

OFFICE OF PUBLIC SCHOOL CONSTRUCTION  
STAKEHOLDER MEETING  
July 24, 2025

IMPLEMENTATION OF PROPOSITION 2 FOR THE SCHOOL FACILITY PROGRAM  
AND  
MANDATORY USE OF OPSC ONLINE REGULATORY AMENDMENTS

PURPOSE

The purpose of this meeting is to continue discussion with stakeholders on the implementation of the Kindergarten through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024 (Proposition 2), and to introduce non-Proposition 2 proposed School Facility Program (SFP) regulatory amendments for the mandatory use of OPSC Online.

*Proposition 2 Implementation*

The Office of Public School Construction (OPSC) presents the latest proposed regulations and responses to feedback received for the topic of Natural Disaster Assistance (previously referred to as “Interim Housing and Natural Disaster Assistance”), (Attachment A6). This topic was previously presented at the February 13, April 10, and June 12, 2025 stakeholder meetings.

*Mandatory Use of OPSC Online*

Separate from Proposition 2 implementation, OPSC is introducing proposed regulations for the mandatory use of OPSC Online (Attachment B1).

BACKGROUND

*Proposition 2*

Proposition 2 was approved by a majority of California’s voters on November 5, 2024. To implement its provisions, existing SFP Regulations must be updated to align with the new statutory provisions.

*Mandatory Use of OPSC Online*

Separate from Proposition 2 implementation, OPSC proposes regulatory amendments that would require all document submittals related to programs administered by the State Allocation Board (SAB) to be completed using OPSC Online.

OPSC requests stakeholder feedback regarding these changes. Each of the topics listed in the Purpose section of this report is broken out into its own attachments for stakeholder reference.

AUTHORITY

See Attachments A6a and B1a.

## SUMMARY AND NEXT STEPS

For the Natural Disaster Assistance item, stakeholder feedback received from the last meeting may be found on Attachment C.

Staff will review any feedback obtained in today's meeting and anything received through close of business on Friday, August 8, 2025 and will address those suggestions in the next public meeting on the corresponding topic.

To submit written feedback after today's meeting, please email your suggestions to the OPSC Communications Team at [OPSCCommunications@dgs.ca.gov](mailto:OPSCCommunications@dgs.ca.gov).

## ATTACHMENT A6

### OFFICE OF PUBLIC SCHOOL CONSTRUCTION STAKEHOLDER MEETING July 24, 2025

#### PROPOSED REGULATORY AMENDMENTS FOR SCHOOL FACILITY PROGRAM NATURAL DISASTER ASSISTANCE

##### PURPOSE

To continue to discuss and receive stakeholder input regarding proposed regulatory amendments to the School Facility Program (SFP) resulting from provisions of the Kindergarten through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024 (Proposition 2), which was approved by a majority of California's voters on November 5, 2024.

##### AUTHORITY

See Attachment A6a.

##### DESCRIPTION

This report is a continuation of the discussion of interim housing and natural disaster assistance pursuant to Education Code (EC) Section 17075.20, which was presented to stakeholders on February 13, April 10, and June 12, 2025. Additionally, this report modifies proposed regulatory amendments building upon the information presented to stakeholders on June 12. Office of Public School Construction (OPSC) staff received written comments from one district (see Attachment C) following that meeting. This report addresses those comments and proposes additional changes with the goal of ensuring clear program requirements for applicants and OPSC as the program administrator.

Attachment A6b contains proposed SFP Regulation amendments for discussion.

##### *Note on Proposed Regulation and Form Changes*

This stakeholder item proposes changes to SFP Regulations in effect as of the publication date of this item. This item does not reflect separate, State Allocation Board (Board)-approved proposed regulation and form changes that were approved by the Board on June 25, 2025. Future stakeholder meeting items and Board agenda items will reflect proposed regulation and form changes once they are in effect.

##### BACKGROUND

##### *Stakeholder Feedback*

On June 12, 2025, OPSC presented proposed regulations and concepts based on the new statutory authority of EC Section 17075.20. This statute provides authority for the Board to fund Interim Housing following a natural disaster for which the Governor has declared a state of emergency. It also authorizes the Board to

## BACKGROUND (cont.)

provide “any other assistance” to a school district or county office of education (COE) determined by the Board to be impacted by a natural disaster for which the Governor has declared a state of emergency.

Among other things, this presentation discussed additional proposed regulations, a new form to request Natural Disaster Assistance, a checklist to support school districts when requesting this assistance, and examples of how adjustments to school districts’ new construction eligibility baseline will operate in relation to the proposed regulations.

The June 12 meeting was recorded, and as a result, feedback that OPSC was able to respond to at the time of the meeting that did not impact the proposed regulations may be found here: [June 12, 2025 Office of Public School Construction Proposition 2 Stakeholder Meeting](#)

The full text of the previous stakeholder meeting item may be found here: [June 12, 2025 OPSC Proposition 2 Stakeholder Meeting #11](#)

For purposes of this item, school districts and COEs will be referred to as “school districts.”

## STAFF ANALYSIS/DISCUSSION

As mentioned in the previous meeting, the new Local Funding Adjustment grant and Financial Hardship criteria will apply to applications approved for funding under this program.

### **Summary of Stakeholder Feedback**

Staff would like to thank stakeholders who were able to view, attend, or participate in this meeting and also those who provided valuable feedback either at the meeting or through written correspondence to OPSC. Below is a summary of stakeholder feedback received as a result of the June 12 meeting.

<b>Stakeholder Feedback</b>	<b>OPSC Response</b>
1. Regarding the State Share Basis for Natural Disaster Assistance, the stakeholder respectfully requested clarification as to whether the referenced state share percentages are intended to incorporate the matching share sliding scale provisions authorized under Proposition 2.	1. The state share percentages for purposes of Natural Disaster Assistance will reflect the new matching share sliding scale provisions, pursuant to EC Sections 17070.59, 17072.30, and 17074.16.  The latest version of proposed SFP Regulation Sections 1859.84.1 and

STAFF ANALYSIS/DISCUSSION (cont.)

Stakeholder Feedback	OPSC Response
	<b>1. (cont.)</b> 1859.84.2 has been amended to provide this clarification.
<b>2.</b> The stakeholder recommended amending the proposed section titles for SFP Regulation Sections 1859.84.1 and 1859.84.2 for clarity.	<b>2.</b> OPSC agrees with the stakeholder input that the proposed section titles could be more specific. OPSC has updated the latest proposed section titles as follows: “Interim Housing Assistance Following a Natural Disaster” and “Other Assistance Following a Natural Disaster.”
<b>3.</b> The stakeholder noted that as currently drafted, the proposed regulations do not provide examples or clear guidance on what constitutes “any other natural disaster assistance,” and requests that, respective to the proposed SFP Regulation Section 1859.84.2, the final regulation language or instructions for the <i>Interim Housing and Natural Disaster Assistance Request</i> (Form SAB 195) include examples of this type of assistance. The stakeholder suggested that examples could include, but not be limited to, accelerated processing and funding or assistance for facilities that do not fit the “classroom” definition. Providing such examples would support applicants in determining if they should apply for non-interim housing Natural Disaster Assistance.	<b>3.</b> OPSC intentionally did not include examples in this proposed regulation to provide maximum flexibility for the Board to consider and evaluate school districts’ requests in the context of specific circumstances on a case-by-case basis. In the future, OPSC could consider amending the proposed regulation section to incorporate examples or more specific guidance based on Board actions or direction following consideration of such requests.  The examples noted within the stakeholder’s feedback are examples of potential requests.
<b>4.</b> The stakeholder requested the rationale for proposed SFP Regulation Section 1859.84.2(d), which reduces the apportionment for other natural disaster assistance by 50 percent of any insurance proceeds. The stakeholder noted that the appropriate reduction should depend on factors such as whether the project involves repair/modernization or replacement of the affected building, as well as the applicable state and district contribution	<b>4.</b> OPSC agrees with the stakeholder’s input, and notes that the latest version of proposed SFP Regulation Section 1859.84.2(d) has been amended to specify that a reduction to an apportionment based on receipt of insurance proceeds or government disaster assistance will be based on the applicable percentage for the state share of the apportionment, accounting for new construction and modernization/rehabilitation type

STAFF ANALYSIS/DISCUSSION (cont.)

Stakeholder Feedback	OPSC Response
<b>4. (cont.)</b> rates under the sliding scale. Given these variables, the stakeholder indicated it is unclear why a uniform 50-percent reduction would be applied in all cases.	<b>4. (cont.)</b> projects and any applicable sliding scale adjustments.
<b>5.</b> For clarity, the stakeholder recommended revising the title of the Form SAB 195 to mitigate confusion, as it could be misinterpreted to suggest that the form may be used to request interim housing for reasons unrelated to a natural disaster.	<b>5.</b> OPSC agrees with the stakeholder's feedback and has revised the title for the latest proposed Form SAB 195 to "Application for Natural Disaster Assistance" to clarify that the form is limited to requests for interim housing and other assistance following a natural disaster.
<b>6.</b> The stakeholder requested clarification as to whether separate Forms SAB 195 must be submitted when a school district is requesting assistance for Interim Housing Assistance and Natural Disaster Assistance – Other Than Interim Housing. If separate submissions are required, the stakeholder recommended that this requirement be clearly stated in the Form SAB 195 instructions.	<b>6.</b> Separate Forms SAB 195 are required to be submitted when a school district is requesting either form of Natural Disaster Assistance. For instance, if a school district seeks funding for interim housing assistance and is also seeking other assistance following a natural disaster, the school district must submit two separate Forms SAB 195 for each request.  OPSC agrees that this requirement should be included in the Form SAB 195 instructions and the latest proposed version of the Form has been amended as a result.

Considering the feedback received at and following the June 12 stakeholder meeting, OPSC developed modifications to the proposed regulations and considerations to implement these provisions.

**Summary of Proposed SFP Regulations**

The following summary of proposed regulations highlights changes from the proposed regulations previously presented at the June 12 stakeholder meeting.

*SFP Regulation Section 1859.2 – Definitions*

There are two components of this SFP Regulation, outlined below, that have proposed amendments:

STAFF ANALYSIS/DISCUSSION (cont.)

Form SAB 195 Definition

The proposed Form SAB 195 definition is amended to rename the form from *Interim Housing and Natural Disaster Assistance Request* to the *Application for Natural Disaster Assistance* in response to stakeholder feedback. Conforming changes are also made to the proposed Form and instructions such that school districts would use the Form to request funding for either interim housing or other assistance following a natural disaster.

Interim Housing Definition

As noted in the last stakeholder meeting, the definition for Interim Housing is restructured and the term “purchase” is moved to the part of the definition that speaks only to the lease or purchase of portable classrooms due to a natural disaster for which the Governor has declared a state of emergency, pursuant to EC Section 17075.20.

*SFP Regulation Section 1859.80 – General*

This section is amended to remove the term “Interim Housing” from proposed subsection (d) to conform to the new proposed title of the Form SAB 195 and ensuing SFP Regulation sections for Interim Housing Assistance Following a Natural Disaster and Other Assistance Following a Natural Disaster.

*SFP Regulation Section 1859.81.1 – Separate Apportionment for Site Acquisition and Design Costs*

OPSC proposes the inclusion of subsection (f), which authorizes separate design funding requests for other assistance following a natural disaster for districts eligible for Financial Hardship assistance. For other assistance following a natural disaster pursuant to SFP Regulation Section 1859.84.2, a design Apportionment shall not exceed 25 percent of the state share of the grant, less any district funds available for the project pursuant to SFP Regulation Section 1859.81(a). The amount provided as a separate apportionment shall be offset from the future full grant for other assistance following a natural disaster.

As indicated in the proposed regulation, OPSC suggests that a separate design apportionment of 25 percent of costs supported by documentation provided is sufficient, given that this program does not have base grants, as the New Construction and Modernization programs do.

After the separate design apportionment, once the school district has the necessary plan approvals and contracts, the school district would submit a subsequent Form SAB 195 to request additional funding, which will receive an offset for the previous separate design apportionment.

STAFF ANALYSIS/DISCUSSION (cont.)

*SFP Regulation Section 1859.84 – Natural Disaster Assistance Program*

First, the term “Interim Housing” has been removed from the title as interim housing in this context is part of the assistance needed in response to a natural disaster. The body of the proposed regulation has also been amended to state that a School District may apply for Interim Housing and “any other assistance as a result of a natural disaster for which the Governor has declared a state of emergency...”

The second proposed amendment is the inclusion of SFP Regulation Section 1859.79 in the cross-references pertaining to matching share requirements. Verbally noted within the last stakeholder presentation on this topic, OPSC is including a cross-reference to SFP Regulation Section 1859.79 because an apportionment for “any other natural disaster assistance” could be subject to either the New Construction and Modernization matching share requirements, including any applicable sliding scale adjustment, based on the nature of the assistance.

*SFP Regulation Section 1859.84.1 – Interim Housing Assistance Following a Natural Disaster*

Notable amendments and additions within this section include the following:

- The title is amended to “Interim Housing Assistance Following a Natural Disaster” to provide additional clarity.
- Portions of the Section are reorganized and shortened for clarity and to reduce duplication with requirements in other regulatory sections and the proposed Form SAB 195.
- Subsection (d) [formerly subsection (f)] is amended to clarify the portion of any funding received from insurance proceeds or government disaster assistance that will be reduced from an Apportionment provided in accordance with this Section.
- Subsection (e) is added to state that the apportionment will be subject to the availability of funds pursuant to SFP Regulation Section 1859.90 or Section 1859.90.2
- Subsection (f) is added to state that a Grant Agreement pursuant to Section 1859.90.4 is required as a condition of receiving funding pursuant to this Section.
- Subsection (g) is amended to specify that the School District is subject to the requirements of Section 1859.105.

*SFP Regulation Section 1859.84.2 – Other Assistance Following a Natural Disaster*

Notable amendments and additions within this section include the following:

- The title is amended to ““Other Assistance Following a Natural Disaster.”



STAFF ANALYSIS/DISCUSSION (cont.)

- Portions of the Section are reorganized and shortened for clarity and to reduce duplication with requirements in other regulatory sections and the proposed Form SAB 195.
- The first paragraph is amended to state that funding provided by this Section is subject to availability of New Construction or Modernization bond authority, as applicable to the scope of work in the request.
- Previously presented subdivision (c) has been separated into subdivisions (d) and (e) to demonstrate the differing adjustments to respective New Construction and Modernization eligibility baselines.
- Subdivision (f), previously presented as subdivision (d), is expanded to clarify the portion of any funding received from insurance proceeds or government disaster assistance that will be reduced from an Apportionment provided in accordance with this Section.
- Subsection (h) is added to state that the apportionment will be subject to the availability of funds pursuant to SFP Section 1859.90 or Section 1859.90.2
- Subsection (i) is added to state that a Grant Agreement pursuant to Section 1859.90.4 is required as a condition of receiving funding pursuant to this Section.
- Subsection (j) [formerly subsection (e)] is amended to specify that the School District is subject to the requirements of Section 1859.105.

*SFP Regulation Section 1859.90 – Fund Release Process*

In order to specify fund release requirements for applicants that request a separate apportionment for other assistance following a natural disaster, OPSC proposes amendments to this section as follows:

- Subdivision (a) has been amended to include reference to the proposed SFP Regulation Section 1859.81.1(f).
- Subdivision (d) has been amended to include reference to the proposed SFP Regulation Section 1859.81.1(f).

*SFP Regulation Section 1859.93.1 – New Construction Project Funding Order*

Within subdivision (b), included reference to Sections 1859.82.1(b) and 1859.82.2(b), which were unintentionally omitted from the previously proposed regulations.

*SFP Regulation Section 1859.104 – Program Reporting Requirements*

OPSC proposes the inclusion of subdivision (a)(1)(C), which indicates that a project shall be deemed complete eight years from the date of the final fund release for projects receiving funding pursuant to Sections 1859.84.1 and 1859.84.2.

STAFF ANALYSIS/DISCUSSION (cont.)

Additionally, OPSC proposes subsection (h) to be added to this regulatory section. This addition includes two paragraphs:

Paragraph (1) indicates that school districts must provide certification that upon project completion or no later than 60 months from the date the lease was signed for purposes of Interim Housing, the leased portable classrooms have either been removed or will remain in use within the school district.

