dates after January 1, 2012 will be processed as follows:

- Projects SAB approved for Proposition 47 or 55 funding will keep the original LCP grant.
- The new grant will be provided to already approved Proposition 1D projects once the new regulations are in effect.

Project Scenarios

Scenario	Requirements	SAB Additional Grant	Documentation Required
<p><i>Scenario 1:</i></p> <p>SAB Apportionment December 2011</p> <p>Initial contract awarded January 2012</p>	<p><u>Regardless of SFP bond source</u>, subject to the new prevailing wage monitoring requirements.</p>	<p><u>Propositions 47 or 55:</u> Apportionment already includes the additional grant for LCP. No adjustment is needed.</p> <p><u>Proposition 1 D:</u> Eligible to receive the additional grant for new prevailing wage monitoring requirements. The additional grant will be made once the new SFP regulations are approved.</p>	<p>A copy of the DIR acknowledgement of receipt of District notice will be required with the <i>Fund Release Authorization</i>, SAB Form 50-05.</p>
<p><i>Scenario 2:</i></p> <p>Initial contract awarded November 2011</p> <p>SAB Apportionment February 2012</p>	<p>Not subject to the new prevailing wage monitoring requirements.</p> <p>If the funding is from Propositions 47 or 55, subject to the previous LCP requirements.</p>	<p>If the funding is from Propositions 47 or 55, the project will receive the previous LCP grant.</p>	<p>If the funding is from Propositions 47 or 55, a copy of the DIR LCP approval letters and if applicable the 3rd party LCP contract will be required with the <i>Fund Release Authorization</i>, SAB Form 50-05.</p>

Project Scenarios continued

Scenario	Requirements	SAB Additional Grant	Documentation Required
<p><i>Scenario 3:</i></p> <p>Initial contract awarded February 2012</p> <p>Actual apportionment March 2012</p>	<p>Regardless of SFP bond source, subject to the new prevailing wage monitoring requirements.</p> <p>District must notify DIR when contract is awarded.</p>	<p>Eligible to receive the additional grant for new prevailing wage monitoring requirements.</p>	<p>A copy of the DIR acknowledgement of receipt of District notice will be required with the Fund Release Authorization, SAB Form 50-05.</p>
<p><i>Scenario 4:</i></p> <p>Several contract award dates for one project spread out over time (all work is on the same DSA approved plans).</p> <p>Initial contract awarded May 2011</p> <p>Further contracts awarded January and February 2012</p> <p>Actual apportionment March 2012</p>	<p><i>DIR considers this one project, and the rules for the initial contract award date apply for all subsequent contracts.</i></p> <p>None of the contracts awarded for this project are subject to the new prevailing wage monitoring requirements.</p> <p>If the funding is from Propositions 47 or 55, the entire project is subject to the previous LCP requirements.</p>	<p>If the funding is from Propositions 47 or 55, the project will receive the previous LCP grant.</p>	<p>If the funding is from Propositions 47 or 55, a copy of the DIR LCP approval letters and, if applicable, the 3rd party LCP contract will be required with the Fund Release Authorization, SAB Form 50-05.</p>

Project Scenarios continued

Scenario	Requirements	SAB Additional Grant	Documentation Required
<p>Scenario 5: <i>Bundled Application— Three small projects awarded over several years</i></p> <p>Initial Roofing contract awarded May 2007</p> <p>Initial HVAC contract awarded February 2008</p> <p>Initial Glazing contract awarded February, 2012</p> <p>Actual apportionment December 2012</p>	<p><i>DIR considers this multiple projects with separate contract award dates.</i></p> <p>For final contract only, regardless of SFP bond source, subject to the new prevailing wage monitoring requirements.</p> <p>District must notify DIR when contract is awarded.</p> <p>If the funding is from Propositions 47 or 55, the first two contracts are subject to the previous LCP requirements.</p>	<p>Eligible to receive the additional grant for new prevailing wage monitoring requirements. (Grant will <u>not</u> be prorated.)</p> <p>If the funding is from Propositions 47 or 55, the project will receive the previous LCP grant instead of the new prevailing wage monitoring grant.</p>	<p>A copy of the DIR acknowledgement of receipt of District notice for the final contract will be required with the Fund Release Authorization, SAB Form 50- 05.</p> <p>If the funding is from Propositions 47 or 55, a copy of the DIR LCP approval letters and if applicable the 3rd party LCP contract will be required for the earlier contracts with the Fund Release Authorization, SAB Form 50-05</p>

