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CALIFORNIA STATE ALLOCATION BOARD

PUBLIC MEETING

CALIFORNIA DEPARTMENT OF EDUCATION  
1430 N STREET  
FIRST FLOOR, ROOM 1101  
SACRAMENTO, CALIFORNIA 95814

DATE: WEDNESDAY, OCTOBER 23, 2019

TIME: 2:05 P.M.

Reported By: Peter Petty  
eScribers

1 APPEARANCES:

2 MEMBERS OF THE BOARD PRESENT:

3 GAYLE MILLER, Chief Deputy Director, Policy, Department of  
4 Finance, designated representative for Keely Bosler,  
Director, Department of Finance

5 DANIEL KIM, Director, Department of General Services

6 JUAN MIRELES, Director, School Facilities and Transportation  
7 Services Division, California Department of Education,  
designated representative for Tom Torlakson, Superintendent  
8 of Public Instruction

9 SENATOR SCOTT WILK

10 ASSEMBLYMEMBER ADRIN NAZARIAN

11 ASSEMBLYMEMBER PATRICK O'DONNELL

12 REPRESENTATIVES OF THE STATE ALLOCATION BOARD PRESENT:

13 LISA SILVERMAN, Executive Officer

14 REPRESENTATIVES OF THE DEPARTMENT OF GENERAL SERVICES, OFFICE  
OF PUBLIC SCHOOL CONSTRUCTION (OPSC) PRESENT:

15 LISA SILVERMAN, Executive Officer  
16 BARBARA KAMPMEINERT, Deputy Executive Officer

17 REPRESENTATIVE OF THE DEPARTMENT OF GENERAL SERVICES,  
OFFICE OF LEGAL SERVICES PRESENT:

18 LANCE DAVIS, Staff Counsel

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P R O C E E D I N G S

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MS. MILLER: -- everyone and welcome to the State Allocation Board meeting. I said a lot of people would like me to have a mute button, but there's two of them on here. So we are calling the meeting to order. Secretary, will you call the roll, please, Ms. Jones.

MS. JONES: Certainly. Senator Wilk.

SENATOR WILK: Present.

MS. JONES: Senator Leyva.

Senator Roth.

Assemblymember Nazarian.

MR. NAZARIAN: Present.

MS. JONES: Assemblymember O'Donnell.

ASSEMBLYMEMBER O'DONNELL: Present.

MS. JONES: Assemblymember Cunningham.

Juan Mireles.

MR. MIRELES: Here.

MS. JONES: Cesar Diaz.

Daniel Kim.

MR. KIM: Here.

MS. JONES: Gayle Miller.

MS. MILLER: Here.

MS. JONES: We have a quorum.

MS. MILLER: Thank you very much. First, I would

1 like to note that the appeal items for Los Angeles Unified,  
2 San Bernardino City Unified, and Washington Unified under  
3 Tab 6 have been withdrawn from the agenda, so there are no  
4 appeals on this agenda.

5           Also before we get started on the rest of the  
6 agenda, I'd like to provide the Board with another brief  
7 update on the status of one of our pending lawsuits. The  
8 litigation with CASH and six petitioning school districts  
9 concerning CCI investments remains ongoing. The Attorney  
10 General's office on behalf of the State Allocation Board has  
11 objected to the scope of the proposed order submitted by  
12 petitioners.

13           The SAB's objection was tentatively sustained.  
14 Petitioners have since then submitted an opposition to the  
15 SAB's objection and the hearing on the objection is set for  
16 November 15th in Orange County Superior Court, after which a  
17 final judgment is expected.

18           Consultants with the SAB's in-house counsel and  
19 its representatives from the AG's office will be meeting  
20 about post-ruling strategies to correct what we believe to  
21 be this erroneous decision and those discussions are  
22 ongoing.

23           We anticipate having counsel provide the SAB  
24 members with a update and status report concerning  
25 litigation during a closed session in December.