The rationale for stating five years from the date of the lease is that pursuant to SFP Regulation Section 1859.51(i)(5), portable classrooms leased beyond five years to provide Interim Housing are subject to an adjustment on the school district's new construction eligibility baseline. For qualifying projects that receive Board approval for an extension of up to three years, the School District shall provide an additional certification no later than the approval date of the extension as approved by the Board.

Paragraph (2) indicates that school districts must provide certification upon project completion or no later than 96 months from the date of the Apportionment, that portables purchased for interim housing have either been removed or will remain in use within the school district.

The rationale for stating eight years is because, in accordance with the proposed SFP Regulation Section 1859.51(t)(2), purchased portable facilities for purposes of Interim Housing pursuant to EC Section 17075.20 that are removed from the school district within eight years of occupancy permit a reversal adjustment. This allows OPSC to track portable facility usage and also process eligibility adjustments as needed.

*SFP Regulation Section 1859.106 – Program Accountability Expenditure Audit*

For purposes of accounting for insurance and disaster assistance offsets for projects that receive funding for Natural Disaster Assistance, OPSC proposes an amendment to SFP Regulation Section 1859.106 to indicate that if expenditures were not made in accordance with the provisions of Sections 1859.84, 1859.84.1, or 1859.84.2, OPSC shall recommend to the Board that the apportionment be adjusted based upon audit findings. Additionally, any insurance proceeds or government disaster assistance received after apportionment will result in adjustment to the SFP funding. An additional proposed amendment to this Section specifies that once a project is audited, it is the school district's responsibility to report any proceeds received at a later date.

For the full text of proposed regulatory amendments, please reference Attachment A6b.

STAFF ANALYSIS/DISCUSSION (cont.)

**Form SAB 195 and Checklist**

Below is an outline of proposed changes to the Form SAB 195 and checklist since the drafts were presented on June 12.

Application for Natural Disaster Assistance (Form SAB 195)

The proposed Form SAB 195 title (Application for Natural Disaster Assistance) has been amended.

Additional minor corresponding language amendments throughout the instructions have been made due to the proposed title changes.

The header at the top of the application has been amended to reflect the requested information on the Form SAB 50-04, inclusive of a box for the authorized district representative's information, a box for the Project Tracking Number associated with the application, and a High School Attendance Area. Instructions related to assignment of a Project Tracking Number were also added.

Within the instructions of the form, language has been added to clarify that school districts who wish to request both interim housing and other assistance following a natural disaster must submit separate Forms SAB 195 for each respective request per school site. Any additional requests, such as extensions to leasing portable classrooms, would require a separate Form SAB 195 submission.

Additionally, amendments have been made under Section 1 of the form (both within the instructions and the body) to add the following:

- Checkboxes indicating whether the application is a “new” or an “amended” request;
- Instructions for hybrid applications that share plans and specifications with one or more other SFP applications;
- An option to request Interim Housing for ancillary facilities;
- An option for districts that meet Financial Hardship criteria to request a separate design apportionment for requests for other assistance; and
- A space to indicate the number and grade level of classrooms destroyed or rendered unsafe to occupy by the natural disaster, as well as any ancillary facilities destroyed or rendered unsafe to occupy.

Next, under Section 7 of the form, both within the instructions and the body, hybrid applications are addressed in the event the application shares Division of State Architect (DSA) approved plans and specifications with one or more SFP application(s). The instructions have been updated to indicate that the district must provide the following:

## STAFF ANALYSIS/DISCUSSION (cont.)

- A clear delineation of project scope that identifies all related hybrid applications and the project scope attributable to each, and
- A proration of project costs and an explanation of the proration methodology, and
- A certification that funds for one hybrid application will be used exclusively for that hybrid application, and
- An acknowledgement that expenditures should be tracked and reported separately according to the cost proration, unless the expenditure is only attributable to a specific project.

Finally, the Certification component of the form has been updated to include reporting and offset information specific to insurance proceeds or government disaster assistance.

The latest version of the proposed Form SAB 195 is included on Attachment A6c, and OPSC welcomes stakeholder feedback on the proposed form.

### Natural Disaster Assistance Checklist

The checklist previously presented to stakeholders has been renamed as the “Application for Natural Disaster Assistance Checklist” for purposes of consistency between the amended proposed regulations and new Form SAB 195 name. Additional changes were made to the checklist to correspond with the latest version of the Form SAB 195.

As a reminder, this checklist is intended to be a functional document which the district may reference while preparing an application to request this assistance, and is included on Attachment A6d for purposes of stakeholder feedback.

### **Program Accountability Requirements**

OPSC recognizes the importance of outlining program accountability requirements for purposes of transparency and maintaining integrity of the program. Below, program accountability requirements have been outlined for purposes of both Interim Housing and other natural disaster assistance requests.

### Interim Housing Assistance Following a Natural Disaster

For purposes of Interim Housing assistance requests, OPSC proposes that school districts provide annual narratives from the fund release date in order to track interim housing usage. OPSC acknowledges that reporting for this assistance requires flexibility in the face of natural disaster recovery. In addition to being subject to existing SFP Regulation Section 1859.104, OPSC proposes the addition of subdivision (h) to this component of regulations, which builds in reporting timeframes associated with certifying to interim housing’s usage within the school district, whether they are leased or purchased.

STAFF ANALYSIS/DISCUSSION (cont.)

Other Assistance Following a Natural Disaster

For purposes of other assistance following a natural disaster, OPSC proposes that school districts follow an annual reporting requirement wherein the school district provides an annual narrative from a status of the project standpoint, with a final expenditure report of three or four years, dependent on whether the project is located on an elementary school, middle school, or high school (pursuant to SFP Regulation Section 1859.104).

**Grant Agreements**

OPSC has built these program accountability considerations into proposed Grant Agreements (GAs) for purposes of each respective type of Natural Disaster Assistance. Below are descriptions of the intended format and contents of the proposed new GAs, which will be streamlined and briefer than existing GAs for other SFP projects.

Interim Housing Following a Natural Disaster

This GA follows similar formatting to the one used for SFP projects, however it is exclusively for the purposes of school districts requesting interim housing assistance pursuant to EC Section 17075.20.

The proposed GA would be required for each approved interim housing following a natural disaster application and includes examples of eligible and ineligible project expenditures.

The GA indicates the scope of the project, such as the number of portable classrooms requested by means of leasing/purchasing, and the anticipated or known duration of use.

It also details annual reporting requirements for purposes of tracking interim housing usage, as outlined within SFP Regulation Section 1859.84.1.

Once completed, the school district would provide a final expenditure report and annual savings report that are subject to the K-12 Audit provisions outlined in EC Section 41204.

Other Assistance Following a Natural Disaster

This proposed GA details an annual reporting requirement wherein the school district provides an annual narrative regarding the status of the project, with a final expenditure report in three or four years, dependent on whether the project is located on an elementary school, middle school, or high school (pursuant to SFP Regulation Section 1859.104).

Once completed, the school district would provide a final expenditure report and annual savings report that are subject to the K-12 Audit provisions outlined in EC Section 41204.

STAFF ANALYSIS/DISCUSSION (cont.)

***Fund Release Authorization (Form SAB 50-05)***

OPSC proposes the addition of Part X. Natural Disaster Assistance. This proposed section would follow Part IX, Career Technical Education Facilities Projects, and precede the section for Identify District's Construction Delivery Method.

This proposed section would have the following checkboxes:

- ☐ The district certifies it has complied with Section 1859.81.1
- ☐ The district certifies that its applicable matching share has either:
  - been deposited in the County School Facility Fund
  - has already been expended by the district for the project
  - will be expended by the district prior to the Notice of Completion for the project
- ☐ The district certifies that it currently has Financial Hardship status under the provisions of Section 1859.81

OPSC welcomes stakeholder feedback on all considerations proposed within this stakeholder item.

**Five-Year School Facilities Master Plan**

With the passage of Proposition 2, school districts must provide specified minimum elements as part of the required five-year school facilities master plan, including an inventory of existing facilities, sites, and property. At the December 3, 2024 Board meeting, the Board adopted policies for initial implementation of Proposition 2 that relate to the timing of the submittal of the master plan to OPSC, dependent on the submittal date and project type.

Natural Disaster Assistance applications submitted on or after October 31, 2024 are subject to the Proposition 2 requirement to submit a five-year school facilities master plan.

To allow submittal, processing, and approval of these applications without delay, OPSC proposes to align requirements related to the timing of the master plan submittal for Natural Disaster Assistance applications with the Board-approved timing for Facility Hardship Program and Seismic Mitigation Program applications. Specifically, OPSC proposes that submittal of the master plan will be required by the time the school district's substantial progress certification for construction of the project is due (18 months after fund release), or by the time of submittal of the 100 percent complete *Expenditure Report* (Form SAB 50-06), whichever occurs first.

OPSC proposes that applicants that wish to request Natural Disaster Assistance funding must submit a governing board resolution acknowledging the requirement to submit the master plan by the previously mentioned deadline. The

STAFF ANALYSIS/DISCUSSION (cont.)

governing board resolution must also acknowledge the project may be rescinded for failure to submit a master plan with the required components.

Further information regarding this requirement may be found at the following webpage on OPSC's website: [School Facility Master Plans](#).

AUTHORITY**EC Section 17075.20 – Hardship Application**

(a) Notwithstanding any other law, the board may provide assistance under this chapter for purposes of procuring interim housing, including, but not limited to, the leasing or acquisition of portable classrooms and any work associated with placing them on a site, to school districts and county offices of education impacted by a natural disaster for which the Governor has declared a state of emergency. The allocated funds shall supplement funding from insurance or any other local, state, or federal government disaster assistance.

(b) For purposes of this section, and notwithstanding any other section of this chapter, school districts and county offices of education determined by the board to be impacted by a natural disaster as described in subdivision (a) are deemed to meet the requirements set forth in Section 17075.10.

(c) Notwithstanding any other law, a school district or county office of education that receives assistance under this section shall be entitled to retain savings from a project and use those savings for other high-priority capital outlay purposes consistent with the requirements of subdivision (c) of Section 17070.63.

(d) (1) A grant provided pursuant to this section shall not affect the applicant's eligibility for any other program under this chapter.

(2) Notwithstanding paragraph (1), a portable classroom purchased pursuant to subdivision (a) shall be included in the determination of eligibility for new construction funding pursuant to Section 17071.75.

(e) The board may provide any other assistance to a school district or county office of education determined by the board to be impacted by a natural disaster as described in subdivision (a).



## PROPOSED REGULATIONS

## Section 1859.2. Definitions.

...

"Form SAB 195" means the *Application for Natural Disaster Assistance Funding* (Form SAB 195) (New xx/25), which is incorporated by reference.

...

"Interim Housing" means the rental or lease of eClassrooms used to house pupils temporarily displaced as a result of the modernization or construction of classroom facilities; or the lease or purchase of Classrooms or ancillary facilities including but not limited to, restrooms, administrative space, or minimum essential facilities obtained due to a natural disaster for which the Governor has declared a state of emergency, pursuant to Education Code Section 17075.20.

...

Note: Authority cited: Sections 17075.20, 17070.35 and 17078.64, Education Code.

## Section 1859.31. Gross Classroom Inventory.

The School dDistrict shall prepare a gross inventory consisting of all eClassrooms owned or leased in the School dDistrict, the HSAA or Super HSAA as appropriate. For the purpose of this gross eClassroom inventory, the following shall be considered a eClassroom. Any eClassroom:

- (a) for which a contract was signed for the construction or acquisition of facilities or for which construction work has commenced at the time the SFP application for determination of eligibility is submitted to the OPSC;
- (b) constructed with funds from the LPP;
- (c) used for Special Day Class or Resource Specialist Programs;
- (d) that are standard classrooms, shops, science laboratories, computer laboratories, or computer eClassrooms;
- (e) acquired or created for Class Size Reduction purposes;
- (f) used for preschool programs;
- (g) converted to any non-classroom purpose including use by others;
- (h) with Housing and Community Development or Department of Housing insignia;
- (i) acquired for ~~Interim h~~Housing ~~for a modernization project~~;
- (j) leased or purchased under the State Relocatable Program pursuant to Chapter 14 of Part 10 of the Education Code;
- (k) that have a waiver for continued use by the Board for Field Act exemptions;
- (l) used for Community School purposes;
- (m) included in a closed school.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17071.25, 17071.30, and 17075.20, Education Code.

## Section 1859.51. Adjustments to the New Construction Baseline Eligibility.

The baseline eligibility for new construction determined on the Form SAB 50-03 will be adjusted as follows:

- (a) Reduced by the number of pupils provided grants in a new construction SFP project and by the number of pupils that received a Preliminary Apportionment pursuant to Section 1859.140 or a Preliminary Charter School Apportionment pursuant to Section 1859.162.2.

(b) Reduced by the number of pupils housed, based on the loading standards pursuant to Education Code Section 17071.25(a)(2)(A), in a new construction LPP project funded under the provisions of the LPP pursuant to Sections 1859.12 or 1859.13.

(c) Reduced by the number of pupils housed in additional classrooms constructed or purchased based on the loading standards, pursuant to Education Code Section 17071.25(a)(2)(A), in a modernization SFP project.

(d) Adjusted as a result of the audit findings made pursuant to Sections 1859.90, 1859.90.3 and 1859.105.

(e) Increased/decreased by changes in projected enrollment in subsequent enrollment reporting years for all districts using a fifth-year projection or a tenth-year projection, except decreases as provided in (j) below.

For all funding requests received by OPSC on or after June 6, 2017, OPSC will notify the School District in writing that OPSC is scheduled to begin processing the School District's Form SAB 50-04 and that the School District shall submit the Form SAB 50-01 based on School district enrollment data, as shown in the table below:

OPSC Received Date of Form SAB 50-01	Enrollment Reporting Year
July 1 through October 31	Submit Prior Fiscal Year Enrollment Data
November 1 through June 30	Submit Current Fiscal Year Enrollment Data

OPSC may return the Form SAB 50-04 to the School District for failure to submit the Form SAB 50-01 within 90 calendar days of OPSC's notification.

(f) Adjusted as a result of errors or omissions by the School district or by the OPSC.

(g) Adjusted as a result of amendments to these Regulations that affect the eligibility.

(h) Increased by the number of pupils eligible for grants pursuant to Section 1859.82.1(b)(4)(A) or 1859.82.2(b)(4)(A).

(i) Reduced by the number of pupils housed, based on loading standards pursuant to Education Code Section 17071.25(a)(2)(A), in any Classroom Provided after the baseline eligibility was determined by the Board with the exception of those pupils housed or to be housed in a classroom:

(1) That is a trailer and transportable/towed on its own wheels and axles.

(2) Of less than 700 interior square feet.

(3) That is a portable eClassroom, leased pursuant to Chapter 14 (commencing with Section 17085) of the Education Code.

(4) That is a portable eClassroom leased for a period of less than five years, whether in a single lease or cumulative total of several leases.

(5) That is a portable eClassroom that needs to be leased beyond five years to provide ~~i~~Interim ~~h~~Housing ~~in a modernization or new construction project~~ provided the cumulative lease term does not exceed a specified time period as determined by the SAB not to exceed three years on each qualifying project. For this purpose, a project means all work contained in a single set of construction plans.

(6) Where the contract for the lease, lease-purchase, purchase, or construction of the eClassroom was made prior to January 1, 2000.

(7) That is included in a SFP project where the School district has funded a portion of the project beyond its required district contribution and the pupil capacity of the eClassroom does not exceed 150 percent of the number of pupils receiving a new construction grant (rounded up) for the SFP project.

(8) That was acquired with joint-use funds specifically available for that purpose.

(9) That was acquired with career technical education funds specifically available pursuant to Education Code Section 17078.72.

(10) That was built or acquired exclusively for regional occupational centers, regional occupational programs, child care, preschool and/or Adult Education Programs, and with funds specifically available for those purposes.

(11) That replaces a eClassroom, previously included in the determination of the School eDistrict's new construction eligibility pursuant to Education Code Section 17071.75, in a project funded by the School eDistrict without participation from the State and the School eDistrict permanently removes the replaced facility from classroom use immediately after the replacement classroom is occupied.

(12) That was constructed with Overcrowding Relief Grant funds specifically available for that purpose.

