

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, August 22, 2007

HIGH PERFORMANCE INCENTIVE GRANT
REGULATION AMENDMENTS

PURPOSE OF REPORT

To request:

1. Adoption of the proposed regulations to implement and administer statutory amendments for the High Performance Incentive (HPI) Grant.
2. Authorization to file the proposed regulations with the Office of Administrative Law (OAL).

BACKGROUND

Proposition 1D set aside \$100 million for incentive grants to promote the use of high performance attributes in new construction and modernization projects for K-12 schools. High performance attributes include using design and materials that promote energy and water efficiency, maximize the use of natural lighting, improve indoor air quality, use recycled materials and materials that emit a minimum of toxic substances, and employ acoustics that aid in teaching and learning. The High Performance Incentive grants were expected to be in place earlier this year, but the previous regulations approved by the State Allocation Board (SAB) in September 2006 were withdrawn because they were insufficient. In order to re-file the regulations, Staff defined criteria for the purposes of providing high performance incentive grants with an emphasis on high performance initiatives directly related to facility components.

AUTHORITY

Education Code (EC) Section 101012(a)(8) states, "The amount of one hundred million dollars (\$100,000,000) for incentive grants to promote the use of designs and materials in new construction and modernization projects that include the attributes of high-performance schools, including, but not limited to, the elements set forth in Section 17070.96, pursuant to regulations adopted by the State Allocation Board."

EC Section 17070.96 states, "As part of its application for funding under this chapter, a school district shall certify that it has considered the feasibility of using designs and materials for the construction or modernization project 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."

LEGAL COUNSEL COMMENTS

Legal counsel has completed a review and has determined that Proposition 1D established a category of grants to promote the use of designs and materials in new construction and modernization projects that result in environmentally-friendly facilities or facilities with the attributes of high performance schools as defined in the Education Code. In the text of the bond language, the materials accompanying the voter materials, and other materials distributed in connection with the Proposition 1D, it is clear that the SAB and Office of Public School Construction's (OPSC) focus should be on the facilities. In all such materials the purpose of the bond funds is clearly on the development of high-performance, environmentally friendly facilities and that the OPSC and SAB evaluation criteria should be limited to attributes of the facilities. Other policy and operational considerations while admirable and consistent may exceed the scope of the bond language and impacts curriculum or policy decisions which should remain with either the school district or California Department of Education.

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STAFF COMMENTS

The rating criteria contained in the previous high performance regulations approved by the SAB were modeled after the Collaborative for High Performance Schools (CHPS). The CHPS framework is holistic and considers policy, curriculum, transportation as well as facilities. These are all admirable criteria, but the model was never envisioned as a funding matrix for State school facility bond funds that must be used solely on facility related components.

The OPSC convened a working group of energy and sustainability experts including a CHPS representative to help us convert the CHPS framework into a funding model. The OPSC publicly vetted the proposed HPI grant criteria at the August SAB Implementation Committee meeting. As a result of the feedback received, Staff met and had several conference phone calls with the Executive Director of CHPS, interested parties in the school facilities industry, energy and environment advocates, and State energy and sustainability experts to consider their concerns. Collectively and through robust debate, a revised proposal was developed that adopts nearly all of the CHPS criteria while focusing HPI grants for facility related high performance initiatives and maintains the same range of funding as the previously adopted HPI grant regulations. Through this collaborative process, a proposal was developed that encourages California school districts across the State to embrace high performance characteristics and ensures school facility bond accountability. The proposed regulations are contained in [Attachment A](#).

High Performance Incentive Grant

The High Performance Rating Criteria (HPRC) now contains five categories which will be used and verified by the Division of the State Architect (DSA) to determine if a project qualifies for the grant. The grant amount will be based on the points attained by the district within those five categories. The HPRC categories are as follows:

- Sustainable Sites
- Water
- Energy
- Materials
- Indoor Environmental Quality

The primary differences between the CHPS criteria and the revised proposal are summarized as follows:

- Eliminated policy, operations and curriculum credits to focus on facility components.
- Added a requirement that a minimum of four points must come from energy efficiency or renewable energy.
- Additional points awarded for increased levels of renewable energy.

[For a side-by-side comparison of the CHPS criteria and the revised proposal, please see Attachment B.](#)

New construction projects on new sites must meet all requirements (prerequisites) in all HPRC categories and then the district may select the credits they wish to pursue. Districts must achieve a minimum designated score of 27 points to qualify for the HPI grant. The maximum attainable points for new construction will be 75. However, for those projects accepted by the DSA prior to [October 1, 2007](#), the scored criteria may be based on the *CHPS Best Practices Manual Volume III 2002 Edition* with a minimum designated score of [23 points](#). The increase to the base grant will be determined by the number of credits the project receives multiplied by a percentage factor which will ultimately provide an increase ranging from two to just over [ten percent](#).

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STAFF COMMENTS (cont.)

Additions to an existing site and modernization projects must meet all requirements (prerequisites) that are within the scope of the project and then, as with new construction, districts may select the credits they wish to pursue. Districts must achieve a minimum designated score of 20 points to qualify for the HPI grant. The maximum attainable points for these two categories will be 77. However, for those projects accepted by the DSA prior to **October 1, 2007**, the scored criteria may be based on the *CHPS Best Practices Manual Volume III 2002 Edition* with a minimum designated score of **23 points**. The increase to the base grant will be determined by the number of credits the project receives multiplied by a percentage factor which will ultimately provide an increase ranging from two to **just over ten percent**.

Staff recommends re-evaluation of the program in one year and to make the necessary adjustments to improve the program. Upon adoption by the Board, the OPSC will submit these regulations to the OAL.

RECOMMENDATIONS

1. Adopt the proposed amendments to the regulations as shown in **Attachment A** and begin the regulatory process.
2. Authorize the OPSC to file these regulations with the OAL.
3. Request Staff to return in one year from the date the regulations are approved by the OAL to re-evaluate the High Performance Incentive grant program.

BOARD ACTION

In considering this Item, the Board approved the Staff's recommendations. The Board requested the Staff agendaize the High Performance Incentive Grant issue for the September State Allocation Board meeting, if the regulations are not in effect by that time, and to develop an alternate plan, if necessary.

ATTACHMENT A

PROPOSED AMENDMENTS TO THE
PROGRAM REGULATIONS
State Allocation Board Meeting, August 22, 2007

Amend Regulation Section 1859.2

Section 1859.2. Definitions.

For the purpose of these Regulations, the terms set forth below shall have the following meanings, subject to the provisions of the Act:

"High Performance Rating Criteria" (HPRC) means the standard used to evaluate the costs of designs and materials that promote high performance schools. The HPRC will be using the Collaborative for High Performance Schools (CHPS) rating criteria model as identified in the CHPS *Best Practices Manual Volume III 2002 Edition and 2006 Edition*. For the purposes of the SFP, the HPRC contained in these regulations have been modified to focus on facility related components.

"High Performance School Account" means the funds set aside by the Board for purposes of Education Code Section 101012(a)8.

Adopt Regulation Section 1859.71.6

Section 1859.71.6. New Construction Additional Grant for High Performance Incentive

(a) In addition to any other funding authorized by these Regulations, the Board shall provide the grant amounts identified in Subsection (b) if all the following are met:

(1) The project includes all the prerequisites in each of the five HPRC to include Sustainable Sites, Water, Energy, Materials and Indoor Environmental Quality and related subcategory credits.

(2) Once the prerequisites in (a)(1) have been met, the district may select the criteria and credits it wishes to pursue to determine point award. Category, criteria and associated points are as follows:

(A) Sustainable Sites.

1. Site Selection:

a. Code compliance equals prerequisite.

b. Environmentally sensitive land equals one point;

c. Greenfields equals one point;

d. Central location equals one point;

e. Joint-use of facilities equals one point;

f. Joint-use of parks equals one point;

g. Reduced footprint equals one point.

2. Transportation:

a. Public transportation equals one point;

b. Bicycles equals one point;

c. Minimize parking equals one point.

3. Stormwater Management:

a. Construction site runoff control equals prerequisite.

b. Limit stormwater runoff equals one point;

c. Treat stormwater runoff equals one point.

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4. Outdoor Surfaces:

a. Reduce heat islands – landscaping equals one point;

b. Reduce heat islands – cool roofs equals one point.

5. Outdoor lighting: light pollution reduction equals one point.

(B) Water.

1. Outdoor Systems:

a. Create water use budget equals prerequisite.

b. Reduce potable water for landscaping equals one to two points.

2. Indoor Systems:

a. Reduce sewage conveyance from toilets equals one point;

b. Reduce indoor potable water use equals one to two points.

(C) Energy.

1. Energy Efficiency:

a. Minimum energy performance equals prerequisite.

b. Superior energy performance equals one to 13 points;

c. Natural ventilation equals one point;

d. Energy management system equals one point.

2. Alternate Energy Sources: Renewable energy equals one to seven points; one point for each five percent of the site's annual power consumption that is produced on site not to exceed 35 percent.

3. Commissioning and Training:

a. Fundamental building systems testing and training equals prerequisite.

b. Enhanced commissioning equals one to two points.

(D) Materials

1. Recycling: Storage and collection of recyclables equals prerequisite.

2. Construction Waste Management:

a. Construction waste management equals prerequisite.

b. Construction waste management at 75 percent or above diverted equals one to two points.

3. Building Reuse:

a. Reuse of structure or shell equals one to two points;

b. Reuse of interior partitions equals one point.