1           Mr. Tao, we will call you up during closed  
2 session, but again, we will not discuss ongoing litigation  
3 during the Board meeting but appreciate you being here and  
4 at the appropriate time, I'll call you up to make a  
5 statement. Thank you very much for being here.

6           So with that, we'll move to the **Executive**  
7 **Officer's Statement.** Ms. Silverman.

8           Oh, first, we have to approve the **Minutes** from the  
9 September 25th meeting.

10          SENATOR WILK: So moved.

11          MS. MILLER: Moved by Mr. Wilk. Seconded by  
12 Mr. Nazarian. (Indiscernible)

13          MS. JONES: Senator Wilk.

14          SENATOR WILK: Aye.

15          MS. JONES: Assemblymember Nazarian.

16          MR. NAZARIAN: Aye.

17          MS. JONES: Assemblymember O'Donnell.

18          ASSEMBLYMEMBER O'DONNELL: Aye.

19          MS. JONES: Juan Mireles.

20          MR. MIRELES: Aye.

21          MS. JONES: Daniel Kim.

22          MR. KIM: Aye.

23          MS. JONES: Gayle Miller.

24          MS. MILLER: Aye.

25          MS. JONES: That motion carries.

1 MS. MILLER: Great. Thank you very much. And I  
2 apologize. I forgot to ask if there was any public comment  
3 on the Minutes. None. Thank you. And I apologize for  
4 that.

5 Now we'll move to the **Executive Officers**  
6 **Statement.** Ms. Silverman.

7 MS. SILVERMAN: Yes. We have a few things  
8 reported tonight. So we wanted to highlight that Assembly  
9 Bill 48, which was also sponsored by a member here,  
10 Assemblymember O'Donnell and Senator Steve Glazer, and that  
11 was a \$15 billion initiative that was signed by Governor  
12 Newsom on October 7th. So we're really happy and pleased  
13 about that.

14 So we'll be monitoring the progress as this  
15 initiative goes to the voters on March 3rd and some  
16 statewide primaries. So again, there will be 9 billion  
17 carved out for this program if that bond initiative passes.

18 The second item we wanted to share was the  
19 priority funding apportionments. The Board took action on  
20 September 25th and that was over \$771 million being  
21 allocated as a result of the bond sale. There was 193  
22 projects that were presented to the Board.

23 The timeline for districts to submit their  
24 certifications and fund release documents are till  
25 December 24th, Christmas Eve. We'll keep the doors open and

1 we want to make sure that districts submit their information  
2 to us early.

3 We also wanted to highlight on October 15th we had  
4 also released \$173 million already from that apportionment.  
5 So that's great news and we also want to share that there  
6 are career tech education projects that were part of the  
7 original allocation and those have different timelines.

8 So although the rest of the program will have 90  
9 days to activate their cash, these career tech projects will  
10 have different timelines. So their timelines -- or due  
11 dates are September 24th and they should provide us with  
12 Department of Education approval and DSA approvals as well.

13 Full-day kinder, we are pleased announce that with  
14 Senate Bill 75, statute of 2019, that extended the full-day  
15 kinder program and we actually are super excited about the  
16 extension, but there are some changes with that.  
17 \$300 million will be allocated to the new program and this  
18 is great news.

19 We actually held two stakeholder meetings, one on  
20 September 26 and October 9 to get some feedback on proposed  
21 regulations and that's part of the agenda today.

22 The last item I want to share is the career tech  
23 education filing round for the 250 million is open and folks  
24 have until December 2nd to submit their grant reviews to the  
25 Department of Education.

1           If you already have a high scoring project and  
2 your program didn't change and your budget didn't change,  
3 you can use your same score and submit your funding  
4 application to us immediately.

5           But those folks who are submitting their program  
6 grants for review to the Department of Education, they'll be  
7 scoring you on the flow basis and you can submit. As long  
8 as you have a score of 105 or higher, you'll be eligible for  
9 the funding application.

10           So again, we're actually going to hold a workshop  
11 with Department of Education on November 6th. So we're  
12 excited about announcing that. The time is forthcoming and  
13 the location I believe will be the Ziggurat Building in West  
14 Sacramento.