Questions and Answers



California Department of Education Update

School Facilities and Transportation Services Division

January 25, 2012



TOM TORLAKSON
State Superintendent
of Public Instruction

California Department of Education Mission

California will provide a world-class education for all students, from early childhood to adulthood. The Department of Education serves our state by innovating and collaborating with educators, schools, parents, and community partners. Together, as a team, we prepare students to live, work, and thrive in a highly connected world.

Innovate

Collaborate

Serve

Learn



TOM TORLAKSON
State Superintendent
of Public Instruction

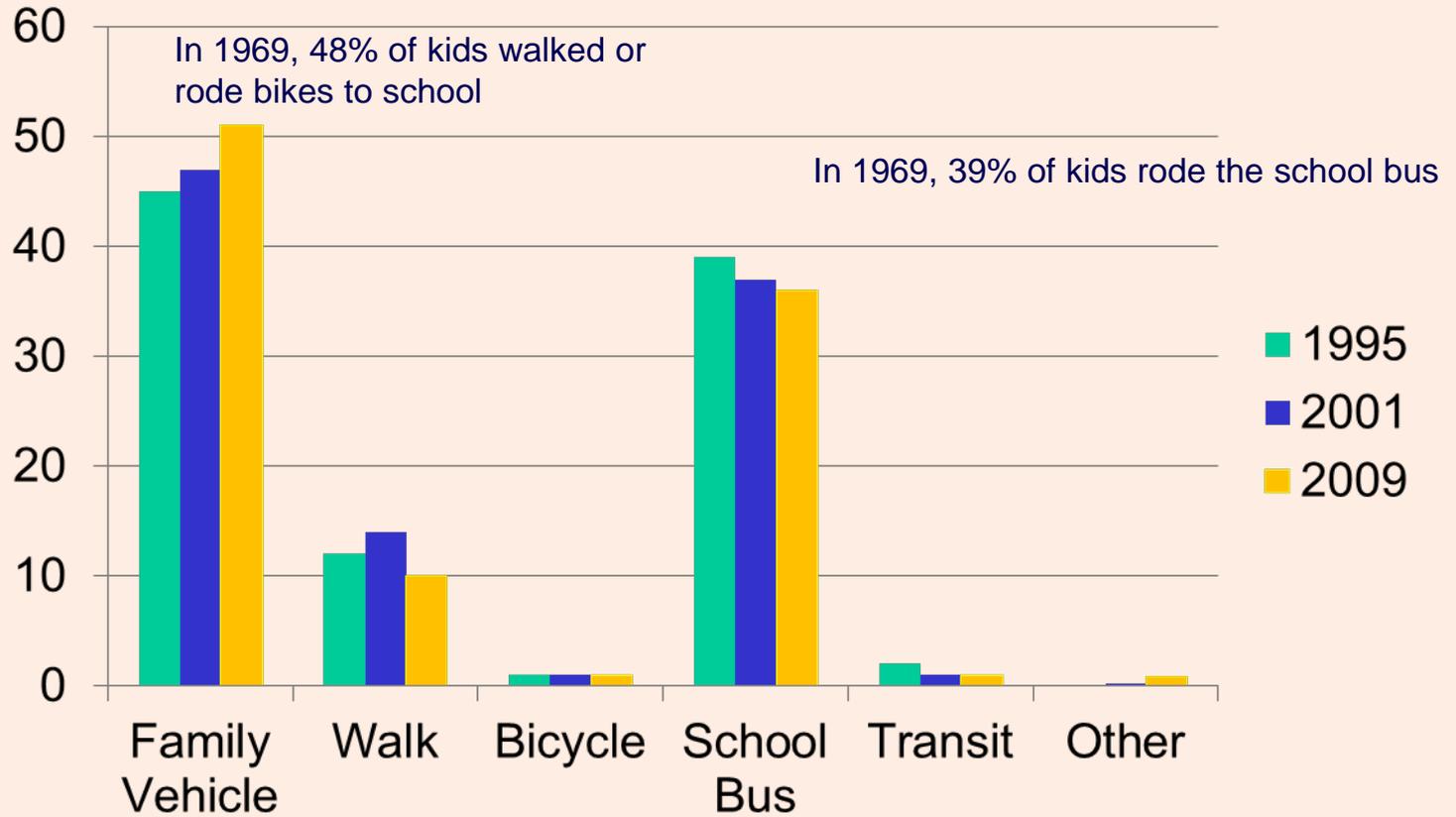
Upcoming Events

- The National Center for Safe Routes to School announced established the first-ever National Bike to School Day on Wednesday, May 9, 2012.
 - See: <http://www.walktoschool.org/>



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How do K-8 Kids Get to School?