4. Sustainable Materials:

a. Recycled content equals one to two points;

b. Rapidly renewable materials equals one point;

c. Organically grown materials equals one point;

d. Certified wood equals one point;

e. Salvaged materials equals one to two points.

f. Alternative: environmentally preferable products in lieu of a. through e. above equals one to seven points.

(E) Indoor Environmental Quality.

1. Lighting and Daylighting:

a. Daylighting equals one to four points;

b. View windows equals one point;

c. Electric lighting equals one point.

2. Indoor Air Quality:

a. Minimum requirements equals prerequisite.

b. Thermal displacement ventilation equals two points;

c. Low-emitting materials equals one to four points;

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- d. Chemical and pollutant source control equals one point;
- e. Ducted returns equals one point;
- f. Filtration equals one point.
- 3. Acoustics:
 - a. Minimum acoustical performance equals prerequisite.
 - b. Improved acoustical performance equals one to three points.
- 4. Thermal Comfort:
 - a. American Society of Heating, Refrigerating and Air-Conditioning Engineers 55 code compliance equals prerequisite.
 - b. Controllability of systems equals one to two points.
- (3) A minimum of four points must come from either (a)(2)(C)1.b. and/or 2.
- (4) The project, which includes a complete set of plans, must be submitted to and accepted by the DSA on or after May 20, 2006.
- (5) The DSA has reviewed the proposed project and concurs with the points specified in the HPRC.
- (6) The project will not receive funding from the Energy Efficiency Account.
- (7) For those projects accepted by the DSA prior to October 1, 2007, districts may utilize the CHPS Best Practices Manual Volume III 2002 Edition, and the point standard will be in the range of 23 to 72 points. All prerequisites, credits and points obtained must be based on the 2002 Edition requirements. Criteria and associated prerequisite or points as indicated in (a)(2)(D)2.a. and 4.c. and f. and (E)1.c. and 2.b. and district resolutions are ineligible, and (a)(3) is optional.
- (b) To determine the High Performance Incentive grant, multiply the New Construction Grant by the percentage allowance in accordance with the eligible high performance points as follows:
 - (1) For those projects accepted by the DSA prior to October 1, 2007, pursuant to (a)(7), in which the level of high performance attained, as concurred by the DSA, is a minimum of 23 points, the New Construction Grant will be multiplied by:
 - (A) Two percent at 23 points plus 0.03 percent for each point attained from 24 through 33 points; or
 - (B) 2.35 percent at 34 points plus 0.24 percent for each point attained from 35 through 40 points; or
 - © Four percent at 41 points plus 0.36 percent for each point attained from 42 through 54 points; or
 - (D) 9.05 percent at 55 points plus 0.060 percent for each point attained from 56 through 72 points.
 - (2) For those projects accepted by the DSA utilizing the CHPS Best Practices Manual Volume III 2006 Edition, in which the level of high performance attained as concurred by the DSA is a minimum of 27 points, the New Construction Grant will be multiplied by:
 - (A) Two percent at 27 points plus 0.050 percent for each point attained from 28 through 33 points; or
 - (B) 2.35 percent at 34 points plus 0.24 percent for each point attained from 35 through 40 points; or
 - © four percent at 41 points plus 0.36 percent for each point attained from 42 through 54 points; or
 - (D) 9.05 percent at 55 points plus 0.060 percent for each point attained from 56 through 75 points.

If there are no funds remaining in the High Performance School Account or the funds remaining are insufficient to fully fund the additional grant authorized in Subsection (b), the district may either withdraw its application and resubmit it should additional funds be made available in the High Performance School Account or continue with the new construction project and accept a full and final apportionment without the additional grant authorized by Subsection (b).

Note: Authority cited: Section 17070.35, Education Code.

Reference: Section 101012(a)(8), Education Code.

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Adopt Regulation Section 1859.77.4

Section 1859.77.4. Addition to a Site and Modernization Grant for High Performance Incentive.

- (a) In addition to any other funding authorized by these Regulations, the Board shall provide the grant amounts identified in Subsection (b) if all the following are met:
- (1) The project includes all the prerequisites in each of the five HPRC to include Sustainable Sites, Water, Energy, Materials and Indoor Environmental Quality, that are within the scope of the project, and related subcategory credits.
 - (2) Once the prerequisites in (a)(1) have been met, the district may select the criteria and credits it wishes to pursue to determine point award. The category, criteria and associated points are as indicated in Section 1859.71.6 (a), with the exception of (a)(2)(C) 2. that has an amended point allowance that equals three to nine points; three points for the first five percent plus one point for each additional five percent thereafter of the site's annual power consumption that is produced on site not to exceed 35 percent.
 - (3) A minimum of four points must come from either Section 1859.71.6 (a)(2)(C)1.b. and/or 2.
 - (4) The project, which includes a complete set of plans, must be submitted to and accepted by the DSA on or after May 20, 2006.
 - (5) The DSA has reviewed the proposed project and concurs with the points specified in the HPRC.
 - (6) The project will not receive funding from the Energy Efficiency Account.
 - (7) For those projects accepted by the DSA prior to October 1, 2007, districts may utilize the CHPS Best Practices Manual Volume III 2002 Edition, and the point standard will be in the range of 23 to 72 points. All prerequisites, credits and points obtained must be based on the 2002 Edition requirements. Criteria and associated prerequisite or points as indicated in Section 1859.71.6 (a)(2)(D)2.a. and 4.c. and f. and (E)1.c. and 2.b. and district resolutions are ineligible, and (a)(3) is optional.
- (b) To determine the High Performance Incentive grant, multiply the New Construction or Modernization Grant, as appropriate, by the percentage allowance in accordance with the eligible high performance points as follows:
- (1) For those projects accepted by the DSA prior to October 1, 2007, pursuant to (a)(7), in which the level of high performance attained, as concurred by the DSA, is a minimum of 23 points, the New Construction or Modernization Grant, as appropriate, will be multiplied by:
 - (A) Two percent at 23 points plus 0.03 percent for each point attained from 24 through 33 points; or
 - (B) 2.35 percent at 34 points plus 0.24 percent for each point attained from 35 through 40 points; or
 - (C) Four percent at 41 points plus 0.36 percent for each point attained from 42 through 54 points; or
 - (D) 9.05 percent at 55 points plus 0.060 percent for each point attained from 56 through 72 points.
 - (2) For those projects accepted by the DSA utilizing the CHPS Best Practices Manual Volume III 2006 Edition, in which the level of high performance attained as concurred by the DSA is a minimum of 20 points, the New Construction or Modernization Grant, as appropriate, will be multiplied by:
 - (A) Two percent at 20 points plus 0.025 percent for each point attained from 21 through 33 points; or
 - (B) 2.35 percent at 34 points plus 0.24 percent for each point attained from 35 through 40 points; or
 - (C) Four percent at 41 points plus 0.36 percent for each point attained from 42 through 54 points; or
 - (D) 9.05 percent at 55 points plus 0.060 percent for each point attained from 56 through 77 points.

If there are no funds remaining in the High Performance School Account or the funds remaining are insufficient to fully fund the additional grant authorized in Subsection (b), the district may either withdraw its application and resubmit it should additional funds be made available in the High Performance School

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Account or continue with the addition to an existing site/modernization project and accept a full and final apportionment without the additional grant authorized by Subsection (b).

Note: Authority cited: Section 17070.35, Education Code.

Reference: Section 101012(a)(8), Education Code.

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SAB 50-04 (REV 08/07/09/07)

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 is a request for funding under the Small High School Program, pursuant to Regulation Section 1859.93.2, the district must also provide a CDE Small High School academic reform strategy approval.
- 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.
- Written confirmation from the district's career technical advisory committee indicating that the need for vocational and career technical facilities is being adequately met within the district consistent with Education Code Sections 51224, 51225.3(b), 51226.1, and 51228(b).

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.
- If the request includes funding for accessibility and fire code requirement pursuant to Section 1859.83(f), the DSA approved list of the minimum accessibility work required and a detailed cost estimate for the work in the plans.
- DSA approval letter for elevator to meet handicapped compliance, if funding is requested.
- Cost estimate of the proposed site development necessary for the Reconfiguration of an existing high school.
- 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.
- Written confirmation from the district's career technical advisory committee indicating that the need for vocational and career technical facilities is being adequately met within the district consistent with Education Code Sections 51224, 51225.3(b), 51226.1, and 51228(b).

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.

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

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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 order 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.

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 "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, New Construction Final Charter School Apportionment or the Rehabilitation Final Charter School Apportionment box, as appropriate.

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

- 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.

- 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.
- If this request includes pupil grants generated by an Alternative Enrollment Projection Method, enter the number of pupils by grade level.
- Indicate if this request is for funding of a 6-8 school and/or an Alternative Education School.
- 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.
- If the request is for replacement facilities pursuant to Section 1859.82 (a) or (b) on the same site, check the facility hardship box.
- Enter the square footage of the non-toilet area and toilet area contained in the rehabilitation project.
- Indicate the site scenario that best represents the project request.

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).

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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 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 for does not require an RA, 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. If the district is submitting a funding request for new construction under the Small High School Program, enter the 60 percent values.