(j) For Small School Districts:

(1) Decreased by any reduction in projected enrollment that follows a three-year period after the district's eligibility was approved by the Board, and either (A) or (B), as applicable:

(A) Increased/decreased by changes in projected enrollment in the 2016/2017 enrollment year using a fifth-year projection or a tenth-year projection if the Form SAB 50-01 was received at OPSC by October 31, 2017.

(B) Increased/decreased by changes in projected enrollment in subsequent enrollment reporting years following 2016/2017 using a fifth-year projection or a tenth-year projection.

(2) If the Small School District does not submit an adjustment under (A) or (B) prior to OPSC notification of its schedule to begin processing the School District's request for new construction funding that was received by OPSC on or after November 1, 2012, then the requirements of (e) shall apply.

(k) Adjusted for any change in classroom inventory as a result of a reorganization election.

(l) For classroom loading standards adopted by the Board for non-severely disabled individuals with exceptional needs and severely disabled individuals with exceptional needs.

(m) As directed by the Board due to a finding of a Material Inaccuracy pursuant to Regulation Section 1859.104.1.

(n) Increased by the number of pupils that received a Preliminary Apportionment that was rescinded pursuant to Section 1859.148 or a Preliminary Charter School Apportionment that was rescinded pursuant to Section 1859.166.

(o) Adjusted for operational grant changes as determined/provided by the California Department of Education.

(p) For a HSAA School eDistrict with Preliminary Apportionments within the 2002 or 2004 Critically Overcrowded School Facilities Account as follows:

(1) Decreased by the number of pupils that received a Preliminary Apportionment, distributed proportionately among HSAAs in which the pupils used to justify the conversion of the Preliminary Apportionment were enrolled but did not reside.

(2) In the subsequent enrollment reporting year after verification of Occupancy of a project, increased by the number of pupils equal to the reduction due to Section 1859.51(p)(1), for the project which was occupied.

(3) Increased by the number of pupils equal to the reduction due to Section 1859.51(p)(1), for a Preliminary Apportionment rescinded pursuant to the provisions of Section 1859.148.

(q) Adjusted by the difference between the Alternative Enrollment Projection for the current enrollment reporting year and the projected enrollment determined pursuant to Section 1859.42 for the current enrollment reporting year, or by the eligibility remaining from this calculation that can no longer be utilized if the funds made available pursuant to Education Code Section 17071.75(a)(1)(A) have been exhausted.

(r) Adjusted pursuant to Education Code Section 17071.75(b)(2) by the number of pupils housed, based on the loading standards pursuant to Education Code Section 17071.25(a)(2)(A), in any eClassroom(s) where title was relinquished to the School District receiving the transferred classroom(s).

(s) Increased by the capacity of eClassrooms that meet all of the following:

(1) The classrooms are included in an Approved Application that have a qualifying health and safety threat pursuant to Sections 1859.82.1 or 185.9.82.2 that were originally included in the School dDistrict's baseline eligibility, except the School dDistrict did not have the current enrollment to support the replacement and funding of those eClassrooms.

(2) The eClassrooms are included in an Approved Application pursuant to Sections 1859.82.1 or 1859.82.2 and did not receive funding as part of that project and were demolished or removed from eClassroom use. Buildings removed from K-12 classroom use that remain on the school site will be identified on a list published on OPSC's website.

(3) The Board shall approve the adjustment upon receiving the local school board resolution acknowledging that the buildings have been removed from K-12 eClassroom use.

(t) Adjusted by the capacity of Classrooms, as applicable:

(1) Decreased by the number of pupils housed in portable Classrooms purchased for purposes of Interim Housing pursuant to Education Code Section 17075.20.

(2) Increased by the number of pupils housed in portable Classrooms purchased pursuant to Section 1859.51(t)(1) that are permanently removed from the School District within eight years of occupancy.

(u) Increased by the capacity of Classrooms that were destroyed or rendered unsafe to occupy due to a natural disaster for which the Governor declared a state of emergency on or after July 3, 2024, that the School District elected not to replace. The Board may consider adjustments for Classrooms that were destroyed or rendered unsafe to occupy due to a natural disaster that occurred prior to July 3, 2024, that the School District elected not to replace, on a case-by-case basis.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17052, 17070.51, 17071.25, 17071.75, 17071.76, 17072.20, 17075.20, 17077.40, 17078.72, 17079.20, 42268, and 42270, Education Code.

#### Section 1859.80. General.

A School dDistrict shall qualify for hardship assistance by demonstrating one or more of the following:

(a) A financial hardship, as provided in Section 1859.81, which prevents the School dDistrict from funding all or a portion of the matching share requirement for a SFP grant.

(b) Qualification for facility hardship as provided in Sections 1859.82.1 or 1859.82.2.

(c) An Excessive Cost Hardship Grant as a result of added construction costs due to unusual circumstances as provided in Section 1859.83.

(d) Qualification for natural disaster assistance pursuant to Sections 1859.84.1 or 1859.84.2 as a result of a natural disaster for which the Governor has declared a state of emergency.

Note: Authority cited: Sections 17075.10 in effect as of January 1, 2024 and amended by Assembly Bill 247, Chapter 81, Statutes of 2024, and with the successful passage of Proposition 2 on November 5, 2024, 17075.20 and 17070.35, Education Code.

## Section 1859.81.1. Separate Apportionment for Site Acquisition and Design Costs.

A district that meets the Financial Hardship criteria in Section 1859.81 is eligible for the following:

(a) For a new construction project, a separate apportionment for site acquisition, with the exception of site acquisition funding authorized by Section 1859.81.2 or for projects receiving funding pursuant to the Overcrowding Relief Grant, Section 1859.180, when all the following requirements are met:

(1) The School District has eligibility for grants that equal at least 50 percent of the CDE master plan capacity of the site.

(2) The School District has received a contingent site approval letter from the CDE indicating that the proposed site is the best available.

(3) The School District has obtained a preliminary appraisal of the property by a qualified appraiser utilizing criteria outlined in Section 1859.74.1. This report may be made without access to the site.

(b) If the conditions in (a) are met on a site that does not require a RA, the Board will apportion all of the following less any district funds available for the project pursuant to Section 1859.81(a):

(1) An amount not to exceed 100 percent of the lesser of the preliminary appraised value of the site as determined by Section 1859.74.1 or the amount the district reasonably expects to pay for the site including any hazardous material clean-up.

(2) The estimated relocation expenses that will conform to Title 25, California Code of Regulations, Section 6000, et seq. The reasonable and necessary relocation costs for purchasing fixtures and equipment, personal property, new machinery/equipment, and the installation of any improvements at the replacement residence or business location may be included as relocation assistance.

(3) Four percent of the lesser of the preliminary appraised value of the site or the amount the School District reasonably expects to pay for the site acquisition including any hazardous material clean-up but not less than \$50,000.

(4) The estimated DTSC costs for review, approval, and oversight of the POESA and the PEA.

(c) If the conditions in (a) are met on a site that will require a RA, the district is eligible for a separate site apportionment not to exceed 50 percent of one and one half times the value of an appraisal that conforms to Section 1859.74.1 for the costs included in (c)(1) and (c)(4) plus the additional costs included in (c)(2) and (c)(3). The costs included in (c)(2) and (c)(3) are in addition to 50 percent of one and one half times the appraisal value cap.

(1) The cost of the site as determined in Section 1859.74.1 and the amount the School District reasonably expects to pay for any hazardous materials/waste removal and/or remediation costs for the site.

(2) Fifty percent of the estimated relocation expenses that will conform to Title 25, California Code of Regulations, Section 6000, et seq. The reasonable and necessary relocation costs for purchasing fixtures and equipment, personal property, new machinery/equipment, and the installation of any improvements at the replacement residence or business location may be included as relocation assistance.

(3) Fifty percent of four percent of the lesser of the appraised value of the site or the amount the School District reasonably expects to pay for the site acquisition including any hazardous materials/waste removal and/or remediation costs for the site, but not less than 50 percent of \$50,000.

(4) The estimated DTSC costs for review, approval and oversight of the POESA and the PEA.

(d) The limitation of 50 percent of one and one half times the value of an appraisal for costs in subsections (c), (c)(1) and (c)(4) may be exceeded when the Board finds that unforeseen circumstances exist, and when both of the following exist:

(1) CDE determines that the site is the best available site for meeting the educational and safety needs of the School District.

(2) Substantiation that the costs are limited to the minimum required to complete the evaluation and RA approved by the DTSC.

(e) For new construction projects, the Board will apportion an amount not to exceed 40 percent of the new construction grant less any School District funds available for the project pursuant to Section 1859.81(a), plus \$150,000 for new school projects and \$250,000 for new construction addition projects that will be pursuing high performance incentive grants as indicated on the school district governing board resolution that shall be submitted to the OPSC as part of a funding request pursuant to this Section. For modernization projects, the Board will apportion an amount not to exceed the following:

(1) If the Approved Application is received on or before April 29, 2002, 20 percent of the modernization grant less any district funds available for the project pursuant to Section 1859.81(a).

(2) If the Approved Application is received after April 29, 2002, 25 percent of the modernization grant less any School District funds available for the project pursuant to Section 1859.81(a), plus \$250,000 for projects that will be pursuing high performance incentive grants as indicated on the school district governing board resolution that shall be submitted to the OPSC as part of a funding request pursuant to this Section.

(f) For applications for other assistance following a natural disaster pursuant to Section 1859.84.2, the Board will apportion an amount not to exceed 25 percent of the state share of the grant less any School District funds available for the project pursuant to Section 1859.81(a). The amount provided as a separate Apportionment shall be offset from the full grant amount the School District would otherwise be eligible for pursuant to Section 1859.84.2 when the School District submits an additional Form SAB 195 to request additional funding.

The amount apportioned is an estimate of the funds needed for design, engineering, and other pre-construction project costs.

Qualifying School Districts may request a separate Apportionment for the design and for site acquisition for the same new construction project. Those projects requesting an Overcrowding Relief Grant, pursuant to Section 1859.180, do not qualify for these separate Apportionments.

The amount provided as a separate Apportionment shall be offset from the New Construction Adjusted Grant or the Modernization Adjusted Grant amount the district would otherwise be eligible for pursuant to Sections 1859.70, 1859.71.6, 1859.77.4 and 1859.81 when the district submits the Form SAB 50-04. A district seeking a separate Apportionment for site acquisition or design costs shall submit the Form SAB 50-04. If a new construction project received a previous design Apportionment, the district may request an additional design Apportionment for that project up to the 40 percent maximum design Apportionment allowed pursuant to this Section.

The Form SAB 50-04 that is subsequently submitted for the New Construction Adjusted Grant must be for at least 50 percent of the New Construction Grant the district requested as a separate design Apportionment.

The Form SAB 50-04 that is subsequently submitted for the Modernization Adjusted Grant must be for at least 80 percent of the Modernization Grant the district requested as a separate design Apportionment that was received on or before April 29, 2002.

The Form SAB 50-04 that is subsequently submitted for the Modernization Adjusted Grant must be for at least 60 percent of the Modernization Grant the district requested as a separate design Apportionment that was received after April 29, 2002.

When the Board is accepting applications pursuant to Section 1859.95, the funding of the new construction or modernization grant may be made from funds set aside by the Board for financial hardship. The amount provided as a separate Apportionment shall be adjusted at a future date to assure that hardship funding for the project does not exceed the amount the district was otherwise eligible to receive.

Note: Authority cited: Sections 17070.35, 17072.13, ~~and~~ 17075.15, and 17075.20, Education Code.

Reference: Sections 17072.12, 17072.20, 17072.33, 17074.15, 17074.16, 17075.20, and 17079.20, Education Code.

#### Section 1859.84. Natural Disaster Assistance Program

A School District may apply for Interim Housing and any other assistance as a result of a natural disaster for which the Governor has declared a state of emergency pursuant to Education Code Section 17075.20, subject to verification with the Governor's Office of Emergency Services to confirm the state of emergency is still open at the time of application submittal.

For purposes of this Section, a natural disaster may include, but is not limited to, events such as earthquakes, wildfires, floods, landslides, storms, hurricanes, tsunamis, and other natural catastrophes.

Applications received on or after October 31, 2024 are subject to matching share requirements in accordance with Sections 1859.77.1 and 1859.79.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Section 17075.20, Education Code.

#### Section 1859.84.1. Interim Housing Assistance Following a Natural Disaster

Any funding provided by this Section is subject to the availability of New Construction bond authority and shall supplement insurance, local, state, and federal disaster funding.

An impacted School District is eligible for funding to procure Interim Housing if the School District has had facilities lost or damaged by a natural disaster for which the Governor has declared a state of emergency. The declared state of emergency must be "open" on the date OPSC receives a completed, valid Form SAB 195.

(a) To request funding to lease or purchase facilities, the School District must submit a completed, valid Form SAB 195 signed by an Authorized District Representative.

(b) The School District must submit one of the following to demonstrate that any funding provided by this Section will supplement funding from insurance or any other government disaster assistance:

(1) If the School District will not receive insurance proceeds or other government disaster assistance for Interim Housing, documentation in the form of a letter of denial or a certification, demonstrating that costs associated with Interim Housing have not been covered by insurance proceeds or any other local, state, or federal government disaster assistance.

(2) If the School District reasonably expects to receive future insurance proceeds or any other government disaster assistance attributable to costs of Interim Housing, the School District must provide all of the following:

(A) An estimate of the insurance proceeds or any other government disaster assistance the School District may receive for Interim Housing expenses;

(B) A narrative statement indicating the necessity for Interim Housing assistance prior to receipt of insurance proceeds or any other government disaster assistance for this purpose; and

(C) Acknowledgement of the reporting requirement and potential of a future adjustment to any Apportionment, pursuant to subsection (d).

(c) Interim Housing assistance may not be requested in place of:

(1) An Approved Application pursuant to Section 1859.70

(2) An Approved Application pursuant to Section 1859.82.1

(d) Any Apportionment provided in accordance with this Section shall be adjusted for funding received from insurance proceeds or government disaster assistance for Interim Housing. The Apportionment will be reduced by 50 percent of the funding received from insurance proceeds or government disaster assistance for Interim Housing, or a commensurate amount adjusted for the local matching share pursuant to Section 1859.77.1. Any insurance proceeds and/or government disaster assistance collected after Apportionment shall be reported to OPSC in the form of an annual narrative from the date of the Apportionment until all claims for insurance proceeds and requests for government disaster assistance are closed.

(e) The Board shall provide an Apportionment subject to the availability of funds pursuant to Section 1859.90 or Section 1859.90.2.

(f) A Grant Agreement pursuant to Section 1859.90.4. is required as a condition of receiving funding pursuant to this Section.

(g) The School District is subject to the requirements in Sections 1859.104 and 1859.105.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Section 17075.20, Education Code.

#### Section 1859.84.2. Other Assistance Following a Natural Disaster

Any funding provided by this Section is subject to the availability of New Construction or Modernization bond authority, as applicable to the scope of work in the request, and shall supplement insurance, local, state, and federal disaster funding.

A School District may qualify for funding at the Board's discretion if it is determined by the Board to be impacted by a natural disaster for which the Governor has declared a state of emergency. The declared state of emergency must be "open" on the date OPSC receives a completed, valid Form SAB 195.

(a) In making a determination to provide any other assistance following a natural disaster, the Board may consider factors including, but not limited to, the following:

(1) Any previous SFP Approved Applications that received an Apportionment for the impacted site as it relates to the natural disaster.

(2) All information required on the Form SAB 195.



(b) To request funding pursuant to this Section, the School District must submit a completed, valid Form SAB 195 signed by an Authorized District Representative.

(c) The School District must submit one of the following to demonstrate that any funding provided by this Section will supplement funding from insurance or any other government disaster assistance:

(1) If the School District will not receive insurance proceeds or other government disaster assistance for the scope of work in the Form SAB 195, documentation in the form of a letter of denial or a certification, demonstrating that costs associated with the scope of work in the Form SAB 195 have not been covered by insurance proceeds or any other local, state, or federal government disaster assistance.

(2) If the School District reasonably expects to receive future insurance proceeds or any other government disaster assistance attributable to the scope of work in the Form SAB 195, the School District must provide all of the following:

(A) An estimate of the insurance proceeds or any other government disaster assistance the School District may receive for the scope of work in the Form SAB 195;

(B) A narrative statement indicating the necessity for assistance under this Section prior to receipt of insurance proceeds or any other government disaster assistance for this purpose; and

(C) Acknowledgement of the reporting requirement and potential of a future adjustment to any Apportionment, pursuant to subsection (f).