15           So again, we're looking forward to a robust  
16 application filing pool and allocate that 250 million. And  
17 our next meeting is December 9th.

18           MS. MILLER: Great. Thank you very much. Last  
19 time, we graduated Mr. O'Donnell and your staff and all the  
20 people at Department of Finance as well that worked so hard  
21 on the bond. So we are looking forward to the voters  
22 weighing in as well. So thank you very much for that.

23           Any other public comments or questions from the  
24 Board about the Executive Officer's Statement? No? Thank  
25 you. With that, we will move to the **Consent Agenda**, please,



1 Ms. Silverman.

2 MS. SILVERMAN: Consent's ready for your approval.

3 MS. MILLER: Do we have a motion?

4 ASSEMBLYMEMBER O'DONNELL: So moved.

5 MR. MIRELES: Second.

6 MS. MILLER: Moved by Mr. O'Donnell, second by

7 Mr. Mireles. Ms. Jones.

8 MS. JONES: Senator Wilk.

9 SENATOR WILK: Aye.

10 MS. JONES: Assemblymember Nazarian.

11 MR. NAZARIAN: Aye.

12 MS. JONES: Juan Mireles.

13 MR. MIRELES: Aye.

14 MS. JONES: Daniel Kim.

15 MR. KIM: Aye.

16 MS. JONES: Gayle Miller.

17 MS. MILLER: Aye.

18 MS. JONES: And that motion passes. Thank you.

19 MS. MILLER: Thank you very much.

20 ASSEMBLYMEMBER O'DONNELL: I don't believe I

21 (indiscernible).

22 MS. JONES: Oh, I'm sorry. Assemblymember

23 O'Donnell.

24 ASSEMBLYMEMBER O'DONNELL: Aye.

25 MS. MILLER: I think he did.

1 ASSEMBLYMEMBER O'DONNELL: Well, I said aye twice.

2 MS. JONES: Okay.

3 MS. MILLER: We really --

4 MS. JONES: Assemblymember Nazarian. I'm sorry.

5 MS. MILLER: Yes, here, Mr. Mireles. I'm sorry  
6 for the AV issues. They we go. Thank you. And we will now  
7 move to **financial reports**.

8 MS. SILVERMAN: Right. So on page 100, we wanted  
9 just to highlight the fund release activity. That was just  
10 a short caption of time where we actually released  
11 13 million in September, although we allocated the last week  
12 of September.

13 We also wanted to highlight on page 102 the Board  
14 did take action on 48 approvals and that's for over  
15 \$84 million. So again, we're working at a rapid pace here  
16 in order to meet the \$1.5 billion timeline to get those  
17 projects approved.

18 We also wanted to highlight there's nearly  
19 \$5 million in closeout activity for the month as well that  
20 we wanted highlight in the agenda. So with that, I'm open  
21 to any questions.

22 MS. MILLER: Any questions from the Board? Any  
23 comments from the public? No? Thank you very much. So as  
24 I mentioned previously, Tab 6 -- all three of the appeals  
25 were withdrawn from the agenda. So with that, we will move

1 to Tab 7, please, the apportionments.

2 MS. SILVERMAN: Yeah. So we wanted to highlight  
3 on page 390, this is the full-day kinder second filing  
4 round. This is as a result of the \$100 million that was  
5 awarded originally to the program.

6 So with that, out of the 60 million that's  
7 available, there's 34 projects that we are seeking Board  
8 approval for \$56.7 million and again, we wanted to share  
9 with the Board that the highlight of how you get preference  
10 points is the district actually had to have financial  
11 hardship status which actually gave them a 40 point  
12 preference and up to 40 points if you had a free and reduced  
13 lunch program.

14 But as far as the number of applications that  
15 submitted, there was over 349 applicants that requested  
16 \$432 million. So again, that was a large pool for just the  
17 \$60 million. So it was very competitive. So excited about  
18 the amount of participation there.