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. If the district is submitting a funding request for new con-

struction under the Small High School Program, enter the 60 percent values. 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.
- k. [If the district is requesting an Additional Grant for High Performance Incentive pursuant to Section 1859.70.4, enter the number of high performance points as prescribed in Section 1859.71.6.](#)

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 if the district is requesting a Separate Apportionment for Reconfiguration pursuant to Section 1859.78.9. Enter the full value of the Reconfiguration request, not to exceed an aggregate of \$500,000 for all high school entities created.
- e. 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.
- f. [If the district is requesting an Additional Grant for High Performance Incentive pursuant to Section 1859.70.4, enter the number of high performance points as prescribed in Section 1859.77.4.](#)

7. Excessive Cost Hardship Request

Check the appropriate box to request an augmentation to the New Construction, Modernization or Charter School Facility Program Rehabilitation Grants for an excessive cost hardship for the items listed. Refer to Section 1859.83 for eligibility criteria. Requests for excessive cost grants for accessibility requirements are allowed only if required by the Division of the State Architect (DSA). At the district's option, the district may request three percent of the modernization base grant or enter 60 percent of the amount calculated pursuant to Regulation Section 1859.83(f). Attach a copy of the DSA approved list that shows the minimum work necessary for accessibility requirements.

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.

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

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 by the OPSC based on information reported by the district on this form.

- Report all 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(i).

In the additional classroom column, indicate the number of additional net classrooms provided if not previously reported.

In the replacement classroom column, indicate the number of classrooms that were included in the determination of the district's new construction eligibility pursuant to Education Code Section 17071.75 but replaced in a locally funded project.

Enter the date the initial construction contract was signed for additional or replacement classrooms.

- 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. Career Technical Education Funds Request

Indicate if Career Technical Education (CTE) funds will be requested for classroom(s) included in the plans and specifications for this project pursuant to Section 1859.193. If "Yes", enter the number of CTE classroom(s) shown on the P&S.

20. Architect of Record or Licensed Architect Certification

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

21. Architect of Record or Design Professional Certification

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

22. 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.

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)
- New Construction (Small High School Program)
- Rehabilitation (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. 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: _____

- f. Facility Hardship (no pupils assigned)

- g. Charter School Facility Program Rehabilitation Request:

Toilets (sq. ft.) _____

Other (sq. ft.) _____

- h. Project to be located on:

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

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:
 - (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)

- f. Site Development
 - 50 percent Service-Site: \$ _____
 - 50 percent Off-Site: \$ _____

APPLICATION FOR FUNDING
SCHOOL FACILITY PROGRAM

- 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
k. High Performance Incentive (Indicate Points):

- 6. Modernization Additional Grant Request—Modernization Only
a. Project Assistance
b. Energy Efficiency: %
c. Site Development—60 percent utilities: \$
d. Separate Apportionment for Reconfiguration (for Small High School Program only): \$
e. Automatic Fire Detection/Alarm System
f. High Performance Incentive (Indicate Points):

- 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)]
New School Project [Section 1859.83(c)(3)]
Small Size Project
Urban/Security/Impacted Site:
If a new site, \$ per Useable Acre [Section 1859.83(d)(2)(C)]

- Modernization or Charter School Facility Program Rehabilitation Only
Rehabilitation/Mitigation [Section 1859.83(e)]: \$
Geographic Percent Factor: %
Accessibility/Fire Code
3 percent of base grant, or,
60 percent of minimum work \$
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
a. Classroom(s) provided:
Additional Replacement
K-6: K-6
7-8: 7-8
9-12: 9-12
Non-Severe: Non-Severe
Severe: Severe
Construction Contract(s) for the project signed on:

- b. Operational Grant (HSA) 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) as defined in Section 1859.2
Other:

- 19. Career Technical Education Funds Request
Will CTE Funds be requested for classroom(s) included in the plans and specifications for this project? Yes No
Number of CTE classroom(s):

**APPLICATION FOR FUNDING
SCHOOL FACILITY PROGRAM**

20. 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 or Charter School Facility Program Rehabilitation 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 or Charter School Facility Program Rehabilitation 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

21. 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 or Charter School Facility Program Rehabilitation 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

22. Certification

I certify, as the District Representative, that the information reported on this form, with the exception of items 19 and 20, 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,
- Facilities to be rehabilitated under the Charter School Facility Program previously funded with School Facility Program State funds meet the requirements of Section 1859.163.6; 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 or Charter School Facility Program Rehabilitation 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 08/07/09/07)

- 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
- The district has consulted with the career technical advisory committee established pursuant to Education Code Section 8070 and the need for vocational and career technical facilities is being adequately met in accordance with Education Code Sections 51224, 51225.3(b), 51226.1 and 51228(b); 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; and
- If this application is submitted pursuant to Section 1859.93.2, the district certifies that it has an academic reform strategy scored by the CDE, and is available at the district office for OPSC verification; and
- If this application is submitted pursuant to Section 1859.93.2, the district certifies the enrollment at the Small High School will not exceed 500 pupils for a minimum of two complete school years after the Occupancy of the last Small High School funded, as outlined in Section 1859.104(e)(2); and
- If this application is submitted pursuant to Section 1859.78.9, the district certifies the enrollment at the resulting Small High Schools will not exceed 500 pupils for a minimum of two complete school years after the Occupancy of the Small High Schools; and
- If this application is submitted pursuant to Section 1859.78.9 or Section 1859.93.2, the district certifies that it will meet all reporting requirements as specified in Section 1859.104(e)(1) and/or (2); and
- The district has considered the feasibility of using designs and materials for the new construction or modernization project that promote the efficient use of energy and water, maximum use of natural light and indoor air quality, the use of recycled materials and materials that emit a minimum of toxic substances, the use of acoustics conducive to teaching and learning, and the other characteristics of high performance schools.

SIGNATURE OF DISTRICT REPRESENTATIVE

DATE

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, August 22, 2007

ASSEMBLY BILL 127 GRANT INCREASE
PROJECT INFORMATION WORKSHEET

PURPOSE OF REPORT

To present the proposed Project Information Worksheet that will be used to gather data for the purpose of determining the annual increase or decrease to the New Construction Base Grant per Education Code (EC) Section 17072.11 and for bond accountability.

BACKGROUND

In early 2006, Staff attempted to gather data on current costs to build schools. At that time, Staff, with the assistance of the Grant Adequacy Ad Hoc Committee, developed a survey, and sent 231 surveys to school districts in March 2006. As reported to the State Allocation Board (SAB) in May 2006, 52 percent were returned, however, the majority were incomplete. Staff reported it would be unable to make conclusive recommendations regarding the adequacy of the grants absent comprehensive data.

In May 2006, Assembly Bill (AB) 127, Chapter 35, Statutes of 2006 (Perata/Nunez) added EC Section 17072.11 which provided for an increase of seven percent for elementary and middle school projects and a four percent increase for high school projects beginning July 1, 2006. AB 127 also stated that beginning January 1, 2008, the SAB has the authority to increase the base grant up to six percent or decrease it by an amount determined every fiscal year based on the current construction costs. This provision added further importance to Staff's need to gather data to enable making its recommendations to the SAB. As a result, Staff continued its work with the Grant Adequacy Ad Hoc Committee and developed a project information worksheet beginning in May 2006. Various drafts of this worksheet were presented to the SAB Implementation Committee beginning in July through September 2006.

In September 2006, the Board approved regulations to implement the grant increases for AB 127. Staff proposed correlating the annual recommended change in the base grant with the Construction Cost Index increase each year and developed regulations that clarify the SAB's flexibility when adjusting the new construction base grant. However, the proposed regulations were later withdrawn from the Office of Administrative Law (OAL) and cannot be resubmitted until a method to capture the current costs to build schools is approved by the SAB. As a result, the Project Information Worksheet was presented at the July 2007 SAB meeting. Following comments from Board members and the audience, the Board did not take action on the worksheet and requested that Staff continue to work with the stakeholders and bring back a revised worksheet to the August 2007 SAB meeting.

AUTHORITY

EC Section 17072.11(a)(3) states "the board shall conduct an analysis of the relationship between the per-unhoused-pupil grant eligibility....and the per-pupil cost of new school construction..."

EC Section 17072.11(b) states, "On or after January 1, 2008, the board shall increase or decrease the per-unhoused-pupil grant eligibility by amounts it deems necessary to cause the grants to correspond to costs of new school construction"

(Continued on Page Two)

STAFF COMMENTS

Staff, with the assistance with a wide range of stakeholders, has created a revised Project Information Worksheet as shown on the Attachment. The revised worksheet was presented at a special Implementation Committee meeting on August 20, 2007. During the Implementation Committee meeting, there was discussion on the certifications that were included on the Project Information Worksheet. Committee members noted that these certifications were embedded in the *Fund Release Authorization* and the *Expenditure Report*; therefore, the certifications are redundant and have been removed.

Districts will need to complete the worksheet for new construction projects and submit it with the *Fund Release Authorization* and/or the *Expenditure Report*. The worksheet requests information on actual project costs and provides the data necessary for Staff to analyze current school construction costs. The information collected will be used to make a recommendation to the Board to determine the increase/decrease in the new construction base grant and in providing bond accountability.

RECOMMENDATIONS

1. Approve the Project Information Worksheet as presented in the Attachment.
2. Authorize the Office of Public School Construction to re-file the Grant Increase regulations with the OAL.

BOARD ACTION

In considering this Item, the Board delayed action for 30 days.

INFORMATION

The information collected using this form is necessary in order to conduct an analysis of the relationship between the per-unhoused-pupil grant eligibility and the per-pupil cost of new school construction for grades K-12 pursuant to Education Code Section 17072.11, and to meet the requirements for bond accountability.