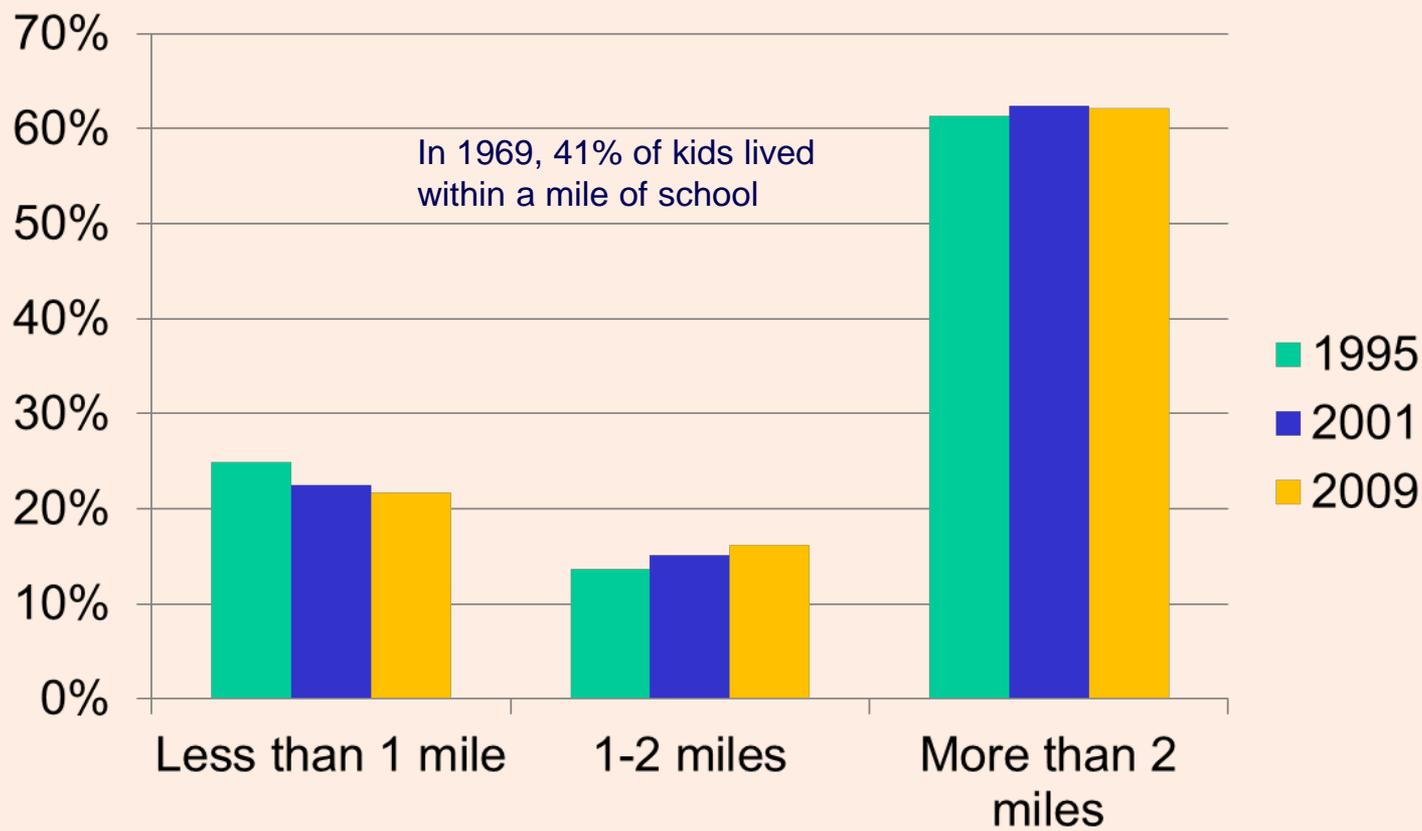


Source: National Center for Safe Routes to School, 2012
and US Centers for Disease Control and Prevention, 2004



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How far is school (K-8) from home?



Source: National Center for Safe Routes to School, 2012
and US Centers for Disease Control and Prevention, 2004



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What are barriers to walking?

- 2004 Parent Survey by US Centers for Disease Control and Prevention:

– Distance	61.5%
– Traffic Hazards	30.4%
– Weather	18.6%
– Crime	11.7%
– School Policy	6.0%
– Other	15.0%

Some respondents had multiple responses



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Title 5 Implications Include.

1. Location of schools near students (Title 5, 14010(n))
2. Size of site to accommodate drop-offs (Title 5, 14010(a))
3. Number and location of drop-off areas (Title 5, 14030(b))
4. Pedestrian Safety (Title 5, 14010(l))



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Green Ribbon Schools Award Program

January 2012

**School Facilities and
Transportation Services Division**



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Green Ribbon Schools Award Pilot Year Overview

- The U.S. Department of Education's Green Ribbon Schools Award is intended to recognize those schools taking a comprehensive approach to greening their school.
- A comprehensive approach incorporates and integrates environmental learning with maximizing positive environmental and health impacts.
- The award criteria are intended to focus on measurable outcomes wherever possible.



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Green Ribbon Schools Award Pilot Year Overview

Two-step process:

- The first step is to complete and submit the application to be selected as a state nominee.
- If the school is subsequently selected, the second step of the process is to provide additional information for the nominee package that will be forwarded to the U.S Department of Education (US ED).



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Green Ribbon Schools Award Pilot Year Overview