19 But we also wanted to share out of the  
20 \$60 million, there's still \$3.2 million that remains and  
21 this is -- there's a reason why we haven't allocated the  
22 rest of the funds, is there's a district that actually is  
23 seeking an appeal under other evidence for financial  
24 hardship.

25 So once the Board has heard that appeal and

1 figures out what pathway we're going to choose, then we can  
2 allocate the remaining funds.

3 We wanted to highlight as far Board approval to  
4 take action on Attachment A, we also want to highlight, this  
5 program is obviously a lot different from the future  
6 program.

7 Districts who actually have a match participation  
8 in the program have the ability to expend the savings, but  
9 they must do so within the 12-month period. Again, that's  
10 an option for those folks.

11 But if you are hardship designation, you don't  
12 have the ability to expend down the extra funds. So again,  
13 you have to return the program funds. So again, that's  
14 definitely a distinction there.

15 So with that, we are seeking Board approval for  
16 the 34 projects for \$56.7 million and that's in  
17 Attachment A.

18 MS. MILLER: All right. Thank you for that,  
19 Ms. Silverman. Any questions. Any public comment?

20 ASSEMBLYMEMBER O'DONNELL: Moved.

21 MS. MILLER: Moved by Mr. O'Donnell. Second by  
22 Mr. Nazarian. Ms. Jones, will you call the roll, please.

23 MS. JONES: Yes. Senator Wilk.

24 SENATOR WILK: Aye.

25 MS. JONES: Assemblymember Nazarian.

1 MR. NAZARIAN: Aye.

2 MS. JONES: Assemblymember O'Donnell.

3 ASSEMBLYMEMBER O'DONNELL: Aye.

4 MS. JONES: Juan Mireles.

5 MR. MIRELES: Aye.

6 MS. JONES: Daniel Kim.

7 MR. KIM: Aye.

8 MS. JONES: Gayle Miller.

9 MS. MILLER: Aye.

10 MS. JONES: And that motion carries.

11 MS. MILLER: Thank you very much. Moving onto the  
12 **regulations**, please, Ms. Kampmeindert.

13 MS. KAMPMEINDERT: Thank you. So the next item is  
14 on page 429 and it's one of two **regulations** in the packages  
15 that we are seeking the Board's approval on today.

16 The item beginning on page 429 relates to the  
17 full-day kindergarten program and it's has proposed  
18 regulation changes that are a result of the changes that  
19 were made to Ed Code Section 17375 and this came about along  
20 with the \$300 million in additional funding that was  
21 provided for the program.

22 So the changes in general are aligning the  
23 regulations with the new requirements and provisions in the  
24 statute.

25 If I could draw your attention to page 430, we

1 have a chart that highlights the major changes and how  
2 that's going to apply depending on when a district is  
3 participating in the program.

4           So at the top of that page, we've outlined the  
5 five full-day kindergarten filing rounds for applications.  
6 The first two were from the original \$100 million and we  
7 actually just heard the motion on round two, two minutes  
8 ago. So that's the first \$100 million.

9           We are setting the third round to begin on  
10 April 1st, 2020, and rounds three and four are going to have  
11 slightly different provisions than these first rounds and  
12 the first \$100 million, and some of those changes include  
13 that only districts that were not previously operating a  
14 full-day kindergarten program at the site that they're  
15 applying for will be eligible in rounds three and four.

16           So in rounds one and two, we have many districts  
17 that may have been doing full-day kindergarten but not  
18 necessarily in kindergarten classrooms. They were eligible  
19 for rounds one and two along with those that were converting  
20 to full-day kindergarten.

21           So rounds three and four, it will just be those  
22 that are converting to full-day. If we get to round five,  
23 if there are additional funds remaining in July of 2021,  
24 then it reverts back to those who are converting from  
25 part-day to full-day and also those who just did not have

1 the appropriate kindergarten facilities. That's one of the  
2 big changes.