(d) The School District's New Construction eligibility will be adjusted for any net increase in Classroom capacity in the project pursuant to Section 1859.51.

(e) The baseline eligibility for modernization as provided in Section 1859.60 will be adjusted for any funding received. The age of the Classroom/s and Square Footage in the project shall be reset to the date of the Apportionment for the project.

(f) Any Apportionment provided in accordance with this Section shall be adjusted for funding received from insurance proceeds or government disaster assistance for the same purpose or scope of work funded by the Apportionment, as follows:

(1) Reduced by 50 percent of the funding received from insurance or government disaster assistance, or a commensurate amount adjusted for the local matching share pursuant to Section 1859.77.1, or

(2) Reduced by 60 percent of the funding received from insurance or government disaster assistance, or a commensurate amount adjusted for the local matching share pursuant to Section 1859.79.

(g) Any insurance proceeds and/or government disaster assistance collected after Apportionment shall be reported to OPSC in the form of an annual narrative from the date of the Apportionment until all claims for insurance proceeds and requests for government disaster assistance are closed.

(h) The Board shall provide an Apportionment subject to the availability of funds pursuant to Section 1859.90 or Section 1859.90.2.

(i) A Grant Agreement pursuant to Section 1859.90.4. is required as a condition of receiving funding pursuant to this Section.

(j) The School District is subject to the requirements in Sections 1859.104 and 1859.105.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Section 17075.20, Education Code.

#### Section 1859.90. Fund Release Process.

(a) With the exception of an Apportionment made pursuant to Sections 1859.81.1(e), 1859.81.1(f), or 1859.81.2, Apportionments provided through the Priority Funding Process and subject to 1859.90.2, the OPSC will release State funds that the Board has apportioned to the district after submittal, by the School District, of the Form SAB 50-05 and a Grant Agreement, pursuant to Section 1859.90.4.

(b) With the exception of Apportionments described in paragraphs (1) and (2) of subsection (c), a district must submit the Form SAB 50-05 and Grant Agreement, within 180 calendar days of the Apportionment of the SFP grant for the project or within 365 calendar days for Apportionments that include Financial Hardship assistance. If the School dDistrict does not submit the Form SAB 50-05 and Grant Agreement within the above specified time, the entire New Construction Adjusted Grant, or Modernization Adjusted Grant or Type I or II, part of a qualifying SFP Modernization project, or Joint-Use Project Apportionment shall be rescinded without further Board action, and the pupils housed in the project, if applicable, will be added back to the School dDistrict's baseline eligibility. The School dDistrict may refile a new Application for the project subject to district eligibility and available State funds at the time of resubmittal.

(c)(1) Notwithstanding subsection (b), if an Apportionment is made for an Application pertaining to a school facility located on a military installation that is the recipient of a federal grant that requires a local matching share, the Board may require the School dDistrict to submit the Form SAB 50-05 and Grant Agreement within a determined time period, not to exceed 18 months of the Apportionment of the SFP grant for the project. If the district does not submit the Form SAB 50-05 and Grant Agreement within the above specified time, the entire Apportionment shall be rescinded without further Board action, and the pupils housed in the project, if applicable, will be added back to the district's baseline eligibility. The district may refile a new Application for the project subject to district eligibility and available State funds at the time of resubmittal.

(2) Notwithstanding subsection (b), if the Apportionment was made for a Type II Joint-Use Project, not part of a qualifying SFP Modernization project, pursuant to Article 12 of these Regulations, the School dDistrict must submit the Form SAB 50-05 and a Grant Agreement within 18 months of the date the plans and specifications for the Joint-Use Project that have been approved by the DSA and the CDE are submitted to the OPSC or the Apportionment shall be rescinded without further Board action.

(d) OPSC will release State funds that have been apportioned by the Board pursuant to Sections 1859.81.1(e) or 1859.81.1(f) to the School dDistrict within 30 calendar days of the following, whichever occurs last: an Apportionment or upon submittal by the School dDistrict of a Grant Agreement pursuant to Section 1859.90.4. Submittal of the Grant Agreement must occur within 365 days of the Apportionment. If the School dDistrict received an Apportionment pursuant to 1859.90.2, the Grant Agreement must be submitted within the specified time period in 1859.90.2.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17072.12, 17072.30, 17074.15, 17076.10, 17077.40, 17077.42 and 17077.45, Education Code.

#### Section 1859.93. Modernization Project Funding Order.

Applications shall be funded as follows:

(a) First, to applications for Facility Hardship rehabilitation projects pursuant to Sections 1859.82.1(c) and 1859.82.2(c) in order of receipt of an Approved Application for funding; then

(b) Second, to applications for Modernization projects pursuant to Section 1859.84.2 in order of receipt of a Form SAB 195; then

(~~b~~c) If there are no applications pursuant to subsection (a) or (b), to applications for modernization funds in order of receipt of an Approved Application for funding.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Section 17074.15 ~~and~~ 17075.15, and 17075.20, Education Code.

#### Section 1859.93.1. New Construction Project Funding Order.

Applications, except those identified in (~~eg~~) through (~~eg~~) below, shall be funded as follows:

(a) ~~First, to applications for Facility Hardship pursuant to Section 1859.82 in order of receipt of an Approved Application for funding; then, to applications pursuant to Section 1859.84.1 in order of receipt of a Form SAB 195; then~~

(b) Second, to applications for Facility Hardship pursuant to Sections 1859.82.1(b) and 1859.82.2(b) in order of receipt of an Approved Application for funding; then,

(c) Third, to applications pursuant to Section 1859.84.2 in order of receipt of a Form SAB 195; then

~~(d)~~ If there are no applications pursuant to subsection (a), (b) or (c), to applications for New Construction Grant(s) in order of receipt of an Approved Application for Funding.

~~(e)~~ Approved Applications for New Construction Grant(s) funded with the proceeds of state bonds approved by the voters prior to January 1, 2002.

~~(f)~~ Approved Applications for New Construction Grant(s) authorized by Education Code Sections 17078.10 through 17078.30.

(g) Approved Applications that utilize pupil eligibility derived from the Alternative Enrollment Projection method. These applications shall be funded in order of receipt once the OPSC and the DRU have approved the Alternative Enrollment Projection method or the Alternative Enrollment Projection annual update.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17072.25, 17070.35, ~~and~~ 17075.15, and 17075.20, Education Code.

#### Section 1859.104. Program Reporting Requirements.

A School ~~d~~District receiving funds in accordance with the Act shall submit the following:

(a) An expenditure report from the School ~~d~~District on the Form SAB 50-06. The program reporting requirements are as follows:

(1) The first expenditure report shall be due one year from the date that any funds were released to the School ~~d~~District for the project pursuant to Section 1859.90 or 1859.90.2, or upon completion of the project, whichever occurs first. A project shall be deemed complete when either of the following occur:

(A) When the notice of completion for the project has been filed, all outstanding invoices, claims, change orders have been satisfied and the facility is currently in use by the School ~~d~~District.

(B) Three years from the date of the final fund release for an elementary school project or four years from the date of the final fund release for a middle or high school project.

(C) Notwithstanding (B), eight years from the date of the final fund release for projects receiving funding pursuant to Sections 1859.84.1 and 1859.84.2.

(2) The second and subsequent expenditure reports, if necessary, shall be due annually beginning one year from the first report, or upon completion of the project, whichever occurs first. The final expenditure report must be made no later than three years from the date of the final fund release for an elementary school project or four years from the date of the final fund release for a middle or high school project.

(b) With the exception of projects that qualify for an ~~a~~Apportionment pursuant to Section 1859.75.1, a progress report, in the form of a narrative from the School ~~d~~District, shall be due 18 months from the date any funds were released to the School ~~d~~District for the project pursuant to Section 1859.90 or 1859.90.2. The progress report shall include information regarding the progress the district has made towards substantial completion of the project. If the notice of completion has been filed within 18 months of the release of funds pursuant to Section 1859.90 or 1859.90.2, or the expenditure reports required in (a)(1) or (2) indicate that substantial progress (as defined in Section 1859.105) on the project has occurred, no progress report is required.

(c) A progress report, in the form of a narrative from the district, shall be due 12 months from the date the site acquisition funds were apportioned to the School dDistrict for the project pursuant to Section 1859.75.1. The progress report shall include information regarding the progress the School dDistrict has made towards acquiring the site as outlined in Section 1859.105.1 and may contain other evidence of reasonable effort to substantiate progress towards acquiring the site for purposes of an extension of the site aApportionment as authorized by Education Code Section 17072.13(c)(2).

(d) If an aApportionment was made for a district-owned site pursuant to Section 1859.74.5, a certification that the non-school function currently taking place on the district-owned site has been discontinued or relocated. The certification must be submitted to the OPSC no later than the following dates:

(1) If the project is for an elementary school, 66 months from the date of the site aApportionment.

(2) For all other projects, 78 months from the date of the site aApportionment.

(e) If an Apportionment was made under the Overcrowding Relief Grant pursuant to Section 1859.180, the School District must provide a certification that the replaced portables were removed from the eligible site and from service pursuant to Education Code Section 17079.30.

(f) A School District receiving an Apportionment for high performance incentive grants pursuant to Section 1859.71.6 or 1859.77.4 shall submit a completed Project Information Worksheet to the OPSC for all expenditures related to the additional design and construction costs of the high performance building components. In addition, the School District shall provide information related to resulting energy savings and efficiency, as well as other resulting benefits. The Project Information Worksheet shall be submitted with the Form SAB 50-05 and the School District's first and final Forms SAB 50-06 pursuant to (a)(1) and (2) above.

(g) A School District receiving funds shall submit a summary report of expenditures of state funds and of school district matching funds annually until all state funds and school district matching funds are expended, pursuant to Education Code Section 17076.10(a).

(h) If an Apportionment was made under the Natural Disaster Assistance Program pursuant to Section 1859.84.1, the School District must provide a certification for the following:

(1) Upon either project completion or no later than 60 months from the date the lease was signed for purposes of Interim Housing, that leased portable Classrooms have either been removed or remain in use within the School District. For leased portable Classrooms that have a qualifying project and receive an extension by the Board pursuant to Section 1859.51(i)(5), the School District shall provide an additional certification no later than the approval date of the extension as approved by the Board.

(2) Upon either project completion, or no later than 96 months from the date of the Apportionment, that the portable Classrooms purchased for Interim Housing have either been removed or remain in use within the School District.

Note: Authority cited: Sections 17070.35, 17072.13, 17075.20, and 17079.30, Education Code.

Reference: Sections 17070.35, 17070.99, 17072.12, 17072.13, 17076.10 and 17079.30, Education Code.

#### Section 1859.106. Program Accountability Expenditure Audit.

The projects will be audited to assure that the expenditures incurred by the district were made in accordance with the provisions of Education Code Section 17072.35 for new construction projects, Section 1859.120 for Joint-Use Projects, Section 1859.140 for Critically Overcrowded School projects, Section 1859.160 for Charter School projects, and Education Code Section 17074.25 and Section 1859.79.2 for modernization projects. The audit will also assure that the district complied with all site acquisition

guidelines as provided in Education Code Sections 17072.13 and 17072.14 and Sections 1859.74, 1859.74.1, 1859.74.2, 1859.74.3, 1859.74.4, 1859.75 and 1859.75.1.

An adjustment in the SFP grant will be made for the following:

- (a) The difference in the value of the site, relocation costs, DTSC fees, and hazardous waste/materials removal costs that were used to determine the New Construction Additional Grant and the actual amount paid by the district for the site, relocation costs, DTSC fees, and hazardous waste/materials removal costs. For applications received on or after January 1, 2004, the adjustment may be made regardless of whether the hazardous waste/materials removal costs were requested on the application for funding.
- (b) For any insurance proceeds collectable by the district for displaced facilities and net proceeds available from the disposition of displaced facilities pursuant to Sections 1859.82.1(d) and 1859.82.2(d).
- (c) For any insurance proceeds or other government disaster assistance collected by the School District for any project that received funding pursuant to 1859.84, 1859.84.1 or 1859.84.2.
- ~~(ed)~~ For any project that received funding pursuant to 1859.71.4(c) or 1859.78.1(b), 50 percent of one-fourth of one percent of the difference between the original Total Projected Bond Apportionment and the newly calculated amount.
- ~~(de)~~ Any adjustments made pursuant to this Section will be made only if sufficient bond authority is available for the adjustment. If an Unfunded List has been created by the Board, then any adjustments made pursuant to this Section will be placed on the Unfunded List.

When the OPSC receives the final expenditure report from the district on Form SAB 50-06, an audit of the expenditures by the OPSC shall commence within two years of the report. If the district is not notified by the OPSC within the two-year period that an audit will be made, there will be no audit of the project by the OPSC and the expenditures reported by the district shall be deemed appropriate. If the district has been notified that an audit of the expenditures will be made by the OPSC, the OPSC shall complete the audit within six months of the notification, unless additional information requested from the district has not been received.

School Districts shall be required to maintain all appropriate records that support all district certifications and expenditures for all costs associated with SFP, Charter School, and Joint-Use projects for a period of not less than four years from the date the notice of completion is filed for the project in order to allow other agencies, including, without limitation, the Bureau of State Audits and the State Controller to perform their audit responsibilities.

The School District is responsible to substantiate expenditures from the Joint-Use Partner(s) financial contribution pursuant to Section 1859.127 and from other local sources.

Should the OPSC conduct an audit of the School District certifications or the expenditures for the project and make a finding that some or all of the expenditures were not made in accordance with the provisions of Education Code Section 17072.35 for new construction projects, Sections 1859.84, 1859.84.1 or 1859.84.2 for projects following a natural disaster, Section 1859.120 for Joint-Use Projects, Section 1859.140 for Critically Overcrowded School projects, Section 1859.160 for Charter School projects, Education Code Section 17074.25 and Section 1859.79.2 for modernization projects, and Education Code Sections 17072.13 and 17072.14 for projects with additional costs imposed by the DTSC, the OPSC shall recommend to the Board that the apportionment be adjusted based on the audit findings.

Should the CDE make a finding that a project did not meet the standards that were adopted by the CDE pursuant to Education Code Section 17251 (b) and (c) when the district had self-certified that the project met those standards pursuant to Education Code Section 17070.50 (b), the Board may request that the CDE make a recommendation that the apportionment for the project be adjusted based on the CDE finding. Any adjustment in the apportionment shall be based on the percentage of space in the project that the CDE determined did not meet those standards.

If title to special education program facilities is transferred between a school district and a county office of education pursuant to Education Code Sections 17071.75(b)(2) and (f), the receiving School District shall remit payment to the State within 60 days or up to five years, pursuant to an approved repayment schedule, as requested by the School District. If a repayment schedule is requested, it shall be in equal annual installments and shall include interest at the same rate as that earned on the State's Pooled Money Investment Account on the date a repayment schedule is approved by the Board. The repayment amount shall be determined by prorating the Financial Hardship assistance received on the initial Apportionment for the transferred facilities, including site acquisition costs apportioned for any land transferred, by the percentage of building area being transferred divided by the total amount of building area approved on the initial Application containing the transfer of facilities, if all of the following conditions are met:

- (a) The transferred facilities were constructed with State funds under Chapter 12.5.
- (b) Transfer of the facilities took place within ten years of initial occupancy.
- (c) The School District that initially acquired or constructed the transferred facilities had approved Financial Hardship status at the time of Apportionment of the project.
- (d) The School District receiving the facility did not have approved Financial Hardship status at either the time of the title transfer or the time that the adjustment request is submitted to the OPSC.

For any project that received funding pursuant to 1859.84, 1859.84.1 or 1859.84.2, the School District is responsible for reporting to OPSC the receipt of any insurance or other government disaster assistance proceeds received after the completion of the Expenditure Audit.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17070.35, 17070.50, 17071.75, 17072.13, 17072.14, 17072.18, 17072.35, 17074.25, 17075.20, 17076.10, 17077.40, 17078.52 and 17251, Education Code, and Section 1771.3, Labor Code.

**GENERAL INFORMATION**

School Districts are required to use this form to initiate a request for funding pursuant to SFP Regulation Section 1859.84 Natural Disaster Assistance Program, for consideration by the State Allocation Board (SAB). The School District must state specifically the purpose and description of the School District's request. The School District must submit all supporting documentation to the Office of Public School Construction (OPSC). Requests for consideration are processed to the SAB upon receipt by OPSC of all required documentation and upon completion of a thorough analysis by OPSC.