- Each state may submit up to **four** nominees to the US ED.
- If submitting more than one public school, one must be a school with at least 40 percent of their students from disadvantaged backgrounds.
- If submitting four nominees, one must be a private school.
- The US ED may award up to 50 schools nationwide in the pilot year.



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Green Ribbon Schools Award Timeline

- September 29, 2011 US ED Announces Program; SPI Torlakson Indicates CA to Participate
- October 2011 CDE Interdepartmental Team Established, Draft Application and Scoring Rubric to meet Federal Framework
- November 2011 CA Agencies Meeting
CAPSO Meeting



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Green Ribbon Schools Award Timeline

- December 2011 CA Stakeholder Meeting
Application Posted
- February 17, 2012 Application due to CDE
- March 22, 2012 Nominations due to US ED
- April 2012 Earth Day Week – US ED
Announces Winners
- May 2012 US ED Hosts National Recognition
Award Ceremony



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Green Ribbon Schools Award Program

Website Address:

<http://www.cde.ca.gov/ls/fa/sf/greenribbonprog.asp>



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Green Ribbon Schools Award Program Website



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Green Ribbon Schools Program

The U.S. Department of Education's Green Ribbon Schools (ED-GRS) award is intended to recognize those schools taking a comprehensive approach to greening their school. A comprehensive approach incorporates and integrates environmental learning with maximizing positive environmental and health impacts. The award criteria are intended to focus on measurable outcomes wherever possible.

This is a two-step process. The first step is to complete and submit the online application in order to be selected as a state nominee. If your school is selected, you will be asked to complete the second step of the process by providing additional information for the nominee package that will be forwarded to the U.S. Department of Education.