3           Also another big change is the matching share  
4 requirement. Previously, we were at a 50/50 matching share  
5 for new construction and 60/40 for the retrofit projects.  
6 This is now a 75/25 matching program for those districts  
7 that are converting from part-day to full-day, and that  
8 provision will actually apply even to those districts in  
9 round one and two who were making that conversion. So we'll  
10 be able to use some of the funding from the 300 million and  
11 go back and adjust that matching share if these districts  
12 have not already received financial hardship for their  
13 share. They'll get a higher state grant amount basically.

14           And then a couple other things. As Lisa covered  
15 in the prior item, the financial hardship requirements have  
16 changed. So for rounds three, four, and five, even  
17 financial hardship districts will be able to retain savings.

18           All districts will be able to use savings for  
19 capital outlay like they could originally. However, there  
20 are some added components where now that savings may also be  
21 used for professional development and instructional  
22 materials that will help implement the full-day kindergarten  
23 program.

24           And then two other things related to eligibility.  
25 The next is that we -- for all applicants, all rounds, there

1 is no new construction eligibility adjustment in the schools  
2 facilities program for facilities provided under the  
3 full-day kindergarten program, and then also when applicants  
4 are applying beginning in round three, instead of looking at  
5 a single year of enrollment data, we will be requiring four  
6 years of enrollment data to look at the trend that has been  
7 occurring at that particular school site.

8           And OPSC working with the Department of Education  
9 will be evaluating the applications to determine if the  
10 project needs to be limited to a retrofit and the  
11 partnership between the two agencies is to ensure that even  
12 if there is space available to a campus, we need to ensure  
13 that the retrofit will fill out all the school site to meet  
14 all Title 5 requirements.

15           So those are the major changes. We had two  
16 stakeholder meetings. We outlined the regulations, the  
17 grant agreement, the corresponding form changes. Didn't  
18 have a ton of participation, not a lot of input, so it must  
19 mean we really nailed it the first time. Either that or  
20 actually the statute was pretty clear on these changes, so  
21 that helped a lot.

22           But -- so we didn't hear much from stakeholders,  
23 but we do think that these regulations are ready for your  
24 approval. We are asking that they be filed on an emergency  
25 basis and we do have provisions in the full-day kinder



1 statute to do that. That will enable us to get the program  
2 in place in time for that April 1st round

3 And one other thing I failed to mention, for the  
4 next round, we did not put a cap on the amount of funding,  
5 so all 300 million is available for applicants and the  
6 intent of that is to ensure that we get this money going as  
7 quickly as possible so that folks can get these facilities  
8 in place.

9 If there is funding leftover, it will roll over to  
10 rounds four and five. So we're expecting a different  
11 applicant pool at this time, so we thought that that made  
12 the most sense.

13 So with that, the regulations, forms, and grant  
14 agreement are ready for your approval and we are requesting  
15 authorization to file on an emergency basis.

16 MS. MILLER: Great. Thank you very much. Any  
17 questions? Mr. O'Donnell?

18 ASSEMBLYMEMBER O'DONNELL: Yes. Thank you. Just  
19 with regard to prioritization, I mean you highlighted from  
20 part-day to full-day, but what about for Title 1 schools.  
21 The way I look at this from a -- I guess an academic  
22 perspective or a student success perspective is we should  
23 really be focusing on Title 1 schools before we focus on  
24 others because the fact of the matter is for some schools,  
25 full-day kinder is a want where others it's an absolute

1 need. Are we contemplating that through this?

2 MS. KAMPMEINERT: So there are provisions in the  
3 statute that talk about what we can provide priority to and  
4 that part stayed the same. So it's still those districts  
5 that have a higher percentage of free and reduced price  
6 meals and then also the districts that qualify for financial  
7 hardship.

8 So we still have our same point structure in place  
9 for those two categories. In the prior item on -- let's  
10 see. That's page 392 -- we have been trying to track the  
11 data on the Title 1 schools. So 91 percent of the folks --  
12 of the applicants that are receiving funds from the prior  
13 round did receive Title 1 funding for the site that they  
14 applied for.

15 So it seems to be tying to the group that we're  
16 getting, but there is no specific preference for Title 1.  
17 It just kind of seems to be going along with what we're  
18 getting for the applications.