INSTRUCTIONS

This worksheet must be completed and submitted with the *Fund Release Authorization* (Form SAB 50-05) for all new construction projects that are completing Part IV of the Form 50-05.

This worksheet must be completed and submitted with the *Expenditure Report* (Form SAB 50-06) for all new construction projects that have received a fund release pursuant to Part IV of the *Fund Release Authorization*.

Attach to this form the accepted bid documents including additive/deductive alternates.

Date Completed: Enter the date that the form was completed.

Application Number(s): Insert the application number provided by the Office of Public School Construction (OPSC). Include the project number(s) of any other associated State funded projects. (i.e. Joint-Use)

School District: Insert name of school district where project is located.

County: Insert name of county where project is located.

Project Tracking Number: Insert project tracking number provided by the OPSC, the California Department of Education (CDE), and the Division of the State Architect (DSA).

Project Name: Insert name of project (ex. – ABC Elementary School)

Indicate the time period this form was filled out by checking the appropriate box.

Project Funding

Please provide actual expenditures when available and estimates as necessary.

1. Check yes or no to indicate if this is a financial hardship project.
2. Funds available (include site acquisition). If the project includes square footage from other State funded projects (i.e. Joint-Use), report the funds available from that project.
 - a. Enter the actual amount of the State Apportionment for this project.
 - b. Enter the estimated or actual amount of interest earned on State funds for this project.
 - c. Enter the actual amount of the District Match for this project.
 - d. Enter the estimated or actual amount of any additional local (district) funds that were necessary to complete this State funded project.

Project Costs

Please provide actual expenditures when available and estimates as necessary.

1. Site Acquisition Costs
Enter the total cost for site acquisition, including State share, district share, and any additional local funds. Include any costs for environmental studies and fees.
2. Enter the amount of actual and estimated (not yet contracted, invoiced or obligated) soft costs for the project (i.e. tests and inspections, architect fees, etc.) *Do not include any costs reported in 4 below.*
3. Bid/Construction Contract Data. If the bid includes square footage for other State funded projects (i.e. Joint-Use), include all associated costs.
 - a. Enter the accepted base bid amount prior to any accepted additive/deductive alternates for all contracts. If there is more than one contract signed (i.e. multiple-prime, etc.) please enter the total of all base bids.
 - b. Enter the amount of all accepted additive/deductive alternates for all contracts.
 - c. Enter the amount of the total construction contract. Include the amount of any change orders or addendums, if applicable.
 1. Enter the amount of the building cost in the contract(s).
 2. Enter the estimated amount of the site development work, including service site, offsite, utilities, and general site, included in the contract(s).
 3. Enter the amount of any other construction fees (if applicable). If using construction management, enter any general condition fees in 5 below. *Do not include any costs listed in 5 below.*
4. Enter the amount of the estimated remaining project cost not yet contracted, invoiced or obligated (i.e. portions of work not yet bid, etc.) that are necessary for the completion of this project. *Do not include any costs reported in 2 above.*
5. Enter the amount of Construction Management Fees. If the project is being bid as multiple-prime, include costs for general conditions, etc. *Do not include any costs listed in 3(c)(3) above.*
6. Enter the actual or estimated amount for project contingencies.
7. Enter the actual or estimated amount for furniture and equipment.
8. Enter the amount of the Total Project Cost (do not include site acquisition costs). This amount should be equal to the sum of 2, 3c, 4, 5, 6 and 7 above.

Additional Bid Information

- Enter the number of bidders on this project. If more than one contract was signed for this project (i.e. Multiple-Prime) enter the average number of bidders per trade. Enter the date(s) the bid(s) opened. If more than one bid date, enter the opening bid date of the first bid package.
- Enter the number of times the project was re-bid, if applicable.
- Describe the additive/deductive alternates. Indicate whether they included facilities or building elements. If the additive/deductive alternate included buildings, please indicate the square footage.

Project Information

- Choose from the drop down menu the type of project that is being built (i.e. new school, addition, etc.)
- Choose from the drop down menu the type of school that best describes this project (i.e. elementary, middle, etc.)
- Select what outdoor facilities you have and how many of each are in the project. If the facility is considered multiple use, check the box that best represents what the facility will be used for the majority of the time. If the project consists of any other playfields not listed, check “other” and explain.
- Check the boxes of the grade levels of the pupils being served. Enter the number of pupils being served at each grade level.
- Enter the master plan site capacity of the project based on single-track use and local district loading standards. Based on teacher contracts and/or local loading standards this number **may be** different from the number of pupils requested on the *Application for Funding*.
- Enter the square footage of the parking structure (if applicable).
- Enter the total net usable site acreage of project.

Component Types:

- Choose all components that are included in the project. Include the number of each type of facility. (i.e. 12 standard classrooms, 4 labs, etc.) Indicate if there are any stand alone restroom buildings. If indicating “other” facilities, a detailed listing of those facilities is not required unless the facility being constructed is atypical or a non-standard facility. If so, then please explain.
- From the pull down menu, choose the main type of construction for each of the buildings in the project (i.e. permanent, modular, portable).
- Enter the square footage of each component that was in the DSA approved plans at the time the project was apportioned by the State Allocation Board.
- Enter the square footage of each component that is in the plans (including any adjustments for addendums or changes orders) when the district submitted its *Fund Release Authorization*. Indicate the square footage of any stand alone restroom buildings.
- Enter the estimated percentage of the project completed and the square footage for each component in the plans (including any adjustments for addendums or changes orders) for each annual reporting period, as applicable. The estimated percentage completed shall be the same as that which is reported on the *Expenditure Report*.

Total number of Classrooms

- Enter the total number of classrooms in the project.
 - From the total number of classrooms entered above, enter the number of classrooms that are considered stick-built.
 - From the total number of classrooms entered above, enter the number of classrooms that are considered permanent modular.
 - From the total number of classrooms entered above, enter the number of classrooms that are considered portable pursuant to Education Code Section 17070.15(j).

Total Square Feet All Facilities

- Enter the total building square footage for all facilities in the project. When calculating the square footage, include the total square footage identified on the DSA approved plans for all facilities. Be sure to use the same methodology when calculating square footage for each reporting period.
 - From the total square footage entered above, enter the amount of square footage that is considered stick-built.
 - From the total square footage entered above, enter the amount of square footage that is considered permanent modular.
 - From the total square footage entered above, enter the amount of square footage that is considered portable pursuant to Education Code Section 17070.15(j).

Total Building Cost (Per Square Foot)

- Enter the actual/estimated cost per square foot. To determine the cost per square foot, divide the total building cost, excluding site acquisition and site development costs (service site, off-site, utilities, parking structures, and general site) by the total building square footage as reported.

Joint-Use Information

- Check yes or no to indicate whether the project includes a joint-use partner, even if the joint-use project does not include State funding. Enter the OPSC application number if applicable.
- Check the appropriate box to indicate which type of joint-use partner is included in the joint-use project.
- Check yes or no to indicate whether the joint-use partner is contributing capital funding towards this project. If applicable, enter the dollar amount the joint-use partner is contributing.
- Check which facility(ies) are part of the joint-use project. If other is chosen, please explain the type of joint-use project.

Additional Information

Check yes or no to indicate if the bid includes any facilities or other construction that has not yet been identified. If yes, explain what those facilities or construction include.

Indicate what facilities, if any, that were included in the State Allocation Board approved project that were not built or if any facilities were added. Provide a brief explanation as to why they were not built or were added. Please ensure that you contact the CDE, the DSA, and the OPSC for assistance.

- Check yes or no to indicate if the facilities are intended to be deferred to a later phase. If yes, please explain.

Check yes or not to indicate whether the project was modified due to cost. If, yes explain briefly what measures were taken (i.e. from permanent classrooms to portable or if the project was reduced in scope, etc.)

- Check yes or no to indicate whether any change in the project's scope was discussed with the CDE, the DSA, and the OPSC.

Check yes or no to indicate whether or not there were any local requirements or ordinances the district had to meet that were not funded with State funds (i.e. road or street improvements, utilities, or fees demanded by another local agency, etc.)

- Check yes or not to indicate whether or not these costs were included in the construction contract.
- If yes, describe the local requirement and the associated costs.

Check yes or no to indicate whether or not you utilized existing architectural plans from another project.

- If yes, indicate how many times the plans have been re-used within the district. Indicate the name of the project(s).
- Enter the building cost of the original project, if known. Enter the Site Development cost (service site, offsite, utilities, general site) of the original project, if known.
- Enter the notice of completion date for the original project.

Comments/Additional Information

Please provide any additional information about this project that you think will be helpful in completing the analysis.

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, August 22, 2007

SCHOOL FACILITY PROGRAM JOINT-USE PROJECTS

PURPOSE OF REPORT

To present requests for funding under the School Facility Program (SFP) Joint-Use Program.

BACKGROUND

At the July 2007 State Allocation Board (SAB) meeting, the Board apportioned 38 SFP joint-use projects for a total amount of \$32.2 million. At the Board's request, the Roseland Elementary School District application was held over to review the identified joint-use partner. The Board directed Staff to present for further consideration the Roseland Elementary School District project and 18 additional applications which were evaluated for local bond language compliance. The 18 additional applicants are providing the full 50 percent of local share cost with funds derived from a locally passed bond.

DESCRIPTION

Under the SFP Joint-Use Program, a school district may partner with a local entity to build either a Type I or Type II facility.