In order to be considered a complete application, the School District must provide all requested information within each section (if applicable). If the narrative space is insufficient, the School District must attach an additional narrative to this request.

For School Districts requesting both interim housing assistance following a natural disaster and other assistance following a natural disaster, separate applications must be submitted for each request per site.

**SPECIFIC INSTRUCTIONS**

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

**1. Type of Application**

Check the appropriate box that indicates whether this application is a new or an amended Natural Disaster Assistance request.

Check the appropriate box that indicates the type of grant the School District is requesting for purposes of an Interim Housing or other assistance following a natural disaster request.

If the School District is requesting Interim Housing assistance, indicate the number of portable classrooms that are requested to be leased or purchased by grade level, as well as the number and type of all other ancillary facilities that are requested to be leased or purchased.

If the School District is requesting reimbursement for purchased or leased portables and/or ancillary facilities, indicate whether the portables and/or ancillary facilities existed on the impacted site at the time of the application submittal, and if so, the dates the facilities were placed or removed, as applicable.

If the School District is requesting Interim Housing assistance, indicate the total number of classrooms destroyed or rendered unsafe to occupy by the natural disaster, within the appropriate

grade level. Additionally, indicate any ancillary facilities destroyed or rendered unsafe to occupy by the natural disaster.

If the School District is requesting a separate design apportionment, check the appropriate box. This apportionment is available only to School Districts that meet the Financial Hardship criteria in Section 1859.81.

**2. SFP Application(s) Submitted for the Impacted Site**

Check the appropriate box(es) for any SFP application(s) specific to the impacted site that have been submitted to OPSC and are currently on OPSC's Workload or Applications Received Beyond Bond Authority lists. Provide the applicable application numbers.

If there are no submitted applications, leave this section blank.

**3. Prior SFP Apportionment(s) for Impacted Site**

Check the appropriate box(es) for any SFP application(s) specific to the impacted site that received SAB approval after the date of the natural disaster. Provide the applicable application number(s) related to the impacted site for any Facility Hardship Program application(s) and New Construction or Modernization application(s) approved by the SAB since the time of the natural disaster for which the Governor declared a state of emergency.

If there were no previous applications for the impacted site approved by the SAB after the date of the natural disaster, leave this section blank.

**4. Natural Disaster – State of Emergency Proclamation**

The School District must check the appropriate box indicating whether the state of emergency is listed as open at the time of application submittal to OPSC.

Enter the Executive Order number and date that the state of emergency was proclaimed by the Governor, as indicated on the Governor's Office of Emergency Services Open State of Emergency Proclamations [webpage](#).

**5. Financial Hardship Request**

Check the appropriate box(es) if the School District is requesting Financial Hardship assistance because it is unable to meet its matching share requirement.

- If the application includes a request for Financial Hardship, the School District must comply with the requirements of Section 1859.81.
- If there is Insufficient Bond Authority for the type of application, check the second box and attach a school board resolution pursuant to Section 1859.95.1(b).

**6. Local Funding Adjustment Grant**

Enter the following:

- a. The School District's total assessed valuation, pursuant to Section 1859.70.5(a)(1). The School District must provide a letter from the county auditor-controller that certifies the School District's total assessed valuation.
- b. The School District's gross bonding capacity, rounded to the

nearest whole dollar. To calculate this, take the total assessed

valuation and multiply that by 1.25 percent for non-unified School Districts or 2.5 percent for unified School Districts, rounded to two decimal places.

c. The School District's unduplicated pupil percentage as determined for purposes of the local control funding formula pursuant to Education Code Section 42238.02, rounded to two decimal places.

d. The School District's pupil enrollment, pursuant to Section 1859.70.5(a)(3) based on the latest California Basic Educational Data System (CBEDS) that is available approximately October 15 of each year. Applications filed on or after November 1 must include the current school year enrollment.

e. Check Yes or No to indicate whether the project includes the use of a Project Labor Agreement for this application. If the School District indicates it intends to have a Project Labor Agreement, but does not yet, it will be audited for compliance and the funding will be adjusted accordingly if it does not have a Project Labor Agreement.

### 7. Division of the State Architect Plan Approval

The School District must submit any plans and specifications (P&S) for the project that were approved by DSA, and must indicate the approval date in this section. If approval has not been obtained, the School District must indicate in the applicable narrative section if the P&S have an exception for demolition, site work, and/or specific construction delivery methods, or if the School District is still in the process of obtaining DSA approval.

If this application shares DSA approved P&S with one or more SFP applications, the School District must provide the following:

- A clear delineation of project scope that identifies all related hybrid applications and the project scope attributable to each, and
- A proration of project costs and an explanation of the proration methodology, and
- A certification that funds for one hybrid application will be used exclusively for that hybrid application, and
- An acknowledgement that expenditures must be tracked and reported separately according to the cost proration, unless the expenditure is only attributable to a specific project.

### 8. Interim Housing Assistance Narrative

For purposes of requests for assistance to lease and/or purchase portable classroom(s) and/or ancillary facilities as a result of a natural disaster for which the Governor has declared a state of emergency, the School District must provide documentation pursuant to SFP Regulation Section 1859.84.1 demonstrating that actual costs associated with the procurement of interim housing and/or ancillary facilities have not been covered by insurance proceeds or any other local, state, or federal government disaster assistance.

Include the following in the description:

1. The background and circumstances which prompted the School District's request.
2. Information relevant to the issues of the request, such as the number of classrooms that were destroyed or rendered unsafe

to occupy, the applicable grade levels associated with the classrooms, the anticipated duration of the lease if the School District is requesting assistance to lease facilities, and if the request includes the design, placement, site development, or equipment costs associated with the leased or purchased facilities.

3. The sequence of events and circumstances pertinent to the issues.
4. A statement explaining why the SAB should grant the School District's request based on law, regulation, or another basis.

In addition to the narrative, the School District should provide the following documentation:

1. Documentation which includes actual costs of the facilities, including but not limited to, invoices, lease agreements, or purchase agreements.
2. Documentation, such as invoices or contracts, which includes, but is not limited to, any work associated with placing the facilities on a site.
3. In lieu of actual costs, School Districts may provide bid proposals, quotes, or other documentation that supports the amount of funding requested.

### 9. Other Assistance Following a Natural Disaster Narrative

For purposes of requesting other natural disaster assistance, the School District must provide the following in addition to the Form SAB 195:

1. The background and circumstances which prompted the School District's request.
2. Information relevant to the request that demonstrates funding from insurance proceeds, local, State, and Federal government disaster assistance is insufficient to rehabilitate or reconstruct school facilities that existed at the time of the natural disaster.
3. A statement explaining why the SAB should grant the School District's request based on law, regulation, or another basis.
4. Justification if the project seeks natural disaster assistance funding in lieu of an Approved Application pursuant to Section 1859.82.1, or
5. Justification if the project seeks any other natural disaster assistance funding in lieu of an Approved Application pursuant to SFP regulation Section 1859.70.
6. California Department of Education Plan Approval(s) (as applicable).
7. DSA Plan Approval(s) (as applicable).

### 10. Certification

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

### ATTACHMENTS

Attach substantiating documentation as necessary to support the School District's request. All supporting documentation must be received by the OPSC prior to presentation to the SAB.



**APPLICATION FOR NATURAL DISASTER ASSISTANCE**

SAB 195 (New xx/25)

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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**

Is this application New or Amended?

☐ New☐ Amended☐ Interim housing (portable classrooms)☐ Leasing (number of classrooms being requested for each grade level):

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

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

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

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

Severe: \_\_\_\_\_

☐ Purchasing (number of classrooms being requested for each grade level):

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

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

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

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

Severe: \_\_\_\_\_

☐ Interim Housing (ancillary facilities):☐ Leasing☐ Restroom(s)☐ Kitchen☐ Administrative Space☐ Minimum Essential Facilities (list the type): \_\_\_\_\_☐ Other: \_\_\_\_\_☐ Purchasing☐ Restroom(s)☐ Kitchen☐ Administrative Space☐ Minimum Essential Facilities (list the type): \_\_\_\_\_☐ Other: \_\_\_\_\_Do these portable classrooms exist on site at the time of application submittal? ☐ Yes ☐ No

Date(s) portable classrooms were placed/purchased (if applicable): \_\_\_\_\_

Date(s) portables were removed (if applicable): \_\_\_\_\_

Do these ancillary facilities exist on site at the time of application submittal? ☐ Yes ☐ No

Date(s) ancillary facilities were placed/purchased (if applicable): \_\_\_\_\_

Date(s) ancillary facilities were removed (if applicable): \_\_\_\_\_

Indicate the grade level of classrooms on the impacted site that are identified as destroyed or rendered unsafe to occupy below:

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

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

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

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

Severe: \_\_\_\_\_

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Indicate the type of ancillary facilities that are identified as destroyed or rendered unsafe to occupy below:

- ☐ Restroom(s)  
☐ Kitchen  
☐ Administrative Space  
☐ Minimum Essential Facilities (list the type): \_\_\_\_\_  
☐ Other: \_\_\_\_\_

- ☐ Other assistance following a natural disaster pursuant to Section 1859.84.2 (specify) \_\_\_\_\_  
☐ Design Only—Other Assistance Following a Natural Disaster

**2. Application(s) Submitted for Impacted Site**

- ☐ Facility Hardship application(s): \_\_\_\_\_  
☐ New Construction application(s): \_\_\_\_\_  
☐ Modernization application(s): \_\_\_\_\_  
☐ Other: \_\_\_\_\_

**3. Prior SFP Apportionment(s) for Impacted Site:**

Facility Hardship Replacement (Design/Full Grant): 51/ \_\_\_\_\_  
 Facility Hardship Rehabilitation (Design/Full Grant): 58/ \_\_\_\_\_  
 New Construction (Design/Full Grant): 50/ \_\_\_\_\_  
 Modernization (Design/Full Grant): 57/ \_\_\_\_\_

**4. Natural Disaster - State of Emergency Proclamation**

- a. Is this an open state of emergency at the time of application submittal? ☐ Yes ☐ No  
 b. Executive order number: \_\_\_\_\_  
 c. Proclamation date: \_\_\_\_\_

**5. Type of Financial Hardship Request**

- ☐ Submittal pending OPSC approval pursuant to Section 1859.81(h)  
☐ Submittal with school board resolution, pursuant to Section 1859.95.1 (Insufficient Bond Authority)

**6. Local Funding Adjustment Grant**

Complete the following:

- a. Assessed valuation: \_\_\_\_\_  
 b. School District's gross bonding capacity, (rounded to the nearest whole dollar): \_\_\_\_\_  
 c. School District's unduplicated pupil percentage, rounded to two decimal places: \_\_\_\_\_  
 d. School District's enrollment: \_\_\_\_\_  
 e. Does this project include the use of a Project Labor Agreement? ☐ Yes ☐ No

**7. DSA Plan Approval**

Does the School District have DSA approval for any portion of the P&S requiring review and approval? ☐ Yes ☐ No

If so, enter the DSA approval date: \_\_\_\_\_

Does this application share plans and specifications with at least one additional SFP application? ☐ Yes ☐ No

If so, provide the following in conjunction with narrative in Sections 8 or 9:

- A clear delineation of project scope that identifies all related hybrid applications and the project scope attributable to each
- A proration of project costs and an explanation of the proration methodology, and
- A certification that funds for one hybrid application will be used exclusively for that hybrid application, and
- An acknowledgement that expenditures must be tracked and reported separately according to the cost proration, unless the expenditure is only attributable to a specific project.

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**8. Narrative Requesting Interim Housing Assistance Following a Natural Disaster:**

**APPLICATION FOR NATURAL DISASTER ASSISTANCE**

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**9. Narrative Requesting Other Assistance Following a Natural Disaster:**

**10. Certification**

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

- I am an authorized representative of the School District as authorized by the governing board of the School 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 School District's governing board or the designee of the Superintendent of Public Instruction on, \_\_\_\_\_; and,
- The School 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,
- The School 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,
- 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 School 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,
- The School District has or will comply with the Public Contract Code regarding all laws governing the use of force account labor; and,
- This School 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 School District matching funds required pursuant to Sections 1859.77.1 or 1859.79 have either been expended by the School District, deposited in the County School Facility Fund or will be expended by the School District prior to the notice of completion for the project; and,
- The School 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 School District is requesting site acquisition funds as part of this application, the School 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 School 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 School 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 School 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 must exist, the language in the OPSC form will prevail; and,
- The School 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 School 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 School District has entered into a lease agreement for the leased property that meets the requirements of Section 1859.22; and,
- If the School District requested additional funding for fire code requirements pursuant to Sections 1859.71.2 or 1859.78.4, the School 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 School 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), and 51228(b), and 52336.1; and,
- If this application is submitted after January 1, 2004 for modernization funding, the School 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 School District is in compliance with current Labor Code requirements for prevailing wage monitoring and enforcement; and,

**APPLICATION FOR NATURAL DISASTER ASSISTANCE**

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- Beginning with the 2005/2006 fiscal year, the School 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,
- The School 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; and,
- If this application is submitted when there is Insufficient Bond Authority, the School District has adopted a school board resolution pursuant to Section 1859.95.1; and,
- The School District will comply with all laws pertaining to the construction or modernization of its school building.
- If the School District marked the box for 'Yes' in Section 6. of this application that it has or will include a project labor agreement, the use of a project labor agreement will be verified as part of the audit required in EC Section 41024. If it is determined that a project labor agreement was not used, the additional Local Share Adjustment Grant funding provided as a result of the points assigned to the project to determine the matching share percentage will be required to be returned, with interest (based on the interest rate earned in Pooled Money Investment Account at the time of fund release) until funds are returned.
- The School District understands that any funding received from insurance proceeds or government disaster assistance after the Apportionment must be reported to OPSC in an annual narrative from the date of the Apportionment until all claims for insurance proceeds and requests for government disaster assistance are closed. The School District understands that any apportionment provided shall be adjusted for funding received from insurance proceeds or government disaster assistance, in accordance with the following:
  - An apportionment from New Construction bond authority pursuant to either Section 1859.84.1 or Section 1859.84.2 shall be reduced by 50 percent of the insurance proceeds or government disaster assistance for Interim Housing, or a commensurate amount adjusted for the local matching share pursuant to Section 1859.77.1.
  - An apportionment from Modernization bond authority pursuant to Section 1859.84.2 shall be reduced by 60 percent of the insurance proceeds

or government disaster assistance for the same purpose or scope of work funded by the Apportionment, or a commensurate amount adjusted for the local matching share pursuant to Section 1859.79.

**APPLICATION FOR NATURAL  
DISASTER ASSISTANCE CHECKLIST****ATTACHMENT A6d**

New MONTH 2025

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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)

\* Enter the Application Number that has been assigned to this project by OPSC. Leave blank if this is the first request related to this project.

**GENERAL INSTRUCTIONS**

The following checklist is designed to guide districts through the process of requesting interim housing and/or other assistance following a natural disaster on the *Application for Natural Disaster Assistance* (Form SAB 195), and provide direction on what is typically required in a complete submittal. School districts are encouraged to use this checklist to request approval by the State Allocation Board (SAB) for applications requesting interim housing and/or other assistance following a natural disaster.

Include all supporting documentation with your submittal to OPSC. Requests for SAB consideration are a top priority and are processed to the SAB upon receipt by OPSC of all required documentation and upon completion of a thorough analysis by OPSC.