19 We're not sure what we'll get in the next filing  
20 round because it does change who will apply because it's  
21 those that are currently offering the full-day kinder.

22 ASSEMBLYMEMBER O'DONNELL: Okay. Thank you.  
23 Again, I just -- anything we can do to emphasize Title 1  
24 schools prior -- you know, emphasize Title 1 schools then  
25 would be a good thing because those are the schools that

1 really need full-day kinder, at least in the short term.

2           Maybe all schools do -- maybe. I don't know  
3 (indiscernible), but certainly some of the kids need that  
4 support. So to the extent that we can provide it, we should  
5 do that. Thank you.

6           MS. MILLER: Thank you very much. Any other  
7 questions. Any public comment? Seeing none, may we have a  
8 motion, please, for approval --

9           SENATOR WILK: So moved.

10          MS. MILLER: Moved by Senator Wilk.

11          MR. MIRELES: Second.

12          MS. MILLER: Second by Mr. Mireles. Ms. Jones.

13          MS. JONES: Senator Wilk.

14          SENATOR WILK: Aye.

15          MS. JONES: Assemblymember Nazarian.

16          MR. NAZARIAN: Aye.

17          MS. JONES: Assemblymember O'Donnell.

18          ASSEMBLYMEMBER O'DONNELL: Aye.

19          MS. JONES: Juan Mireles.

20          MR. MIRELES: Aye.

21          MS. JONES: Daniel Kim.

22          MR. KIM: Aye.

23          MS. JONES: Gayle Miller.

24          MS. MILLER: Aye.

25          MS. JONES: And that motion carries.

1 MS. MILLER: Thank you very much. Another  
2 regulatory.

3 MS. KAMPMEINERT: Yeah. Another reg change. The  
4 next one is on page 502 and it relates to the charter school  
5 facilities program.

6 As the regulations currently stand, we have  
7 wording in there that states that a charter school  
8 facilities program filing round will open 90 days after an  
9 election authorizing additional funding. So in this case,  
10 it will be 90 days after the March election if that bond  
11 does pass.

12 We were taking a look at this because we have some  
13 concerns with that time frame. When Proposition 51 passed,  
14 there were no program changes, so opening the filing round  
15 90 days later wasn't really an issue because everything  
16 stayed the same. We could use the same forms, things like  
17 that.

18 However, with AB-48, there are some changes to the  
19 charter school facilities program that will require us to  
20 amend regulations and we'd like the opportunity to work with  
21 stakeholders on those changes and have adequate time to  
22 bring those before the Board in a thoughtful manner.

23 So what we are requesting is to strike that  
24 language specifically requiring that the round be open  
25 90 days after the election and allow the Board the

1 flexibility to establish the next filing round which is how  
2 we handle it when there are any rounds that happened from  
3 returning of funds.

4 We did, however, agree that it would be helpful to  
5 provide a degree of certainty to applicants as to when that  
6 filing round will be open because originally, it had been  
7 just 90 days out from the bond.

8 So in the staff analysis section of this item as  
9 well as in Recommendation No. 3, we are recommending that  
10 the Board declare intent to have the regulations in place in  
11 a timely manner so that the round can open on or before  
12 March of 2021. So it basically pushes the opening out no  
13 more than 90 days after it would have opened under the  
14 existing regulation.

15 So we are seeking the Board's approval for this  
16 change and then this doesn't actually change in the  
17 regulations for AB-48. We would be coming back with any  
18 actual program changes in the future once the election's  
19 occurred.