- A Type I facility is a joint-use project that is a part of a qualifying SFP new construction project and is constructed under the Joint-Use Program. The proposed facility consists of an increased square footage amount and/or an increase in eligible costs that are greater than that applied to a standard project under the SFP. The joint-use project may consist of a multipurpose room, gymnasium, childcare facility, library, or teacher education facility that is part of a new construction project.
- A Type II facility allows for the construction of new joint-use facilities or the reconfiguration of existing school buildings to provide for a multipurpose room, gymnasium, childcare facility, library, or teacher education facility.

A district may submit more than one application for each type of project; however, after its first application is placed on a funding priority list in date-received order, its subsequent applications are not placed on the priority for funding list until all other districts' initial applications are placed on the list. This allows all districts that have applied, the opportunity to receive funding under the Joint-Use Program. In addition, Type I applications receive funding consideration first and then Type II applications are considered, if remaining funds are available. Applications not apportioned due to the funding priority mechanism shall be returned to the district and may be re-submitted in subsequent filing periods when funds become available.

A financial contribution toward the cost of the joint-use project must be equal to the State's share (50/50). The contribution made by the joint-use partner(s) must be no less than 25 percent of the eligible project costs. The remaining local contribution may come from any other district source that would not otherwise be available to the SAB. However, if the school district has passed a local bond which specifies that such funds are to be used for that joint-use project, then the school district may opt to provide up to the full 50 percent local share of eligible costs. The State share of a joint-use project will be 50 percent of the eligible project costs not to exceed \$1 million if the project is serving an elementary school, \$1.5 million if the project is serving a middle school, or \$2 million if the project is serving a high school. A side-by-side comparison of the Joint-Use Program statute and regulations is attached (see Attachment A).

AUTHORITY

Education Code (EC) Section 17077.40 establishes the authority to fund joint-use projects to construct facilities on Kindergarten to grade 12 school sites.

EC Section 17077.42(c) provides the contribution of the joint use partner shall be no less than 25 percent unless the school district has passed a local bond which specifies that the funds are to be used for the joint-use project.

EC Section 101012 (a) (6) provides \$29 million from Proposition 1D for the purposes set forth in EC Section 17077.40 relating to joint-use projects. In addition to these funds, at the June 2007 SAB meeting, the Board approved a transfer of \$21 million from prior authorized bond funding to the 2006 State School Facilities Fund for joint-use purposes for a total amount of \$50 million available for this funding cycle.

STAFF COMMENTS

The Office of Public School Construction has completed the compliance assessment of the applications referenced above. After thorough review, including consultation with SAB Legal Counsel, 11 projects totaling \$5.4 million listed in priority order on Attachment C are eligible for SAB approval. After considering the value of these additional apportionments, \$12.3 million remain available for joint-use purposes.

At the July SAB meeting, organizational relationships of the joint-use partners and their financial contributions were discussed. Staff reviewed the joint-use application trends since 2003. The analysis (see Attachment B) indicates there is an increasing trend for school districts to utilize specifically designated local bond funds for the entire 50 percent local match, as permitted in statute, relieving the joint-use partner of its financial contribution obligations. Further, the SAB has statutory authority to determine acceptable non-profit organization joint-use partners. Currently, the SFP Regulations provide a definition of "Non-Profit Organization" as an entity that is organized and operated for purposes of not making a profit under the provisions of the Revenue and Taxation Code. All projects presented for funding for the 2006/2007 Joint-Use Program cycle meet the current joint-use partner criteria and all other applicable legal requirements. For future filing periods, the regulatory definition of a non-profit organization could be amended for purposes of this program.

RECOMMENDATION

Apportion \$5,488,364 as shown on Attachment C.

BOARD ACTION

In considering this Item, the Board approved Staff's recommendation. In addition, the Board requested that Staff come back with suggested regulatory language changes to the definition of a non-profit organization and address changing the timelines so there is adequate time to process the joint-use applications.

ATTACHMENT C

SCHOOL FACILITY PROGRAM JOINT-USE PROJECTS
State Allocation Board Meeting, August 22, 2007

County	School District	Site Name	Application Number	Type of Facility	Joint Use Partner	Joint Use Type	Grade Level	Project Cost				
								Total Estimated Cost	Joint Use Partner Share	District Share	*Additional District/ Partner Contribution	**State Apportionment
Fresno	Kings Canyon Joint Unified	Zumwalt Elementary	52/62265-00-006	Multipurpose	City of Reedley	1	K-8	\$2,821,348	\$0	\$1,000,000	\$821,348	\$1,000,000
Fresno	Kings Canyon Joint Unified	Zumwalt Elementary	52/62265-00-007	Library	City of Reedley	1	K-8	\$1,579,080	\$0	\$789,540	\$0	\$810,590
Sonoma	Roseland Elementary	Roseland Elementary	52/70904-00-001	Library	Roseland Charter School	2	K-6	\$808,214	\$404,107	\$0	\$0	\$404,107
San Diego	Santee Elementary	Cajon Park Elementary	52/68361-00-001	Multipurpose ¹	Santee School District Foundation	2	K-8	\$880,604	\$0	\$440,302	\$0	\$440,302
San Diego	Santee Elementary	Carlton Hills Elementary	52/68361-00-007	Multipurpose ¹	Santee School District Foundation	2	K-8	\$917,834	\$0	\$458,917	\$0	\$458,917
San Diego	Santee Elementary	Prospect Avenue Elementary	52/68361-00-024	Multipurpose ¹	Santee School District Foundation	2	K-8	\$474,680	\$0	\$237,340	\$0	\$237,340
San Diego	Santee Elementary	Harritt (Chet F.) Elementary	52/68361-00-006	Multipurpose ¹	Santee School District Foundation	2	K-8	\$748,798	\$0	\$374,399	\$0	\$374,399
San Diego	Santee Elementary	Pepper Drive Elementary	52/68361-00-005	Multipurpose ¹	Santee School District Foundation	2	K-8	\$664,732	\$0	\$332,366	\$0	\$332,366
San Diego	Santee Elementary	Rio Seco Elementary	52/68361-00-003	Multipurpose ¹	Santee School District Foundation	2	K-8	\$953,562	\$0	\$476,781	\$0	\$476,781
San Diego	Santee Elementary	Carlton Oaks Elementary	52/68361-00-002	Multipurpose ¹	Santee School District Foundation	2	K-8	\$953,562	\$0	\$476,781	\$0	\$476,781
San Diego	Santee Elementary	Hill Creek Elementary	52/68361-00-004	Multipurpose ¹	Santee School District Foundation	2	K-8	\$953,562	\$0	\$476,781	\$0	\$476,781
											Total	\$5,488,364

* Any additional financial contributions can be made by the Joint-Use partner(s), the district or any other local source.

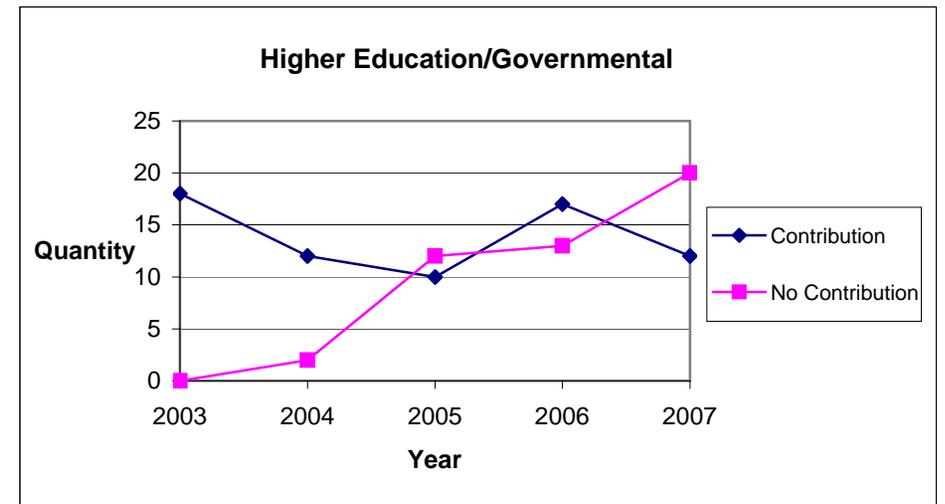
** The State Apportionment has a maximum cap of \$1,000,000 for an elementary school, \$1,500,000 for a middle school, and \$2,000,000 for a high school.

1. The District is not building Minimum Essential Facilities; however, the California Department of Education has approved the reduced square footage.

Attachment B
School Facility Program
Joint-Use Project Trends

Funding Round	2003 *				2004				2005				2006				2007				Totals
Partner Type	Non-Profit		Ed./Gov't		Non-Profit		Ed./Gov't		Non-Profit		Ed./Gov't		Non-Profit		Ed./Gov't		Non-Profit		Ed./Gov't		
Facility Type	\$	No \$	\$	No \$	\$	No \$	\$	No \$	\$	No \$	\$	No \$	\$	No \$	\$	No \$	\$	No \$	\$	No \$	
Gymnasium	0	0	5	0	1	0	6	1	0	0	3	4	1	2	9	5	0	2	8	2	49
Multi-Purpose	0	0	4	0	2	0	3	1	3	3	1	5	3	2	3	3	0	0	2	13	48
Library	0	0	3	0	1	1	1	0	0	1	2	3	0	3	1	1	1	4	2	5	29
Childcare	0	0	6	0	2	0	0	0	0	0	2	0	1	0	0	0	0	1	0	0	12
Teacher Education	0	0	0	0	0	0	2	0	0	0	2	0	2	0	4	4	0	9	0	0	23
Totals	0	0	18	0	6	1	12	2	3	4	10	12	7	7	17	13	1	16	12	20	

In 2003, joint-use partners were required to provide total local match.
Starting in 2004, joint-use partner financial contribution requirement reduced to half of local match or an option for no contribution if local bond authority approved.



REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, August 22, 2007

SEISMIC MITIGATION REGULATION AMENDMENTS

PURPOSE OF REPORT

To request:

1. Adoption of proposed amendments to the School Facility Program (SFP) regulations for seismic mitigation pursuant to Assembly Bill (AB) 127, Chapter 35, Statutes of 2006 (Perata/Nuñez).
2. Authorization to file the proposed regulations with the Office of Administrative Law (OAL).

BACKGROUND

Proposition 1D provides amendments to Education Code (EC) Section 17075.10 and the Facility Hardship Program and authorizes up to \$199.5 million for seismic mitigation of school facilities that are the most vulnerable of "Category 2" buildings and pose an unacceptable risk of injury during a seismic event. The Attachment represents the proposed amendments to the SFP regulations for seismic mitigation.

AUTHORITY

EC Section 17075.10(a) states, "A school district may apply for hardship assistance in cases of extraordinary circumstances. Extraordinary circumstances may include, but are not limited to, the need to repair, reconstruct, or replace the most vulnerable school facilities that are a Category 2 building, as defined in the report submitted pursuant to Section 17317, determined by the department to pose an unacceptable risk of injury to its occupants in the event of a seismic event."

STAFF COMMENTS

The proposed amendments for seismic mitigation outline four criteria established by the Division of the State Architect that must be met to qualify as the most vulnerable of "Category 2" buildings for purposes of seismic funding. The four criteria are as follows:

1. The building is located where the **short period spectral** acceleration is 1.55 g or more based on the 2002 United States Geological Survey National Seismic Hazard Maps **adjusted for site class factors**.
2. The building is designed for occupancy by students and staff.
3. The building type is either C1 – Concrete Moment Frame, PC1A – Precast/Tilt-up Concrete Shear Wall with Flexible Roof, PC2 – Precast Concrete Frame and Roofs with Concrete Shear Walls, or URM – Unreinforced Masonry Bearing Wall Buildings.
4. A structural report is provided by a structural engineer that demonstrates the lateral force-resisting system of the building does not meet collapse prevention performance objectives and the specific deficiencies and reasoning for concluding that the building has a high potential for catastrophic collapse.

This topic was presented to the State Allocation Board (SAB) Implementation Committee meeting on four separate occasions in order to gather input from interested parties. At the August 3, 2007 Implementation Committee meeting, the Committee expressed some concern with Staff's proposed amendments and requested that options to the proposed amendments be presented to the SAB.

STAFF COMMENTS (cont.)

The Committee's concerns are noted below:

Required Structural Engineer's Report

The Implementation Committee expressed concern over the cost of obtaining a structural report for those districts that eventually may not qualify for funding. The Committee requested that the Board consider utilizing the available \$199.5 million for the cost of the structural reports for those districts that meet criteria one through three of the four criteria outlined above, regardless if the project ultimately qualifies for funding. Staff does not support this option, as fewer buildings would be able to be mitigated and the funds would not be utilized for their intended purpose, which is to repair, reconstruct or replace the most vulnerable "Category 2" buildings.

Available Funding

The total available funding for seismic mitigation is \$199.5 million. During the development of the proposed amendments, Staff sought clarification from the parties involved during the bond development regarding the use of the authorized funding for seismic mitigation. Consistent with the verification received, Staff's recommendation is that all of the seismic related costs, including all ancillary costs such as American with Disabilities Act accessibility requirements come out of the \$199.5 million that is available for seismic funding.

The Implementation Committee expressed concern with this approach and requested that the Board consider the option of funding the ancillary costs from the new construction and modernization funds, as appropriate. Staff is concerned with this approach, as this is inconsistent with the verification referenced above.

Staff recommends approval of the proposed amendments as provided on the Attachment. Upon adoption by the Board, the OPSC will submit these regulations to the OAL.

RECOMMENDATIONS

1. Adopt the proposed amendments to the regulations as shown on the Attachment and begin the regulatory process.
2. Authorize the OPSC to file these regulations with the OAL.

BOARD ACTION

In considering this item, the Board held this Item over to the September State Allocation Board meeting in order for Staff to further discuss at the Implementation Committee meeting and consider:

- Funding ancillary costs out of the modernization and new construction funds;
- Funding interim housing as an additional allowance;
- Allowing engineer studies to be funded; and
- Reimbursement of projects that would have qualified but the building has been mitigated prior to the effective date of the law (May 20, 2006).

ATTACHMENT

PROPOSED AMENDMENTS TO THE
SCHOOL FACILITY PROGRAM REGULATIONS
State Allocation Board Meeting, August 22, 2007

Amend Regulation Section 1859.2

Section 1859.2. Definitions.

For the purpose of these regulations, the terms set forth below shall have the following meanings, subject to the provisions of the Act:

.....

"Form SAB 50-04" means the *Application For Funding*, Form SAB 50-04 (Revised 08/07), which is incorporated by reference.

.....

"Most Vulnerable Category 2 Buildings," as defined by the DSA, means the building is located where the short period spectral acceleration is 1.55 g or more based on the 2002 United States Geological Survey National Seismic Hazard Maps adjusted for site class factors; the building is designed for occupancy by students and staff; the building type is either C1 – Concrete Moment Frame, PC1A – Precast/Tilt-up Concrete Shear Wall with Flexible Roof, PC2 – Precast Concrete Frame and Roofs with Concrete Shear Walls, or URM – Unreinforced Masonry Bearing Wall Buildings; and a structural report is provided by a structural engineer that demonstrates the lateral force-resisting system of the building does not meet collapse prevention performance objectives and the specific deficiencies and reasoning for concluding that the building has a high potential for catastrophic collapse.

.....

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, 17078.72(k), 17280, 56026, and 101012(a)(8), Education Code; Section 53311, Government Code; and Section 1771.5, Labor Code.

Amend Regulation Section 1859.61

Section 1859.61. Adjustments to the Modernization Baseline Eligibility.

The baseline eligibility for modernization as provided in Section 1859.60 for a specific site will be adjusted as follows:

- (a) Reduced by the number of pupils provided grants in a modernization SFP project or a CSFP Rehabilitation project at the specific site.
- (b) Reduced by the number of pupils housed, based on the loading standards pursuant to Education Code Section 17071.25(a)(2), in a modernization LPP project funded under the LPP pursuant to Sections 1859.14 and 1859.15.
- (c) Increased by changes in projected enrollment in subsequent enrollment reporting years.
- (d) Increased for additional facilities not previously modernized with State funds, that become 25 years old, if permanent, or 20 years old, if portable or as a result of audit findings made pursuant to Sections 1859.90 and 1859.105.
- (e) Adjusted as a result of errors or omissions by the district or by the OPSC.
- (f) Adjusted as a result of amendments to these Subgroup 5.5 Regulations that affect the eligibility.
- (g) For classroom loading standards adopted by the Board for non-severely disabled individuals with exceptional needs and severely disabled individuals with exceptional needs.
- (h) As directed by the Board due to a finding of a Material Inaccuracy pursuant to Regulation Section 1859.104.1.

- (i) Increased for facilities previously modernized with State funds, which qualify for an additional modernization apportionment pursuant to Section 1859.78.8.
- (j) Adjusted as a result of the Reconfiguration of an existing high school under the provisions of the Small High School Program.
- (k) Decreased for facilities that were deemed eligible for modernization pursuant to Sections 1859.60 and 1859.61(d) and subsequently replaced, or will be replaced under a signed contract for construction or acquisition of facilities, in a project funded by the district without participation from the State.
- (l) Adjusted as a result of classrooms demolished and replaced pursuant to Regulation Section 1859.82.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17070.51, 17071.25, 17072.15, 17072.20, 17073.15, 17074.10, ~~and~~ 17074.32, and 17075.10, Education Code.

Amend Regulation Section 1859.81

Section 1859.81. Financial Hardship.

Except for Joint-Use Projects and Career Technical Educational Facilities Projects, a district is eligible for financial hardship to fund all or a portion of its matching share requirement after demonstrating the requirements of (a), (c), and (d) below:

- (a) The district is financially unable to provide all necessary matching funds for an eligible project. To determine this, an analysis shall be made of the district's financial records by the OPSC including data and records maintained by the CDE and the County Office of Education. The analysis shall consist of a review of the district's latest Independent Audit regarding funds available from all capital facility accounts, including, but not limited to, developer fees, funds generated from capital facility certificates of participation, federal grants, redevelopment funds, sale proceeds from surplus property, the appraised value of facilities approved for replacement pursuant to Section 1859.82, bond funds either encumbered, unencumbered or authorized but unsold, and savings from other SFP projects. All funds thus identified that have not been expended or encumbered by a contractual agreement for a specific capital outlay purpose prior to the initial request for financial hardship status shall be deemed available as a matching contribution.