**Interim Housing Assistance Following a Natural Disaster Requests**

- ☐ Section 1 –
  - ☐ Check whether the application is a “New” application, requesting a separate design apportionment, or an “Amended” application.
  - ☐ Check the applicable box on the Form SAB 195 to indicate whether the district is seeking to lease or purchase portable classroom(s) and/or ancillary facilities, or if the district is requesting other assistance following a natural disaster.
  - ☐ If the district is requesting interim housing assistance, the district must indicate whether the portable classrooms or ancillary facilities that the district is requesting assistance for exist on the site at the time of application submittal.
  - ☐ If the district is requesting interim housing assistance, the district must indicate the grade level of classrooms on the impacted site that are identified as destroyed or rendered unsafe to occupy in addition to any ancillary facilities identified as unsafe to occupy.
  - ☐ Check the box if the district is requesting other assistance following a natural disaster and is seeking a separate design apportionment.
- ☐ Section 2 – Check the applicable boxes and provide application numbers for any applications related to the impacted site that are currently on the OPSC workload or Applications Received Beyond Bond Authority lists.
- ☐ Section 3 – Enter any prior School Facility Program (SFP) applications specific to the impacted site for which the district received SAB approval since the time of the natural disaster.
- ☐ Section 4 – Enter information related to the state of emergency the Governor has declared for the natural disaster for which the district is requesting interim housing assistance.
- ☐ Section 5 – Check the applicable box to indicate if the district is requesting financial hardship assistance.
- ☐ Section 6 – Enter this information to determine the local funding adjustment grant and calculate the district’s matching share requirement.
- ☐ Section 7 – Enter applicable information for Division of the State Architect (DSA) Approval(s) related to the project.
- ☐ Section 8 – See the “Supporting Documentation” component of this checklist for detailed requirements.

**Other Assistance Following a Natural Disaster Requests**

- ☐ Section 1 - Check the applicable box on the Form SAB 195 to indicate that the district is requesting other assistance pursuant to Section 1859.84.2.
- ☐ Section 2 – Check the applicable boxes and provide application numbers for any applications related to the impacted site that are currently on the OPSC workload or Applications Received Beyond Bond Authority lists.
- ☐ Section 3 – Enter any prior School Facility Program (SFP) applications specific to the impacted site for which the district received SAB approval since the time of the natural disaster.
- ☐ Section 4 – Enter information related to the state of emergency the Governor has declared for the natural disaster for which the

**APPLICATION FOR NATURAL  
DISASTER ASSISTANCE CHECKLIST****ATTACHMENT A6d**

New MONTH 2025

Page 2 of 3

district is requesting other assistance.

- ☐ Section 5 – Check the applicable box to indicate if the district is requesting financial hardship assistance.
- ☐ Section 6 – Enter this information to determine the local funding adjustment grant and calculate the district's matching share requirement.
- ☐ Section 7 – Enter applicable information for DSA Approval(s) related to the project.
- ☐ Section 8 – See the "Supporting Documentation" component of this checklist for detailed requirements.

**Section 7**

Indicate whether there are any DSA plan approvals associated with the district's plans and specifications for the project. If so, enter the DSA Approval date and submit a copy of the relevant DSA approvals alongside the application for Interim Housing or Natural Disaster Assistance Request. If DSA plan approval(s) are pending review, or if the district has an exemption, please indicate so within the applicable narrative.

**Section 8 (Interim Housing) and Section 9 (Natural Disaster Assistance) Narratives**

Include a chronological narrative of circumstances and any other information relevant to the district's request.

**SUPPORTING DOCUMENTATION****Interim Housing Assistance Following a Natural Disaster Narrative**

Although unique circumstances may affect what documentation is sufficient to support an interim housing request, typically required information and documentation is listed below for your reference. For any unavailable documentation, please add a brief explanation as to why the documentation does not apply. Other substantiating documentation may be attached as necessary to support the district's request.

Have affected facilities been vacated? ☐ Yes ☐ No

If Yes, describe how students are currently being housed:

☐ **Insurance Proceeds**

Is the district eligible for insurance compensation related to the conditions at the site? ☐ Yes ☐ No

If Yes, indicate estimated amount the district may receive, or has received: \_\_\_\_\_

When possible, include a copy of the insurance policy. If the district has not received insurance proceeds that are attributable to costs of interim housing, the district must provide an estimate of insurance proceeds or any other government disaster assistance the school district may receive for interim housing expenses, a narrative indicating the necessity for interim housing assistance prior to the receipt of insurance proceeds or any other government disaster assistance for this purpose, and acknowledgement of the reporting requirement and potential of a future amendment to any Apportionment pursuant to SFP Regulation Section 1859.84.1(d).

☐ **Actual Costs or Detailed Cost Estimate to Lease/Purchase Portables**

This documentation should include the actual costs of the portable classroom(s) and/or ancillary facilities, including but not limited to invoices or lease agreements. If actual costs are not available, districts may provide bid proposals, quotes, or other documentation that supports the amount of the funding request. This documentation, if possible, should include, but is not limited to any work associated with placing the portable classrooms and/or ancillary facilities on site.

**Other Assistance Following a Natural Disaster Narrative**

The narrative is intended to explain the natural disaster for which the Governor has declared a state of emergency, as well as provide substantive documentation and information to justify the district's request. Although unique circumstances may affect what documentation is sufficient to support these requests, typically required information and documentation is listed below for your reference. For any



**APPLICATION FOR NATURAL  
DISASTER ASSISTANCE CHECKLIST****ATTACHMENT A6d**

New MONTH 2025

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unavailable documentation, please add a brief explanation as to why the documentation does not apply. Other substantiating documentation may be attached as necessary to support the district's request.

Have affected facilities been vacated? ☐ Yes ☐ No

If Yes, describe how students are currently being housed:

Estimated project cost (100%): \$ \_\_\_\_\_

☐ **Insurance Proceeds**

Is the district eligible for insurance compensation related to the conditions at the site? ☐ Yes ☐ No

If Yes, indicate the actual amount or estimated amount the district may receive or has received: \_\_\_\_\_

Include a copy of the insurance policy. The district should include the background and circumstances that prompted the district's request for funding, inclusive of the following:

- The background and circumstances that prompted the district's request
- Information relevant to the request that demonstrates funding from insurance proceeds and local, state and federal government disaster assistance is insufficient to rehabilitate or reconstruct school facilities at the time of the natural disaster.

If the district has not received insurance proceeds that are attributable to costs for the rehabilitation or reconstruction of the site, the district must provide an estimate of insurance proceeds or any other government disaster assistance the school district may receive for expenses related to the project. Additionally, acknowledgement of the reporting requirement and potential of a future amendment to any Apportionment pursuant to SFP Regulation Section 1859.84.2(f).

☐ **Previous Applications (Submitted/Appportioned)**

If the district indicated any applications under Sections 2 or 3, the district must elaborate in the narrative if they were ineligible for Facility Hardship or New Construction/Modernization funding. If the district seeks any other assistance under SFP Regulation Section 1859.84.2, it must provide a statement why the SAB should grant the district's request, detail the impacts if the SAB does not grant the district's request, including justification if the district seeks any other assistance funding in lieu of an application pursuant to Section 1859.82.1 or 1859.70.

☐ **Actual Costs**

This documentation should include the actual costs of the associated project, including but not limited to invoices. If actual costs are not available, districts may provide bid proposals, quotes, or other documentation that supports the amount of the funding request.

SIGNATURE OF DISTRICT REPRESENTATIVE

DATE

**GRANT AGREEMENT [INTERIM  
HOUSING ASSISTANCE FOLLOWING  
A NATURAL DISASTER]**

SCHOOL FACILITY PROGRAM

(New xx/25)

Office of Public School Construction Application Number: \_\_\_\_\_

**GENERAL INFORMATION**

Grantee Name: \_\_\_\_\_

School Name: \_\_\_\_\_

Grant Amount: \_\_\_\_\_ of which \_\_\_\_\_ is Financial Hardship Assistance.

Authority: \_\_\_\_\_ [relevant Bond Act(s)]

SFP Program Funding Source: \_\_\_\_\_  
(e.g., New Construction, Modernization)Future Priority Funding Rounds: \_\_\_\_\_  
(first priority funding window, second priority funding window)**PROJECT DESCRIPTION**

Type of Work: \_\_\_\_\_ (e.g., New Construction, Modernization Facility Hardship rehabilitation work funded with New Construction grants, Facility Hardship replacement work funded with Modernization grants, etc.)

Financial Hardship Approval Date: \_\_\_\_\_

Financial Hardship Status is valid until: \_\_\_\_\_ (date)

This project scope and resulting funding determination relied on the following documentation and state agency approvals:

- The Application for Natural Disaster Assistance (Form SAB 195), executed by the District Representative on XXXXX.
- Plan Approval letter from the California Department of Education dated XXXXX
- Division of the State Architect Approval letter(s) dated XXXXX for DSA Application Number(s) YYYY.
- Financial Hardship Approval Letter from the Office of Public School Construction dated XXXXX.
- Bridge Financing Approval Letter from the Office of Public School Construction dated XXXXX.

**GRANT AGREEMENT [INTERIM  
HOUSING ASSISTANCE FOLLOWING  
A NATURAL DISASTER]**

**SCHOOL FACILITY PROGRAM**

**(New xx/25)**

A copy of the documentation listed here is available as part of the project file maintained by OPSC and is also retained by the District for purposes of the project audit.

Grants are to be used in accordance with the provisions contained in the Leroy F. Greene School Facilities Act of 1998 (Education Code, Title 2, Division 1, Part 10, Chapter 12.5, commencing with Section 17070.10) and this Agreement.

The Grantee shall not make any change to the Project that would require a Change of Scope, without the State Allocation Board first approving the change to the Project.

**GRANT DESCRIPTION**

The Grant funds are awarded generally for purpose of the lease or the purchase of portable classrooms and/or ancillary facilities for school districts impacted by a natural disaster for which the Governor has declared a state of emergency.

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**Grant funds are to be used in accordance with the original proposed scope of work and the terms of this Agreement. The Grantee shall not make any changes to the scope of work without the prior written approval of OPSC.**

**TERMS AND CONDITIONS OF GRANT**

**A. Definitions**

Terms not defined below shall have the same meaning as set forth in SFP Regulation Section 1859.2.

"Act" means the Leroy F. Greene School Facilities Act of 1998 (Education Code, Title 1, Division 1, Part 10, Chapter 12.5, commencing with Section 17070.10).

"Agreement" means a contract to do or not to do a certain thing and refers to this Grant Agreement.

"Change of Scope" means the addition or deletion of any work that would change the approved Grant amount for the Project or require updated state agency approval(s). This includes, but is not limited to, changes to site acquisition acres, or buildings, including but not limited to classrooms, multipurpose rooms, gymnasiums, administration buildings, restrooms, and libraries/media centers, and any changes to the size of those buildings, the type of building (e.g. portable, modular, or permanent), or the location on the school site of those buildings.

"Expenditure Report" means the Form SAB 50-06 Expenditure Report and all required supplementary documentation, including but not limited to a detailed listing of project expenditures organized by fund source and provided at an object-code-level of accounting detail, pursuant to the California School Accounting Manual, that shall include fields to identify

**GRANT AGREEMENT [INTERIM  
HOUSING ASSISTANCE FOLLOWING  
A NATURAL DISASTER]**

**SCHOOL FACILITY PROGRAM**

(New xx/25)

information including, but not limited to dates, payees, warrant numbers, and the description and purpose of the expenditures as described in California Code of Regulations, Title 2, Regulation Section 1859.104.

“Financial Hardship” means State funding for all or a portion of the Grantee’s matching share required by School Facility Program Regulation Section 1859.77.1 or 1859.79.

“Form SAB 195” means the *Application for Natural Disaster Assistance* (Form SAB 195) (New xx/25), which is incorporated by reference.

“Fund Release Application” means the Form SAB 50-05, Fund Release Authorization, and all required supplementary documentation, which includes but is not limited to this Agreement, pursuant to the Act and the Regulations.

“Grantee Representative” means the authorized representative of a school district (as defined in California Code of Regulations, Title 2, Regulation Section 1859.2), charter school, or joint powers authority, as applicable, who signed this Agreement for Grants.

“Interim Housing” means the rental or lease of Classrooms used to house pupils temporarily displaced as a result of the modernization or construction of classroom facilities; or the lease or purchase of Classrooms or ancillary facilities including but not limited to, restrooms, administrative space, or minimum essential facilities obtained due to a natural disaster for which the Governor has declared a state of emergency, pursuant to Education Code Section 17075.20.

“Project” means the purposes for which the Grantee has applied for the Grants detailed in this Agreement.

“Office of Public School Construction (OPSC)” means the office within the California Department of General Services that administers this grant program on behalf of the Director of the Department of General Services.

“Savings” means Grants not used by the Grantee for the Project, pursuant to Regulation Section 1859.103, achieved by the Grantee’s efficient and prudent expenditure of Grants.

“School District” shall have the meaning set forth in Education Code Sections 17070.15(m) and 17073.25.

“School Facility Program (SFP)” means the programs implemented under the Act.

“State” means the State of California.

“Unfunded List (Lack of AB 55 Loans)” means an information list of unfunded projects that was created due to the state’s inability to provide interim financing from the Pooled Money Investment Account (AB 55 loans) to fund school construction project as declared in the Department of Finance Budget Letter #33 issued on December 18, 2008.

*(Authority: SFP Regulation 1859.2)*

**GRANT AGREEMENT [INTERIM  
HOUSING ASSISTANCE FOLLOWING  
A NATURAL DISASTER]**

**SCHOOL FACILITY PROGRAM**

**(New xx/25)**

**B. Term of Grant Agreement**

The Grantee and the Executive Officer, or designee, of the Office of Public School Construction shall be the parties to this Agreement. This Agreement must be entered into by both parties prior to, and as a condition of, the release of any funding for the Project. This Agreement becomes effective on the date the State Allocation Board approves the Project for either an Apportionment or placement on the Unfunded List (Lack of AB 55 Loans). This Agreement terminates once (1) all Grants and the Grantee's matching funds, including interest generated by the Grants, is expended, and when all of the Parties' obligations under this Grant Agreement are fully satisfied, or (2) if the Board rescinds the unfunded approval or apportionment, or (3) if the Grantee withdraws its Form SAB 195.

**C. Project Execution**

1. The Board hereby awards to the Grantee a sum of money (Grants)

\$ \_\_\_\_\_ in consideration of and on condition that the sum be expended in carrying out the purposes as set forth in the description of the Project in this Agreement and its attachments and under the Terms and Conditions set forth in this Agreement.

Grants may also be expended for the purposes of a future high priority Capital Outlay project as the result of Savings, or for the purposes of reimbursement, pursuant to SFP Regulation Section 1859.90.4.

*(Authority: New Construction: Education Code Sections 17072.20 and 17070.63; New Construction and Modernization: SFP Regulations Article 8 commencing with Section 1859.70;)*

2. Prior to the release of any funding for the Project, Office of Public School Construction staff has completed the following steps to finalize the Project funding amount outlined in this Agreement, as necessary:

i. The Form SAB 195 was accepted on \_\_\_\_\_ (date) and deemed to meet the definition of an Approved Application. The Grantee was provided written notification of any deficiencies and given 24 hours to remedy the identified deficiency(s) in order to retain the date upon which it was received.

ii. Upon confirmation of an Approved Application, Office of Public School Construction staff reviewed the Form SAB 195 for compliance with School Facility Program Regulations and verified eligibility for all available program grants. The Grantee was provided written notification of all deficiencies and/or changes necessary and given 15 calendar days to respond and remedy the identified deficiencies and/or changes necessary.

iii. Upon review of the submitted corrections, Office of Public School Construction staff provided the Grantee written notification of any final deficiencies and required a response within four business days.

**GRANT AGREEMENT [INTERIM  
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A NATURAL DISASTER]**

**SCHOOL FACILITY PROGRAM**

**(New xx/25)**

iv. Upon receipt of the final amendments to the Form SAB 195, the Office of Public School Construction staff and the Grantee agreed that the Project was ready for presentation to the Board for either an Apportionment or placement on the Unfunded List (Lack of AB 55 Loans).