Application reviews will be based on the applicant's demonstrated progress towards reaching the goals of each of the three ED-GRS Pillars, which are:

- Pillar I: Environmental Impact and Energy Efficiency
- Pillar II: Healthy School Environments
- Pillar III: Environmental and Sustainability Education



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Green Ribbon Schools Award Program Website

[Guide to Completing the California State Green Ribbon School Application](#) (DOC; 143KB; 23pp.)

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[Online Application](#) (Outside Source)

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Framework

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GreenRibbonSchools



Framework for Evaluation of Schools by Authorities Making Nominations to the U.S. Department of Education Green Ribbon Schools					
These Green Ribbon Pillars	Pillar Element	Category	Assess School Objectives	Assessors	
I. Environmental Impact and Energy Efficiency - Buildings, grounds and operations: The school has significant progress toward net zero environmental impact (zero carbon, solid waste, and hazardous waste footprints)	* Reduced greenhouse gas emissions, using an energy audit or emissions inventory and reduction plan, cost-effective energy efficiency improvements and on-site renewable energy and/or purchase of green power	Energy and Greenhouse Gases	Earned EPA's ENERGY STAR certification	Received certification: Yes/No	EPA and EPA ENERGY STAR for K-12 School Districts EPA Purchasing, See Evaluation for Energy Efficient Products
			Reduction of total energy use intensity from an initial baseline measured in kWh/sqft per foot/year	Percent reduction from initial baseline tracked in ENERGY STAR Portfolio Manager	EPA Portfolio Manager
			All energy is derived from renewable sources	Percentage of energy consumption derived from on-site renewable energy generation: _____ % Percentage from purchased renewable energy: _____ %	EPA Portfolio Manager
			All building area that has been constructed or undergone major renovations in the past three years meet Leadership in Energy and Environmental Design (LEED), Collaborative for High-Performing Schools (CHPS), Green Globes or comparable standards	Percentage of all applicable building area meeting this goal	EPA Portfolio Manager
			Building achieves LEED Existing Buildings: Operation & Maintenance, CHPS Operations, Green Globes or comparable standards	Applied for and received certification	ENERGY STAR for Federal Agencies
			School has fully implemented the Facility Energy Assessment Matrix within EPA's Guidelines for Energy Management	School building has been assessed with Federal Guiding Principles Checklist in Portfolio Manager	EPA's Guidelines for Energy Management Checklist
			GHG emissions from building energy use have been reduced or offset	Current Total GHG Emissions (MTCO2e) Baseline Total GHG Emissions (MTCO2e)	EPA Portfolio Manager EPA State Energy Program EPA's Lead Strategy
			All furniture purchases are "low" certified by the business and institutional Furniture Manufacturers Association (BIFMA)	Percentage of total by cost	EPA Portfolio Manager
			Energy and water efficient product purchasing and procurement policy is in place	Yes/No	EPA Portfolio Manager
			* Improved water quality, efficiency, and conservation	Water	Reduction of total water use intensity from an initial baseline measured in gal/cyber foot/year
	School carries out regular audits of facilities and irrigation systems are conducted to ensure they are free of significant water leaks and to identify opportunities for savings	Yes/No			EPA WaterSense, Outdoor Water Use
	Irrigation system and schedule are appropriate for climate, soil conditions, plant materials, grading and season	Yes/No			EPA Irrigation Water in Schools & Childcare Facilities
	All outdoor landscapes consist of water-efficient or regionally appropriate plant choices	Yes/No			EPA
	Alternative water sources are used before potable water for irrigation whenever possible	Yes/No			EPA
	* Reduced solid waste production, through increased recycling, reduced consumption, and improved management, reduction, or minimization of hazardous waste streams	Recycle	All potable water meets federal, state and local water quality standards, and drinking water sources are protected if drinking water is acquired from schools.com web	Yes/No	EPA
School has a program to control lead in drinking water including voluntary testing and implementation of measures to reduce lead exposure in drinking water is in place			Yes/No	EPA	
All cups, flasks and fountains used for drinking and cooking are cleaned on a regular basis to reduce possible bacterial contamination; regularly clean faucet screens and aerators to remove particulate lead deposits			Yes/No AND specify how often cleaning is conducted	EPA	
Waste		School grounds devoted to ecologically or socially beneficial uses, including those that give consideration to water wildlife	Nature of project and scope of impact.	EPA and Wildlife Service, Schoolyard Habitats	
		All solid waste has been eliminated (donate, recycle, & reuse policy/practices)	Percentage of waste that is diverted from the landfill or incinerator by recycling or composting as well as waste reduced and reused	EPA WasteWise	
Hazardous waste	All office paper purchased over the past year is post-consumer material, tree-free fiber or fiber from forests certified as responsibly managed by the Forest Stewardship Council, Sustainable Forestry Initiative, American Tree Farm System or comparable certification standard	Percentage of total content by cost	EPA		
	All office paper content is "totally chlorine-free" (TCF) or "process-chlorine-free" (PCF)	Percentage of total content	EPA		