After the initial request for financial hardship status is granted, no further encumbrances will be approved by the OPSC and all prospective revenue made available to the district's capital facility accounts shall be deemed available as matching contribution on the subsequent financial hardship review, with the exception of:

- (1) Approved interim housing expenditures.
- (2) Funding to pay for previously recognized multi-year encumbrances approved at the initial financial hardship approval.
- (3) Funding that is transferred into a Special Reserve Fund and is used for the express purpose of the Federal Renovation Program when the amount expended out of that fund does not exceed the maximum Federal Renovation Grant amount.
- (4) Funding that is transferred into a Special Reserve Fund and is used for the express purpose of the School Facilities Needs Assessment Grant Program or Emergency Repair Program when the amount expended out of that fund does not exceed the maximum grant amount apportioned.
- (5) Funding that is transferred into a Special Reserve Fund and is used for the express purpose of the Career Technical Education Facilities Program when the amount expended out of that fund does not exceed the applicant's share of the maximum grant amount apportioned.
- (6) Funding to pay for obtaining a structural report pursuant to Section 1859.82 for an approvable and funded seismic mitigation project.
- ~~(6)~~(7) All other capital facility funding for a period of three years when no subsequent financial hardship request is made during this period. The three-year period begins with the date of the most recent financial hardship new construction or modernization adjusted grant funding apportionment.

The financial hardship analysis is subject to approval by the Board.

- (b) From the funds deemed available as a matching contribution, the district may retain \$19,776 per classroom in each enrollment reporting period for the cost to provide interim housing for the currently unhoused pupils of the

district. The amount shown shall be adjusted annually in the manner prescribed in Section 1859.71. The number of classrooms needed for interim housing for the currently unhoused pupils shall be the sum of the positive numbers determined in (b)(7) as follows:

- (1) Determine the current enrollment of the district by grade level as shown on the latest Form SAB 50-01.
- (2) Determine the New Construction Grants apportioned by grade level for all SFP projects and LPP funded under the provisions of Sections 1859.12 or 1859.13 where the district has submitted Form SAB 50-06 indicating that the project is 100 percent complete.
- (3) Subtract (b)(2) from (b)(1).
- (4) Determine the number of classrooms by grade level reported in Part 1, Line 8 on Form SAB 50-02.
- (5) Multiply the classrooms determined in (b)(4) by 25 for K-6, 27 for 7-12, 13 for Non-Severe and 9 for Severe.
- (6) Subtract the product determined in (b)(5) from the difference determined in (b)(3) by grade level.
- (7) Divide the difference by grade level determined in (b)(6) by 25 for K-6, 27 for 7-12, 13 for Non-Severe and 9 for Severe and round up to the nearest whole number.

From the funds deemed available as a matching contribution, the district may also retain \$19,776 per portable toilet unit in each reporting period for the cost to provide necessary interim toilet facilities for the currently unhoused pupils of the district. The amount shown shall be adjusted annually in the manner prescribed in Section 1859.71. The number of toilet facilities needed for interim housing shall be the sum of the positive numbers determined in (b)(7) divided by eight rounded up to the nearest whole number.

If the district's available funds, as determined by the OPSC analysis less costs for interim housing, is less than its matching share, the district will be deemed to have met the requirements of this Subsection.

- (c) The district has made all reasonable efforts to fund its matching share of the project by demonstrating it is levying the developer fee justified under law or an alternative revenue source equal to or greater than the developer fee otherwise justified under law at the time of request for hardship and the district meets at least one of the following:
 - (1) The current outstanding bonded indebtedness of the district issued for the purpose of constructing school facilities in accordance with Education Code Section 17072.35 or 17074.25 as appropriate, at the time of request for financial hardship status, is at least 60 percent of the district's total bonding capacity. Outstanding bonded indebtedness includes that part of general obligation bonds, Mello-Roos Bonds, School Facility Improvement District Bonds and certificates of participation which the district is paying a debt service that was issued for capital outlay school facility purposes.
 - (2) The district had a successful registered voter bond election for at least the maximum amount allowed under Proposition 39 within the previous two years from the date of request for financial hardship status. The proceeds from the bond election that represent the maximum amount allowed under the provisions of Proposition 39 must be used to fund the district's matching share requirement for SFP project(s).
 - (3) It is a County Superintendent of Schools.
 - (4) The district's total bonding capacity at the time of the request for financial hardship status is \$5 million or less.
 - (5) Other evidence of reasonable effort as approved by the SAB.
- ~~(d) The district has not signed a contract for acquisition or construction of classrooms that replace existing facility(ies), which were included in the determination of the district's new construction eligibility pursuant to Education Code Section 17071.75, in a locally funded project during the five year period immediately preceding the district's application for financial hardship assistance. This restriction may be lifted if the Board finds that unforeseen and extenuating circumstances existed that required the district to use local funds to replace the facility(ies).~~

If the district's request for financial hardship status is denied by the Board, the district may be deemed eligible for rental payments of \$2,000 per year per classroom under the Emergency School Classroom Law of 1979 for a two year period when relocatable classroom buildings are available and the district provides financial documentation that it is unable to afford the full rental amount and any other information satisfactory to the Board that the rental reduction is necessary. The number of classrooms eligible for the \$2,000 rental payments shall be the sum of the numbers determined in (c)(5)(B) as follows:

- (A) Determine the number of pupils by grade level that the district requested a New Construction Grant on the Form SAB 50-04 that were denied financial hardship status.

(B) Divide the number by grade level determined in (c)(5)(A) by 25 for K-6, 27 for 7-12, 13 for Non-Severe and 9 for Severe and round up to the nearest whole number.

(d) The district has not signed a contract for acquisition or construction of classrooms that replace existing facility(ies), which were included in the determination of the district's new construction eligibility pursuant to Education Code Section 17071.75, in a locally funded project during the five-year period immediately preceding the district's application for financial hardship assistance. This restriction may be lifted if the Board finds that unforeseen and extenuating circumstances existed that required the district to use local funds to replace the facility(ies).

If the district meets the financial hardship requirements in this Section, the amount of financial hardship is equal to the district's matching share less funds deemed available in (a).

Once a district has been notified by the OPSC that it meets the requirements of financial hardship in this Section, the district may file Form SAB 50-04 under the provisions of financial hardship anytime within a period of 180 calendar days from the date of the OPSC notification.

If the district does not submit Form SAB 50-04 under the provisions of financial hardship within 180 calendar days of the OPSC notification of approval of financial hardship status, the district must re-qualify for financial hardship status under the provisions of this Section by submittal of a new request for financial hardship status.

If the district submits Form SAB 50-04 within 180 calendar days of the OPSC notification of approval of financial hardship and the project(s) has been included on an unfunded list for more than 180 calendar days, a review of the district's funds pursuant to (a) will be made to determine if additional district funds are available to fund the district's matching share of the project(s).

Financial hardship approval status by the OPSC for a separate design and/or site apportionment does not apply to any subsequent funding for the project(s).

Note: Authority cited: Sections 17070.35, 17075.15, 17078.72 and 17592.73, Education Code.

Reference: Sections 17075.10 and 17075.15, Education Code.

Amend Regulation Section 1859.82

Section 1859.82. Facility Hardship.

A district is eligible for facility hardship funding to replace or construct new classrooms and related facilities if the district demonstrates there is an unmet need for pupil housing or the condition of the facilities, or the lack of facilities, is a threat to the health and safety of the pupils. A facility hardship is available for:

- (a) New classrooms and/or subsidiary facilities (corridors, toilets, kitchens and other non-classroom space) or replacement facilities if either (1) or (2) are met:
 - (1) The facilities are needed to ensure the health and safety of the pupils if the district can demonstrate to the satisfaction of the Board that the health and safety of the pupils is at risk. Factors to be considered by the Board shall include the close proximity to a major freeway, airport, electrical facility, high power transmission lines, dam, pipeline, industrial facility, adverse air quality emission or other health and safety risks, including structural deficiencies required by the ~~Division of the State Architect~~ DSA to be repaired, seismic mitigation of the Most Vulnerable Category 2 Buildings as verified by the DSA, traffic safety or because the pupils reside in remote areas of the district and transportation to existing facilities is not possible or poses a health and safety risk. The total available funding for seismic mitigation related and all ancillary costs for the Most Vulnerable Category 2 Buildings is \$199.5 million for projects where the construction contract was executed on or after May 20, 2006, and the project funding provided shall be for the minimum work necessary to obtain DSA approval.

(A) If the request is for replacement facilities, a cost/benefit analysis must be prepared by the district and submitted to the OPSC that indicates the total costs to remain in the classroom or related facility and mitigate the problem

is at least 50 percent of the Current Replacement Cost of the classroom or related facility. The cost/benefit analysis may include applicable site development costs as outlined in Section 1859.76. If the cost to remain in the classroom or related facility is less than 50 percent of the Current Replacement Cost, the district may qualify for a Modernization Excessive Cost Hardship Grant for rehabilitation costs pursuant to Section 1859.83 (e) or a grant not to exceed 50 percent of the cost estimate that has been reviewed and approved by the OPSC and approved by the board for seismic rehabilitation.

If the request is for replacement facilities that included structural ~~deficiencies~~ and/or seismic deficiencies, the cost/benefit analysis must also include a report from a licensed design professional identifying the minimum work necessary to obtain ~~Division of the State Architect DSA~~ approval. The report must contain a detailed cost estimate of the repairs. The report and cost estimate shall be subject to review by the OPSC for conformance with the Saylor Current Construction Cost Publication and, at the OPSC's discretion, the ~~Division of the State Architect DSA~~. For seismic deficiencies of the Most Vulnerable Category 2 Buildings, the report and the cost estimate for the minimum work necessary must be reviewed by the DSA.