20 MS. MILLER: After the stakeholder engagement  
21 and --

22 MS. KAMPMEINERT: Of course. Yes.

23 MS. MILLER: Great. Any questions from the Board?  
24 Any public comment? Is there a motion?

25 ASSEMBLYMEMBER O'DONNELL: Move.

1 MR. NAZARIAN: Second.

2 MS. MILLER: Moved by Mr. O'Donnell. Second by  
3 Assemblymember Nazarian. Ms. Jones.

4 MS. JONES: Senator Wilk.

5 SENATOR WILK: Aye.

6 MS. JONES: Assemblymember Nazarian.

7 MR. NAZARIAN: Aye.

8 MS. JONES: Assemblymember O'Donnell.

9 ASSEMBLYMEMBER O'DONNELL: Aye.

10 MS. JONES: Juan Mireles.

11 MR. MIRELES: Aye.

12 MS. JONES: Daniel Kim.

13 MR. KIM: Aye.

14 MS. JONES: Gayle Miller.

15 MS. MILLER: Aye.

16 MS. JONES: That motion carries.

17 MS. MILLER: Great. Thank you very much. We are  
18 now almost at the end. Ms. Silverman.

19 MS. SILVERMAN: We have just the information item  
20 which is showing the workload and actually the next meeting  
21 is December 9th at 3:00.

22 MS. MILLER: Thank you very much. So before we  
23 adjourn, we only have one comment card, if anyone else wants  
24 to speak. Mr. Tao, if you want come up and address the  
25 Board. And if anyone else wants to speak, if you could

1 please let Ms. Jones know. Good afternoon.

2 MR. TAO: Thank you. I appreciate the Board's  
3 time and your efforts. And the --

4 MS. MILLER: Would you mind stating your name for  
5 the record.

6 MR. TAO: Oh, I apologize.

7 MS. MILLER: Thank you very much.

8 MR. TAO: I'm Terry Tao representing CASH and four  
9 of the six school districts that were involved in the CASH  
10 versus State Allocation Board lawsuit.

11 I'm following up on the September 16th ruling that  
12 the construction cost index adjustment, what's called the  
13 CCI adjustment, which will be scheduled for an upcoming  
14 agenda be addressed by the Board in a fair manner.

15 We were sadly disappointed with the objections  
16 received from the State Allocation Board which only  
17 addressed whether or not the other school districts that  
18 were on the unfunded list received the CCI adjustment, not  
19 the six.

20 We believe that that position is inequitable and  
21 unfair to the districts that followed the SAB's rules,  
22 followed the OPSC guidelines, submitted their applications  
23 in 2012, and patiently waited five years for funding until  
24 2017.

25 The Orange County Superior Court that the SAB

1 abused their discretion not awarding the CCI adjustment.  
2 Thus it is not just the six districts that sued who were  
3 entitled to the CCI adjustment, it was all of the districts  
4 on the 2012 unfunded list.

5           Rather than wait for these other school districts  
6 to enforce their rights utilizing the court system, we would  
7 urge the SAB to strongly consider equitable treatment in  
8 granting the applicable CCI adjustment to all of the  
9 districts on the 2012 unfunded list.

10           I realize that many of you on the SAB were not  
11 here or maybe not aware of what was going on when this issue  
12 arose because this item came up in a very unclear manner.

13           So since this matter is of great importance to  
14 school districts overall generally because it's an issue of  
15 fairness and ability to build school facilities, we would as  
16 that the State Allocation Board, when this agenda item comes  
17 up as will be required by the court order, that all of the  
18 school districts on the 2012 unfunded list be treated fairly  
19 and equitably. Thank you.

20           MS. MILLER: Thank you very much. Any other  
21 public comment? Seeing none, the meeting is adjourned.  
22 Thank you very much everyone and thanks for letting us use  
23 your building.

24           (Whereupon, at 2:14 p.m., the proceedings were  
25 adjourned.)



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TRANSCRIBER'S CERTIFICATE

STATE OF CALIFORNIA            )  
  )  ss.  
COUNTY OF SACRAMENTO        )

I, Mary C. Clark, a Certified Electronic Court Reporter and Transcriber, Certified by the American Association of Electronic Reporters and Transcribers, Inc. (AAERT, Inc.), do hereby certify:

That the proceedings herein of the California State Allocation Board, Public Meeting, were duly transcribed by me;

That the foregoing transcript is a true record of the proceedings as recorded;

That I am a disinterested person to said action.

IN WITNESS WHEREOF, I have subscribed my name on October 28, 2019.

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Mary C. Clark  
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