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Green Ribbon Schools Award Pillar I

Environmental Impact and Energy Efficiency

Elements:

- A. Reduce greenhouse gas emissions, using an energy audit or emissions inventory and reduction plan, cost effective energy efficiency improvements and on-site renewable energy and/or purchase of green power

- B. Improved water quality, efficiency, and conservation



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Green Ribbon Schools Award Pillar I

Environmental Impact and Energy Efficiency

Elements:

- C. Reduction of solid waste production, through increased recycling, reduced consumption, and improved management, reduction, or elimination of hazardous waste systems

- D. Expanded use of alternative transportation to, during, and from school, through active promotion of locally available options and implementation of enabling projects and policies



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Green Ribbon Schools Award Pillar II

Healthy School Environments

Elements:

- A. An integrated school environmental health program based on an operations and facility-wide environmental management system that considers student and staff health and safety in all practices related to design, construction, renovation, operations, and maintenance of school grounds

- B. High standards of nutrition, fitness, and quantity of quality outdoor time for both students and staff



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Green Ribbon Schools Award Pillar III

Environmental and Sustainable Education

Elements:

- A. Interdisciplinary learning about the key relationships between dynamic environmental, energy, and human systems
- B. Use of the environment and sustainability to develop STEM content knowledge and thinking skills to prepare graduates for the 21st century technology-driven economy
- C. Development of civic engagement knowledge and skills, and students' application of these to address sustainability and environmental issues in their community