*(Authority: SFP Regulation Sections 1859.2, 1859.70, 1859.90, 1859.93, 1859.93.1; and Office of Public School Construction process)*

3. Grantee certifies that the Project complies with all laws and regulations applicable to the Project.

*(Authority: Form SAB 50-04 certifications)*

1. Grantee certifies that the Project complies with all labor and public contract laws, as applicable, including, but not limited to:

i. Public Contract Code Section 20111.6, as added by Chapter 808, Statutes of 2012 (Assembly Bill 1565), which became effective on September 30, 2012. Beginning January 1, 2014 through December 31, 2018, new contracting requirements are effective for school districts with an average daily attendance of 2,500 or more for construction projects with estimated expenditures of at least \$1,000,000 that will be funded through the SFP or any future state school bonds. These new Public Contract Code requirements require a standardized prequalification questionnaire and financial statement to be verified under oath from all bidders.

ii. Labor Code Section 1773.3, as amended by Senate Bill 854, Chapter 28, Statutes of 2014, which requires school districts that have School Facility Program projects with an initial public works contract awarded on or after January 1, 2012, to notify the Department of Industrial Relations (DIR). The DIR must provide prevailing wage monitoring services for all such projects, except in the cases of: (1) the district operates a DIR-approved internal wage monitoring program; or (2) the district has entered into a collective bargaining agreement that includes the requirements specified in Labor Code section 1771.4(b)(2).

iii. Chapter 378, Statutes of 2011 (Assembly Bill 436), which required the Department of Industrial Relations to monitor and enforce prevailing wage requirements for every State bond funded project, including School Facility Program projects, pursuant to Labor Code Section 1771.7 for projects in which the initial public works construction contract was awarded before January 1, 2012. The Project must have also been apportioned from either Proposition 47 or 55 and the construction phase of the Project commenced on or after April 1, 2003.

iv. Chapter 868 Statutes of 2002 (Assembly Bill 1506), which made projects funded from either Proposition 47 (2002) or Proposition 55 (2004) with a notice to proceed date on or after April 1, 2003 subject to Labor Compliance Program requirements as outlined in Labor Code Section 1771.5.

**GRANT AGREEMENT [INTERIM  
HOUSING ASSISTANCE FOLLOWING  
A NATURAL DISASTER]**

SCHOOL FACILITY PROGRAM

(New xx/25)

Project Execution Signature

All laws and regulations noted in Sections (i), (ii), (iii), and (iv) above have been, and will be, followed, as applicable.

X \_\_\_\_\_ Date

(Authority: Form SAB 50-04 certifications)

**D. Receiving and General Usage of Funds**

The Grantee and the Executive Officer, or designee, of the Office of Public School Construction shall enter into this Agreement prior to, and as a condition of, the release of any funding for the Grant.

Grant funds shall be released in one installment. The fund release shall occur on or about, provided this Agreement has been fully executed and the State Allocation Board provides its approval, at the \_\_\_\_\_ (Month, Year Board date) meeting.

Funds are to be expended in accordance with the scope of work identified in the Grant Description. Expenditures associated with the scope of work made prior to the effective date of the agreement, may be considered eligible costs.

**E. Program Reporting Requirements**

As a condition of this Grant, the following information shall be submitted to the Office of Public School Construction:

- No later than \_\_\_\_\_ (or as soon as contracted) the Grantee will submit documentation confirming funds have been encumbered along with a copy of the encumbrance documents and a copy of the plan approval letter from the Division of State Architect.
- No later than \_\_\_\_\_ the Grantee will submit an annual project status report until project completion.
- In perpetuity, the Grantee will report any insurance and other government disaster proceeds received for the same scope of work as this project.

**F. Record Retention**

Grantee shall maintain satisfactory financial accounts, documents, and records for the Grant, at a Project-specific level of detail. All financial accounts, documents and records for the project must be retained until an audit by the Office of Public School Construction has been conducted and completed.

Financial accounts, documents, and records may be retained electronically.

**GRANT AGREEMENT [INTERIM  
HOUSING ASSISTANCE FOLLOWING  
A NATURAL DISASTER]**

**SCHOOL FACILITY PROGRAM**

**(New xx/25)**

If the school district submitted a web-based five-year facilities master plan, the website and all links must remain accessible until the State Controller's Office has certified the audit for the project.

### **G. Repayment of Grant Funds**

Upon notification from OPSC of any amounts to be repaid to the State, the Grantee shall remit a warrant in the amount due within 60 calendar days.

### **H. Conflict of Interest**

All Grantees are subject to State and Federal conflict of interest laws. Failure to comply with these laws, including business and financial disclosure provisions, will result in the Grant being rejected and any subsequent contract being declared void. Other legal action may also be taken. Applicable statutes include, but are not limited to, Government Code, Section 1090 and Public Contract Code, Sections 10410 and 10411, for State conflict of interest requirements.

1. Employees of the Grantee: Employees of the Grantee shall comply with all applicable provisions of law pertaining to conflicts of interest, including, but not limited to any applicable conflict of interest provisions of the California Political Reform Act, Cal. Gov't Code § 87100 et seq.
2. Employees and Consultants to the Grantee: Individuals working on behalf of the Grantee may be required by the Department to file a Statement of Economic Interests (Fair Political Practices Commission Form 700) if it is determined that an individual is a consultant for Political Reform Act purposes.

### **I. Compliance with Economic Sanctions**

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 regarding sanctions in response to Russian aggression in Ukraine. The EO is located at <https://www.gov.ca.gov/wp-content/uploads/2022/03/3.4.22-Russia-Ukraine-Executive-Order.pdf>.

The Grantee is notified that compliance with the economic sanctions imposed in response to Russia's actions in Ukraine is required, including with respect to, but not limited to, the federal executive orders identified in the Executive Order and the sanctions identified on the U.S. Department of the Treasury website (<https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/ukraine-russia-related-sanctions>). Failure to comply may result in the termination of contracts or grants, as applicable.

### **J. Severability**

If any provision of this Agreement or the application thereof is held invalid, that invalidity shall not affect other provisions or applications of this Agreement which can be given effect without the invalid provision or application, and to this end the provisions of this Agreement are severable.



**GRANT AGREEMENT [INTERIM  
HOUSING ASSISTANCE FOLLOWING  
A NATURAL DISASTER]**

SCHOOL FACILITY PROGRAM

(New xx/25)

**K. Electronic Filing**

Any communication under this Grant Agreement shall be in writing and may be transmitted by electronic means. Communication sent electronically will be effective on the date of transmission.

**L. Supplement, Not Supplant**

The terms and conditions of this Agreement are intended to supplement, not supplant, the laws and regulations that apply to this Grant. The Grantee understands and agrees to adhere to all laws and regulations that apply to this Grant, even if those laws and regulations are not specifically cited in this Agreement.

**M. Exact Duplicate**

This Agreement is an exact duplicate (verbatim) of the Agreement provided by the Office of Public School Construction. In the event a conflict should exist, the language in the Agreement provided by the Office of Public School Construction will prevail.

**SIGNATURES**

The statements set forth in this Agreement are true and correct to the best of my knowledge and belief. IN WITNESS WHEREOF, this Agreement has been executed by the parties.

NAME OF GRANTEE REPRESENTATIVE (PRINT)	PHONE NUMBER
SIGNATURE OF GRANTEE REPRESENTATIVE	DATE
NAME OF EXECUTIVE OFFICER OF THE OFFICE OF PUBLIC SCHOOL CONSTRUCTION, OR DESIGNEE	DATE
SIGNATURE OF EXECUTIVE OFFICER OF THE OFFICE OF PUBLIC SCHOOL CONSTRUCTION, OR DESIGNEE	DATE

**GRANT AGREEMENT [OTHER  
ASSISTANCE FOLLOWING A  
NATURAL DISASTER]**

SCHOOL FACILITY PROGRAM

(New xx/25)

Office of Public School Construction Application Number: \_\_\_\_\_

**GENERAL INFORMATION**

Grantee Name: \_\_\_\_\_

School Name: \_\_\_\_\_

Grant Amount: \_\_\_\_\_ of which \_\_\_\_\_ is Financial Hardship Assistance.

Authority: \_\_\_\_\_ [relevant Bond Act(s)]

SFP Program Funding Source: \_\_\_\_\_  
(e.g., New Construction, Modernization)Future Priority Funding Rounds: \_\_\_\_\_  
(first priority funding window, second priority funding window)**PROJECT DESCRIPTION**

Type of Work: \_\_\_\_\_ (e.g., New Construction, Modernization Facility Hardship rehabilitation work funded with New Construction grants, Facility Hardship replacement work funded with Modernization grants, etc.)

Financial Hardship Approval Date: \_\_\_\_\_

Financial Hardship Status is valid until: \_\_\_\_\_ (date)

This project scope and resulting funding determination relied on the following documentation and state agency approvals:

- The Application for Natural Disaster Assistance Funding (Form SAB 195)
- The Funding Application (Form SAB 50-04), executed by the District Representative on XXXXX.
- Plan Approval letter from the California Department of Education dated XXXXX
- Division of the State Architect Approval letter(s) dated XXXXX for DSA Application Number(s) YYYY.
- Financial Hardship Approval Letter from the Office of Public School Construction dated XXXXX.
- Bridge Financing Approval Letter from the Office of Public School Construction dated XXXXX.

**GRANT AGREEMENT [OTHER  
ASSISTANCE FOLLOWING A  
NATURAL DISASTER]****SCHOOL FACILITY PROGRAM**

(New xx/25)

A copy of the documentation listed here is available as part of the project file maintained by OPSC and is also retained by the District for purposes of the project audit.

Grants are to be used in accordance with the provisions contained in the Leroy F. Greene School Facilities Act of 1998 (Education Code, Title 2, Division 1, Part 10, Chapter 12.5, commencing with Section 17070.10) and this Agreement.

The Grantee shall not make any change to the Project that would require a Change of Scope, without the State Allocation Board first approving the change to the Project.

**GRANT DESCRIPTION**

The Grant funds are awarded generally for purpose of

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**Grant funds are to be used in accordance with the original proposed scope of work and the terms of this Agreement. The Grantee shall not make any changes to the scope of work without the prior written approval of OPSC.**

**TERMS AND CONDITIONS OF GRANT****A. Definitions**

Terms not defined below shall have the same meaning as set forth in SFP Regulation Section 1859.2.

"Act" means the Leroy F. Greene School Facilities Act of 1998 (Education Code, Title 1, Division 1, Part 10, Chapter 12.5, commencing with Section 17070.10).

"Agreement" means a contract to do or not to do a certain thing and refers to this Grant Agreement.

"Change of Scope" means the addition or deletion of any work that would change the approved Grant amount for the Project or require updated state agency approval(s). This includes, but is not limited to, changes to site acquisition acres, or buildings, including but not limited to classrooms, multipurpose rooms, gymnasiums, administration buildings, restrooms, and libraries/media centers, and any changes to the size of those buildings, the type of building (e.g. portable, modular, or permanent), or the location on the school site of those buildings.

"Expenditure Report" means the Form SAB 50-06 Expenditure Report and all required supplementary documentation, including but not limited to a detailed listing of project expenditures organized by fund source and provided at an object-code-level of accounting detail, pursuant to the California School Accounting Manual, that shall include fields to identify information including, but not limited to dates, payees, warrant numbers, and the description and purpose of the expenditures as described in California Code of Regulations, Title 2, Regulation Section 1859.104.

**GRANT AGREEMENT [OTHER  
ASSISTANCE FOLLOWING A  
NATURAL DISASTER]**SCHOOL FACILITY PROGRAM(New xx/25)

“Financial Hardship” means State funding for all or a portion of the Grantee’s matching share required by School Facility Program Regulation Section 1859.77.1 or 1859.79.

“Form SAB 195” means the *Application for Natural Disaster Assistance* (Form SAB 195) (New xx/25), which is incorporated by reference. “Fund Release Application” means the Form SAB 50-05, Fund Release Authorization, and all required supplementary documentation, which includes but is not limited to this Agreement, pursuant to the Act and the Regulations.

“Funding Application” means the Form SAB 50-04, Application for Funding, or the Form SAB 50- 09, Application for Charter School Preliminary Apportionment, or the Form SAB 50-10, Application for Career Technical Education Facilities Funding, and all required supplementary documentation pursuant to the Act and California Code of Regulations, Title 2, Regulation Sections 1859.70, 1859.161 or 1859.191, as applicable.

“Fund Release Application” means the Form SAB 50-05, Fund Release Authorization, and all required supplementary documentation, which includes but is not limited to this Agreement, pursuant to the Act and the Regulations.

“Grantee Representative” means the authorized representative of a school district (as defined in California Code of Regulations, Title 2, Regulation Section 1859.2), charter school, or joint powers authority, as applicable, who signed this Agreement for Grants.

“Interim Housing” means the rental or lease of Classrooms used to house pupils temporarily displaced as a result of the modernization or construction of classroom facilities; or the lease or purchase of Classrooms or ancillary facilities including but not limited to, restrooms, administrative space, or minimum essential facilities obtained due to a natural disaster for which the Governor has declared a state of emergency, pursuant to Education Code Section 17075.20.

“Modernization” means projects that are eligible for Grants based on Education Code Title 1, Division 1, Part 10, Chapter 12.5, Articles 6 (commencing with Section 17073.10) and 7 (commencing with Section 17074.10).

“New Construction” means projects that are eligible for Grants based on Education Code Title 1, Division 1, Part 10, Chapter 12.5, Articles 3 (commencing with Section 17071.75), 4 (commencing with Section 17072.10), and 5 (commencing with Section 17072.20).

“Project” means the purposes for which the Grantee has applied for the Grants detailed in this Agreement.

“Office of Public School Construction (OPSC)” means the office within the California Department of General Services that administers this grant program on behalf of the Director of the Department of General Services.

“Savings” means Grants not used by the Grantee for the Project, pursuant to Regulation Section 1859.103, achieved by the Grantee’s efficient and prudent expenditure of Grants.

“School District” shall have the meaning set forth in Education Code Sections 17070.15(m) and 17073.25.

**GRANT AGREEMENT [OTHER  
ASSISTANCE FOLLOWING A  
NATURAL DISASTER]****SCHOOL FACILITY PROGRAM****(New xx/25)**

“School Facility Program (SFP)” means the programs implemented under the Act.

“State” means the State of California.

“Unfunded List (Lack of AB 55 Loans)” means an information list of unfunded projects that was created due to the state’s inability to provide interim financing from the Pooled Money Investment Account (AB 55 loans) to fund school construction project as declared in the Department of Finance Budget Letter #33 issued on December 18, 2008.

*(Authority: SFP Regulation 1859.2)*

**B. Term of Grant Agreement**

The Grantee and the Executive Officer, or designee, of the Office of Public School Construction shall be the parties to this Agreement. This Agreement must be entered into by both parties prior to, and as a condition of, the release of any funding for the Project. This Agreement becomes effective on the date the State Allocation Board approves the Project for either an Apportionment or placement on the Unfunded List (Lack of AB 55 Loans). This Agreement terminates once (1) all Grants and the Grantee’s matching funds, including interest generated by the Grants, is expended, and when all of the Parties’ obligations under this Grant Agreement are fully satisfied, or (2) if the Board rescinds the unfunded approval or apportionment, or (3) if the Grantee withdraws its Form SAB 195.

**C. Project Execution**

1. The Board hereby awards to the Grantee a sum of money (Grants)  
\$ \_\_\_\_\_ in consideration of and on condition that the sum be expended in carrying out the purposes as set forth in the description of the Project in this Agreement and its attachments and under the Terms and Conditions set forth in this Agreement.

Grants may also be expended for the purposes of a future high priority Capital Outlay project as the result of Savings, or for the purposes of reimbursement, pursuant to SFP Regulation Section 1859.90.4.

*(Authority: New Construction: Education Code Sections 17072.20 and 17070.63; New Construction and Modernization: SFP Regulations Article 8 commencing with Section 1859.70;)*

2. Prior to the release of any funding for the Project, Office of Public School Construction staff has completed the following steps to finalize the Project funding amount outlined in this Agreement, as necessary:

- i. The Form SAB 195 was accepted on \_\_\_\_\_ (date) and deemed to meet the definition of an Approved Application. The Grantee was provided written notification of any deficiencies and given 24 hours to remedy the identified deficiency(s) in order to retain the date upon which it was received.

- ii. Upon confirmation of an Approved Application, Office of Public School Construction staff reviewed the Form SAB 195 for compliance with School Facility Program Regulations and verified eligibility for all available program grants. The Grantee was

**GRANT AGREEMENT [OTHER  
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provided written notification of all deficiencies and/or changes necessary and given 15 calendar days to respond and remedy the identified deficiencies and/or changes necessary.

iii. Upon review of the submitted corrections, Office of Public School Construction staff provided the Grantee written notification of any final deficiencies and required a response within four business days.

iv. Upon receipt of the final amendments to the Form SAB 195, the Office of Public School Construction staff and the Grantee agreed that the Project was ready for presentation to the Board for either an Apportionment or placement on the Unfunded List (Lack of AB 55 Loans).