- (2) The classroom or related facility was lost or destroyed as a result of a disaster such as fire, flood or earthquake and the district has demonstrated satisfactorily to the Board that the classroom or related facility was uninsurable or the cost for insurance was prohibitive.

If the district qualifies for a new or replacement school pursuant to either (1) or (2) above, the district is eligible for a New Construction Grant as a new construction project for the lesser of the pupils housed in the replaced facility based on loading standards pursuant to Education Code Section 17071.25(a)(2) or the latest CBEDS enrollment at the site.

If the district qualifies for replacement facilities on the same site pursuant to either (1) or (2) above, the district is eligible for funding as a new construction project. Replacement facilities shall be allowed in accordance with the square footage amounts provided in the chart in Section (b) below. If the facility eligible for replacement is not shown in the chart in Section (b) below, the replacement facility shall be limited to the square footage replaced. The grant amount provided shall be \$173.30 per square foot for Toilet Facilities and \$96.30 per square foot for all other facilities. Additional funding may be provided for applicable site development costs pursuant to Section 1859.76, New Construction Excessive Cost Hardship Grant(s) pursuant to Section 1859.83(a), (b) or (d), therapy room pursuant to Section 1859.72, multilevel construction pursuant to Section 1859.73 and project assistance pursuant to Section 1859.73.1. The amounts shown will be adjusted in the manner prescribed in Section 1859.71. The district may be eligible for the funding provided to initiate and enforce a LCP as prescribed in Section 1859.71.4.

Any grants provided pursuant to either (1) or (2) above will be reduced for any space deemed available by the Board in the district, the HSAA or Super HSAA that could be used to house some or all of the displaced pupils, fifty percent of any insurance proceeds collectable by the district for the displaced facilities and fifty percent of the net proceeds available from the disposition of any displaced facilities.

- (b) A multi-purpose room, toilet, gymnasium, school administration or library/media center, facility that meets all the following:
 - (1) The facility was lost or destroyed as a result of a disaster, including but not limited to fire, flood or earthquake.
 - (2) The facility is no longer useable for school purposes as recommended by the California Department of Education and approved by the Board.
 - (3) The district has demonstrated satisfactorily to the Board that the facility was uninsurable or the cost of insurance was prohibitive.

If the district qualifies, the district is eligible for funding as a new construction project. The funding amount provided shall be \$96.30 per square foot for library/media center, school administration, gymnasium and multi-purpose facilities, and/or \$173.30 per square foot for Toilet Facilities. A New Construction Additional Grant may be provided for applicable site development costs pursuant to Section 1859.76, New Construction Excessive Cost Hardship Grant(s) pursuant to Section 1859.83(a) and (d), therapy room pursuant to Section 1859.72, multilevel construction pursuant to Section 1859.73 and project assistance pursuant to Section 1859.73.1. The amounts shown will be adjusted in the manner prescribed in Section 1859.71. The district may be eligible for the funding provided to initiate and enforce a LCP as prescribed in Section 1859.71.4.

Any grants provided pursuant to (b) above, shall be reduced by fifty percent of any insurance proceeds collectable by the district for the displaced facilities and fifty percent of the net proceeds available from the disposition of any displaced facilities.

The square footage provided, after accounting for all useable facilities on the site, shall not exceed the following:

<i>Facility</i>	<i>Elementary School Pupils</i>	<i>Middle School Pupils</i>	<i>High School Pupils</i>
Multi-Purpose (includes food service)	5.3 sq. ft. per pupil minimum 4,000 sq. ft.	5.3 sq. ft. per pupil minimum 5,000 sq. ft.	6.3 sq. ft. per pupil minimum 8,200 sq. ft.
Toilet	3 sq. ft. per pupil minimum 300 sq. ft.	4 sq. ft. per pupil minimum 300 sq. ft.	5 sq. ft. per pupil minimum 300 sq. ft.
Gymnasium (includes shower/locker)	N/A	12.9 sq. ft. per pupil minimum 6,828 sq. ft. maximum 16,000 sq. ft.	15.3 sq. ft. per pupil minimum 8,380 sq. ft. maximum 18,000 sq. ft.
School Administration	3 sq. ft. per pupil minimum 600 sq. ft.	3 sq. ft. per pupil minimum 600 sq. ft.	4 sq. ft. per pupil minimum 800 sq. ft.
Library/Media Center	2.3 sq. ft. per pupil plus 600 sq. ft.	3.3 sq. ft. per pupil plus 600 sq. ft.	4.3 sq. ft. per pupil plus 600 sq. ft.

Any facilities eligible for facility hardship not shown in the above chart or for Alternative Education facilities not shown in the table in Section 1859.77.3(a)(5) shall be eligible for replacement square footage equal to the facilities replaced. For an Alternative Education school eligible for a facility hardship, utilize the square footage provided in Section 1859.77.3(a)(5), with the exception of toilet and administration where the chart above shall be utilized.

A district may request a determination of eligibility for facility hardship funding in advance of project funding.

(c) A district seeking replaced facilities as a result of either (a) or (b) above must submit Form SAB 50-04 for the replaced facilities:

- (1) Within 18 months if the replacement facilities will be located on the same site.
- (2) Within 24 months if the replacement facilities will be located on a replacement site.

If an Approved Application for the replaced facility is not accepted within the time periods identified in (c)(1) or (c)(2) above, the Board shall re-review the criteria submitted by the district for replacement of the facility prior to apportionment of the replaced facility.

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

Reference: Sections 17074.56, 17075.10 and 17075.15, Education Code.

APPLICATION FOR FUNDING SCHOOL FACILITY PROGRAM

SAB 50-04 (REV 06/06/09/07)

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 is a request for funding under the Small High School Program, pursuant to Regulation Section 1859.93.2, the district must also provide a CDE Small High School academic reform strategy approval.
- 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.
- Cost estimate of the proposed site development necessary for the Reconfiguration of an existing high school.
- 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.

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.

APPLICATION FOR FUNDING SCHOOL FACILITY PROGRAM

SAB 50-04 (REV 06/06/09/07)

For a list of the documents that must be submitted in order 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.

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 "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), [seismic replacement or seismic rehabilitation for the Most Vulnerable Category 2 Buildings](#), or rehabilitation pursuant to Section 1859.83 (e), check the appropriate box(es).

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

- 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.

- 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.
- If this request includes pupil grants generated by an Alternative Enrollment Projection Method, enter the number of pupils by grade level.
- Indicate if this request is for funding of a 6–8 school and/or an Alternative Education School.
- 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.
- 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 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:

- Therapy area in square feet as provided in Section 1859.72.
- Multilevel classrooms in the P&S pursuant to Section 1859.73.
- 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.
- 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.
 - Enter 50 percent of the actual cost.
 - 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.
 - Enter 50 percent of the allowable relocation cost.
 - Enter two percent of the lesser of the actual cost or appraised value of the site (minimum \$25,000).
 - 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. If the district is submitting a funding request for new construction under the Small High School Program, enter the 60 percent values.

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.

- 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.
- Enter 50 percent of eligible service-site development, off-site development including pedestrian safety paths and utilities costs allowed pursuant to Section 1859.76. If the district is submitting a funding request for new construction under the Small High School Program, enter the 60 percent values. 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

- If the district is requesting replacement facilities on the same site (including seismic replacement), enter the square footage requested as provided in Section 1859.82(a) or (b).

h. If the request for seismic rehabilitation does not exceed 50 percent of the current replacement cost of the classroom or related facility, report 50 percent of the health/safety seismic mitigation cost as authorized by Section 1859.82(a).

- Enter the square feet of eligible replacement area as provided by Section 1859.73.2.
- 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).
- 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

- 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.
- 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).
- 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).
- Check the box if the district is requesting a Separate Apportionment for Reconfiguration pursuant to Section 1859.78.9. Enter the full value of the Reconfiguration request, not to exceed an aggregate of \$500,000 for all high school entities created.
- 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.

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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.

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

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 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(i).
- 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.

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)
- New Construction (Small High School Program)
- 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)]
 - Seismic Replacement
 - Seismic Rehabilitation
- 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. 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: _____

- f. 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)

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- 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. Seismic Rehabilitation [Section 1859.82(a)] \$ _____

- ih. Replacement area
 - Toilet (sq. ft.): _____
 - Other (sq. ft.): _____

ji. Energy Efficiency: _____ %

- kj. 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. Separate Apportionment for Reconfiguration (for Small High School Program only): \$ _____
- e. 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)]
 - New School Project [Section 1859.83(c)(3)]
 - 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

- 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
- Other: _____

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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 19 and 20, 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,
- 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,

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- 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 51226.1; 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; and
- If this application is submitted pursuant to Section 1859.93.2, the district certifies that it has an academic reform strategy scored by the CDE, and is available at the district office for OPSC verification; and
- If this application is submitted pursuant to Section 1859.93.2, the district certifies the enrollment at the Small High School will not exceed 500 pupils for a minimum of two complete school years after the Occupancy of the last Small High School funded, as outlined in Section 1859.104(e)(2); and
- If this application is submitted pursuant to Section 1859.78.9, the district certifies the enrollment at the resulting Small High Schools will not exceed 500 pupils for a minimum of two complete school years after the Occupancy of the Small High Schools; and
- If this application is submitted pursuant to Section 1859.78.9 or Section 1859.93.2, the district certifies that it will meet all reporting requirements as specified in Section 1859.104(e)(1) and/or (2).

SIGNATURE OF DISTRICT REPRESENTATIVE

DATE