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Framework

U.S. DEPARTMENT OF EDUCATION
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Framework for Evaluation of Schools by Authorities Making Notifications to the U.S. Department of Education Green Ribbon Schools					
These Green Ribbon Pillars	Pillar Element	Category	Assess School Objectives	Assess	
I. Environmental Impact and Energy Efficiency - Buildings, grounds and operations: The school has significant progress toward net zero environmental impact (zero carbon, solid waste, and hazardous waste footprints)	* Reduced greenhouse gas emissions, using an energy audit or emissions inventory and reduction plan, cost effective energy efficiency improvements and on-site renewable energy and/or purchase of green power	Energy and Greenhouse Gases	Earned EPA's ENERGY STAR certification	Received certification: Yes/No	EPA and EPA ENERGY STAR for K-12 School Buildings EPA Purchasing Line Evaluation for Energy Efficient Products
			Reduction of total energy use intensity from an initial baseline measured in kWh/sqft per foot/year	Percent reduction from initial baseline tracked in ENERGY STAR Portfolio Manager	EPA Portfolio Manager
			All energy is derived from renewable sources	Percentage of energy consumption derived from on-site renewable energy generation: _____ % Percentage from purchased renewable energy: _____ %	EPA Portfolio Manager
			All building area that has been constructed or undergone major renovations in the past three years meet Leadership in Energy and Environmental Design (LEED), Collaborative for High-Performing Schools (CHPS), Green Globes or comparable standards	Percentage of all applicable building area meeting this goal	EPA Portfolio Manager
			Building achieves LEED Existing Buildings: Operation & Maintenance, CHPS Operations, Green Globes or comparable standards	Applied for and received certification	ENERGY STAR for Federal Agencies
			School has fully implemented the Facility Energy Assessment Matrix within EPA's Guidelines for Energy Management	School building has been assessed with Federal Guiding Principles Checklist in Portfolio Manager	EPA's Guidelines for Energy Management Checklist
			GHG emissions from building energy use have been reduced or offset	Current Total GHG Emissions (MTCO2e) Baseline Total GHG Emissions (MTCO2e)	EPA's Guidelines for Energy Management Checklist EPA's Lead Strategist
			All furniture purchases are "low" certified by the business and institutional Furniture Manufacturers Association (BIFMA)	Percentage of total by cost	EPA Portfolio Manager
			Energy and water efficient product purchasing and procurement policy is in place	Yes/No	EPA Portfolio Manager
			* Improved water quality, efficiency, and conservation	Water	Reduction of total water use intensity from an initial baseline measured in gal/sqft per foot/year
	School carries out regular audits of facilities and irrigation systems are conducted to ensure they are free of significant water leaks and to identify opportunities for savings	Yes/No			EPA WaterSense: Outdoor Water Use
	Irrigation system and schedule are appropriate for climate, soil conditions, plant materials, grading and season	Yes/No			EPA WaterSense: Water in Schools & Childcare Facilities
	All irrigation landscapes consist of water-efficient or regionally appropriate plant choices	Yes/No			
	Alternative water sources are used before potable water for irrigation whenever possible	Yes/No			
	* Reduced solid waste production, through increased recycling, reduced consumption, and improved management, reduction, or minimization of hazardous waste streams	Recycle	All potable water meets federal, state and local water quality standards, and drinking water sources are protected if drinking water is acquired from schools.com web	Yes/No	
School has a program to control lead in drinking water including voluntary testing and implementation of measures to reduce lead exposure in drinking water is in place			Yes/No		
All cups, flasks and fountains used for drinking and cooking are cleaned on a regular basis to reduce possible bacterial contamination; regularly clean faucet screens and aerators to remove particulate lead deposits			Yes/No AND specify how often cleaning is conducted		
Waste		School grounds devoted to ecologically or socially beneficial uses, including those that give consideration to water wildlife	Nature of project and scope of impact.	EPA and Wildlife Service Schoolyard Guidelines	
		All solid waste has been eliminated (reduce, recycle, & reuse policy/practices)	Percentage of waste that is diverted from the landfill or incinerator by recycling or composting as well as waste reduced and reused	EPA WasteWise	
Hazardous waste	All office paper purchased over the past year is post-consumer material, tree-free fiber or fiber from forests certified as responsibly managed by the Forest Stewardship Council, Sustainable Forestry Initiative, American Tree Farm System or comparable certification standard	Percentage of total content by cost			
	All office paper content is "totally chlorine free" (TCF) or "process-chlorine free" (PCF)	Percentage of total content			
	All computer purchases are Electronic Product Environmental Assessment Tool (EPEAT) certified	Percentage of total by cost	EPA to Reduce Risk from Unwanted Waste		
	Hazardous waste has been reduced or eliminated	Tons of hazardous waste generated per student/year	EPA Hazardous Waste Self-Management Plan		
	Remaining hazardous waste is safely and properly managed in accordance to Federal and state regulations	Has a hazardous waste policy for storage, management and disposal of laboratory chemicals and other areas with hazardous waste	Center for Environmental and Estuarine Science for the Environment		
	All cleaning products in use are certified "green"	Percentage of total by cost	EPA Schools Green Cleaning Checklist		

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CDE Green Ribbon Schools Award Program Website

[Guide to Completing the California State Green Ribbon School Application](#) (DOC; 143KB; 23pp.)

This guide includes the full application. You are encouraged to use this guide to develop responses before you begin the online application.

[Online Application](#) (Outside Source)

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[Resources to Assist in the Completion of the Application](#)

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[Scoring Rubric](#)

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[Civil Rights, Health, Environment, and Safety Statutory and Regulatory Requirements](#) (Outside Source)

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Green Ribbon Application Resources

Pillar I - Environmental Impact and Energy Efficiency

Element A - Energy and Greenhouse Gases

Recommended National Resources

[Energy Star for K-12 School Districts](#) (Outside Source)

[U.S. Department of Energy Purchasing Specifications for Energy Efficient Products - Federal Energy Management Program](#) (Outside Source)

[EPA Portfolio Manager](#) (Outside Source)

[Database of State Incentives for Renewable Energy \(DSIRE\)](#) (Outside Source)

[U.S. Department of Energy's Better Building Manager](#) (Outside Source)

[Advanced Energy Design Guide for K-12 School Buildings](#) (Outside Source)

This is a publication that must be purchased.



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Cross-Cutting Questions (5 points)

CC1: Is the school participating in a local, state, or nationally recognized green school program which asks benchmark progress in some fashion (for example, National Wildlife Federal Eco-Schools USA, Green Schools Alliance, Collaborative for High Performance Schools, or Project Learning Tree's Green Schools!)? (2 points)

- Yes
- No

If yes, which program(s) is the school participating in and what level(s) have been achieved?

CC2: Has the school, staff, or student body received any awards for environmental or sustainability stewardship/action? (1 point)

- Yes
- No

List the awards received and the years received.

CC3: Is there a forum provided where all representative stakeholders involved in the daily operation of the school (such as students, faculty, maintenance, and cafeteria staff) can meet to discuss, plan, and implement ongoing green efforts? (2 points)

- Yes
- No

If yes, describe: (Maximum 200 words)



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Guide

Pillar I: Environmental Impact and Energy Efficiency

Buildings, grounds, and operations: The school has made significant progress toward "net zero" environmental impact (zero carbon, solid waste, and hazardous waste footprints). Pillar I includes four main elements: (30 points total)

Element A: Reduced greenhouse gas emissions, using an energy audit or emissions inventory and reduction plan, cost-effective energy efficiency improvements, and on-site renewable energy and/or purchase of green power. (15 points total)

Element B: Improved water quality, efficiency, and conservation. (5 Points Total)

Element C: Reduced solid waste production, through increased recycling, reduced consumption, and improved management, reduction, or elimination of hazardous waste stream. (5 points total)

Element D: Expanded use of alternative transportation to, during, and from school, through active promotion of locally-available options and implementation of enabling projects and policies. (5 points total)

Each question in this section is designed to measure the school's progress towards Pillar I and its associated four elements.

IA1. Is there an energy master plan in place? (1 point)

Yes

No

IA2. Has the school received EPA's ENERGY STAR certification? (1 point)

Yes

No

If the school received certification, note the year it was achieved and the score received. _____

If no, is the school eligible for certification?

Yes

No



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Scoring Rubric

Green Ribbon Schools Award Pillar and Elements	Points
Cross Cutting Questions – 5%	
Participation in Green School Programs and/or Awards for Environmental and Sustainability Efforts, along with commitment of school organization	5 points
Pillar I - Environmental Impact and Energy Efficiency - 30%	
Element IA: Improved energy conservation/energy-efficient building (s)	15 points
Element IB: Improved water quality, efficiency, and conservation	5 points
Element IC: Reduced waste production and improved recycling and composting programs	5 points
Element ID: Use of alternative transportation to, during, and from school	5 points
Pillar II - Healthy School Environment -30%	
Element IIA: An integrated school environmental health program	15 points
Element IIB: High standards of nutrition, fitness, and quantity of quality outdoor time	15 points
Pillar III - Environmental and Sustainability Education - 35%	
Element IIIA: Interdisciplinary learning about the key relationships between dynamic environmental, energy, and human systems	20 points
Element IIIB: Use of the environment and sustainability to develop Science, Technology, Engineering, and Mathematics (STEM) content, knowledge, and thinking skills	5 points
Element IIIC: Development and application of civic engagement knowledge and skills	10 points



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Green Ribbon Schools Award Program

Questions?



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916-323-3926