*(Authority: SFP Regulation Sections 1859.2, 1859.70, 1859.90, 1859.93, 1859.93.1; and Office of Public School Construction process)*

3. Grantee certifies that the Project complies with all laws and regulations applicable to the Project.

*(Authority: Form SAB 50-04 certifications)*

1. Grantee certifies that the Project complies with all labor and public contract laws, as applicable, including, but not limited to:

i. Public Contract Code Section 20111.6, as added by Chapter 808, Statutes of 2012 (Assembly Bill 1565), which became effective on September 30, 2012. Beginning January 1, 2014 through December 31, 2018, new contracting requirements are effective for school districts with an average daily attendance of 2,500 or more for construction projects with estimated expenditures of at least \$1,000,000 that will be funded through the SFP or any future state school bonds. These new Public Contract Code requirements require a standardized prequalification questionnaire and financial statement to be verified under oath from all bidders.

ii. Labor Code Section 1773.3, as amended by Senate Bill 854, Chapter 28, Statutes of 2014, which requires school districts that have School Facility Program projects with an initial public works contract awarded on or after January 1, 2012, to notify the Department of Industrial Relations (DIR). The DIR must provide prevailing wage monitoring services for all such projects, except in the cases of: (1) the district operates a DIR-approved internal wage monitoring program; or (2) the district has entered into a collective bargaining agreement that includes the requirements specified in Labor Code section 1771.4(b)(2).

iii. Chapter 378, Statutes of 2011 (Assembly Bill 436), which required the Department of Industrial Relations to monitor and enforce prevailing wage requirements for every State bond funded project, including School Facility Program projects, pursuant to Labor Code Section 1771.7 for projects in which the initial public works construction contract was awarded before January 1, 2012. The Project must have also been apportioned from

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either Proposition 47 or 55 and the construction phase of the Project commenced on or after April 1, 2003.

iv. Chapter 868 Statutes of 2002 (Assembly Bill 1506), which made projects funded from either Proposition 47 (2002) or Proposition 55 (2004) with a notice to proceed date on or after April 1, 2003 subject to Labor Compliance Program requirements as outlined in Labor Code Section 1771.5.

Project Execution Signature

All laws and regulations noted in Sections (i), (ii), (iii), and (iv) above have been, and will be, followed, as applicable.

X \_\_\_\_\_ Date

*(Authority: Form SAB 50-04 certifications)*

**D. Receiving and General Usage of Funds**

The Grantee and the Executive Officer, or designee, of the Office of Public School Construction shall enter into this Agreement prior to, and as a condition of, the release of any funding for the Grant.

Grant funds shall be released in one installment. The fund release shall occur on or about, provided this Agreement has been fully executed and the State Allocation Board provides its approval, at the \_\_\_\_\_ (Month, Year Board date) meeting.

Funds are to be expended in accordance with the scope of work identified in the Grant Description. A maximum of 5% of the total funds may be used for Grantee's administrative and/or overhead costs associated with the Grant. Expenditures associated with the scope of work made prior to the effective date of the agreement, may be considered eligible costs.

**E. Program Reporting Requirements**

As a condition of this Grant, the following information shall be submitted to the Office of Public School Construction:

- No later than \_\_\_\_\_ (or as soon as contracted) the Grantee will submit documentation confirming funds have been encumbered along with a copy of the encumbrance documents and a copy of the plan approval letter from the Division of State Architect.
- No later than \_\_\_\_\_ the Grantee will submit a project status report.

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- No later than \_\_\_\_\_ the Grantee will submit a final Expenditure Report and a narrative summary of the project outcome.
  - o Report format is at the discretion of the Grantee; however, reports should be detailed enough to clearly demonstrate progress and that expenditures are connected to the project.
  - o Submitted reports shall include a cover letter from the Grantee with a signed statement that the information submitted is true and accurate.
- In perpetuity, the Grantee will report any insurance and other government disaster proceeds received for the same scope of work as this project.

**F. Record Retention**

Grantee shall maintain satisfactory financial accounts, documents, and records for the Grant, at a Project-specific level of detail. All financial accounts, documents and records for the project must be retained until an audit by the Office of Public School Construction has been conducted and completed.

Financial accounts, documents, and records may be retained electronically.

**G. Repayment of Grant Funds**

Upon notification from OPSC of any amounts to be repaid to the State, the Grantee shall remit a warrant in the amount due within 60 calendar days.

**H. Conflict of Interest**

All Grantees are subject to State and Federal conflict of interest laws. Failure to comply with these laws, including business and financial disclosure provisions, will result in the Grant being rejected and any subsequent contract being declared void. Other legal action may also be taken. Applicable statutes include, but are not limited to, Government Code, Section 1090 and Public Contract Code, Sections 10410 and 10411, for State conflict of interest requirements.

1. Employees of the Grantee: Employees of the Grantee shall comply with all applicable provisions of law pertaining to conflicts of interest, including, but not limited to any applicable conflict of interest provisions of the California Political Reform Act, Cal. Gov't Code § 87100 et seq.
2. Employees and Consultants to the Grantee: Individuals working on behalf of the Grantee may be required by the Department to file a Statement of Economic Interests (Fair Political Practices Commission Form 700) if it is determined that an individual is a consultant for Political Reform Act purposes.



**GRANT AGREEMENT [OTHER  
ASSISTANCE FOLLOWING A  
NATURAL DISASTER]**SCHOOL FACILITY PROGRAM(New xx/25)**I. Compliance with Economic Sanctions**

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 regarding sanctions in response to Russian aggression in Ukraine. The EO is located at <https://www.gov.ca.gov/wp-content/uploads/2022/03/3.4.22-Russia-Ukraine-Executive-Order.pdf>.

The Grantee is notified that compliance with the economic sanctions imposed in response to Russia's actions in Ukraine is required, including with respect to, but not limited to, the federal executive orders identified in the Executive Order and the sanctions identified on the U.S. Department of the Treasury website (<https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/ukraine-russia-related-sanctions>). Failure to comply may result in the termination of contracts or grants, as applicable.

**J. Severability**

If any provision of this Agreement or the application thereof is held invalid, that invalidity shall not affect other provisions or applications of this Agreement which can be given effect without the invalid provision or application, and to this end the provisions of this Agreement are severable.

**K. Electronic Filing**

Any communication under this Grant Agreement shall be in writing and may be transmitted by electronic means. Communication sent electronically will be effective on the date of transmission.

**L. Supplement, Not Supplant**

The terms and conditions of this Agreement are intended to supplement, not supplant, the laws and regulations that apply to this Grant. The Grantee understands and agrees to adhere to all laws and regulations that apply to this Grant, even if those laws and regulations are not specifically cited in this Agreement.

**M. Exact Duplicate**

This Agreement is an exact duplicate (verbatim) of the Agreement provided by the Office of Public School Construction. In the event a conflict should exist, the language in the Agreement provided by the Office of Public School Construction will prevail.

**GRANT AGREEMENT [OTHER  
ASSISTANCE FOLLOWING A  
NATURAL DISASTER]**

SCHOOL FACILITY PROGRAM

(New xx/25)

**SIGNATURES**

The statements set forth in this Agreement are true and correct to the best of my knowledge and belief. IN WITNESS WHEREOF, this Agreement has been executed by the parties.

NAME OF GRANTEE REPRESENTATIVE (PRINT)	PHONE NUMBER
SIGNATURE OF GRANTEE REPRESENTATIVE	DATE
NAME OF EXECUTIVE OFFICER OF THE OFFICE OF PUBLIC SCHOOL CONSTRUCTION, OR DESIGNEE	DATE
SIGNATURE OF EXECUTIVE OFFICER OF THE OFFICE OF PUBLIC SCHOOL CONSTRUCTION, OR DESIGNEE	DATE

OFFICE OF PUBLIC SCHOOL CONSTRUCTION  
STAKEHOLDER MEETING  
July 24, 2025

PROPOSED REGULATORY AMENDMENTS FOR MANDATORY USE OF OPSC  
ONLINE

PURPOSE

To discuss and receive stakeholder input regarding proposed regulatory amendments to require all document submittals related to programs administered by the State Allocation Board (SAB) to be completed using OPSC Online.

DESCRIPTION

OPSC is strongly considering mandatory use of OPSC Online in 2026 for SAB-administered programs, including the School Facility Program, the California Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program, and the Unused Sites Program. The item provides rationale for this proposal, presents data on historical OPSC Online usage, and summarizes feedback received from an OPSC Online survey. Staff requests stakeholder feedback regarding the proposed regulatory amendments and any suggestions for improving user experience with the OPSC Online system.

AUTHORITY

**Education Code (EC) Section 17070.35 – General Provisions**

(a) In addition to all other powers and duties as are granted to the board by this chapter, other statutes, or the California Constitution, the board shall do all of the following:

(1) Adopt rules and regulations, pursuant to the rulemaking provisions of the Administrative Procedure Act, Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, for the administration of this chapter. However, the board shall have no authority to set the level of the fees of any architect, structural engineer, or other design professional on any project. The initial regulations adopted pursuant to this chapter shall be adopted as emergency regulations, and the circumstances related to the initial adoption are hereby deemed to constitute an emergency for this purpose. The initial regulations adopted pursuant to this chapter shall be adopted by November 4, 1998. If the initial regulations are not adopted by that date, the board shall report to the Legislature by that date, explaining the reasons for the delay.

(2) Establish and publish any procedures and policies in connection with the administration of this chapter as it deems necessary.

...

**Government Code (GOV) Section 15503**

Whenever the board is required to make allocations or apportionments under this part, it shall prescribe rules and regulations for the administration of, and not inconsistent with, the act making the appropriation of funds to be allocated or

AUTHORITY (cont.)

apportioned. The board shall require the procedure, forms, and the submission of any information it may deem necessary or appropriate.

Unless otherwise provided in the appropriation act, the board may require that applications for allocations or apportionments be submitted to it for approval.

BACKGROUND

The Office of Public School Construction (OPSC) created the OPSC Online web-based application portal seven years ago and, since that time, has completed testing and programming of numerous expansions and improvements. OPSC Online allows for the paperless administration of the School Facility Program, the California Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program, and the Unused Sites Program. Later this year, the new Small School District Program and the Lead in Water Testing and Remediation Program established in Proposition 2 will also be programmed into OPSC Online. Additionally, OPSC has recently completed and is testing a more comprehensive user guide for OPSC Online that expands the user guide that is currently available to include updated programming and features now available. The user guide is on track for full release in late 2025.

With the availability of all programs and program data in the online application, OPSC has transitioned to exclusive use of OPSC Online for all internal operations and is strongly considering a requirement to make submittals through OPSC Online mandatory for all users and all programs. OPSC seeks feedback from all stakeholders on this proposed requirement.

STAFF ANALYSIS/DISCUSSION

OPSC strives to improve online services, standardize submission processes for School Facility Program documents, and create a more user-friendly interface for OPSC Online. OPSC is moving toward mandatory use of OPSC Online in July 2026 to increase efficiency for OPSC, school districts, and other interested parties. OPSC believes mandating the usage of OPSC Online will streamline processing, eliminate redundancy, reduce errors, and improve accessibility. The OPSC Online user interface is Americans with Disabilities Act (ADA) compliant and offers a more equitable experience for users compared to submitting forms via email, which may not accommodate all accessibility needs. Multiple government agencies, such as the California Commission on Disability Access, California Department of Human Resources, California Department of Motor Vehicles, and United States Citizenship and Immigration Services, have also successfully implemented online portals for their services.

Since the initial launch of OPSC Online, OPSC has seen incremental progress in the utilization of OPSC Online. Our records indicate an increase in OPSC Online submittals from 2.74 percent of all applications submitted in 2019 to 22.35 percent

STAFF ANALYSIS/DISCUSSION (cont.)

in 2024. Below is a summation of the data from 2019 to 2024, recording the number of submittals of standard program forms received via email or physical mail and OPSC Online. Fields that indicate N/A had not yet been programmed into OPSC Online at that point in time.

Table 1: OPSC submittals via Email or Physical Mail

Email or Physical Submittal						
	2019	2020	2021	2022	2023	2024
Form SAB 50-04 (Application for Funding)	992	1,275	1,692	1,784	1,681	1,094
Form SAB 50-05 (Fund Release Authorization)	N/A	390	316	612	613	273
Form SAB 50-06 (Expenditure Report)	528	451	765	904	1,388	1,140
Form SAB 50-09 (Application for Charter School Preliminary Apportionment)	0	5	2	36	4	0
Form SAB 50-10 (Application for Career Technical Education Facilities Funding)	185	378	22	0	0	0
Grant Agreement	N/A	N/A	N/A	34	108	127
Priority In Funding Request	N/A	502	401	406	36*	17*
Total	1,705	3,001	3,198	3,776	3,830	2,651
Percentage of Forms submitted through Email or Physical Mail per year	97.26%	91.05%	92.11%	83.28%	77.70%	77.65%

Table 2: OPSC submittals via OPSC Online

OPSC Online Submittal						
	2019	2020	2021	2022	2023	2024
Form SAB 50-04	2	16	47	97	274	261
Form SAB 50-05	N/A	33	111	133	169	122
Form SAB 50-06	0	1	8	27	51	44
Form SAB 50-09	0	0	0	45	8	3
Form SAB 50-10	46	241	4	3	0	0
Grant Agreement	N/A	N/A	N/A	437	588	325
Priority In Funding Request	N/A	4	104	16	9*	8*
Total	48	295	274	758	1,099	763
Percentage of Forms submitted through OPSC Online Per Year	2.74%	8.95%	7.89%	16.72%	22.30%	22.35%

\* The SAB was providing predominantly direct apportionments at this time that did not require a Priority in Funding Request to be submitted.

STAFF ANALYSIS/DISCUSSION (cont.)

Figure 1: OPSC Online User Growth Trends

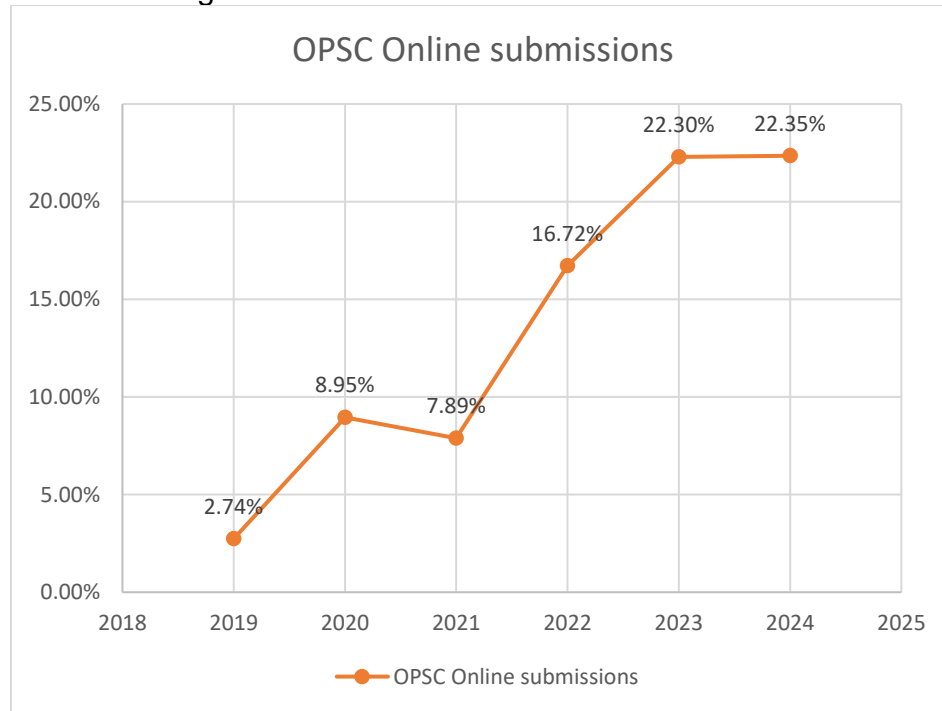


Figure 1 utilizes a line graph to display the growth trend of OPSC Online submittals over the past few years. The percentages were calculated by dividing the number of forms submitted through OPSC Online by the total submittals for that year. For example, in 2024, OPSC received a total of 3,414 submissions, 763 of which were submitted through OPSC Online. 763 divided by 3,414 is .2235 or 22.35 percent.

While the 22.35 percent OPSC Online submittal rate in 2024 represents a significant increase in OPSC Online usage, 2,651 documents were still received by email and physical mail in 2024, which must then be keyed by OPSC staff into OPSC Online.

### STAFF ANALYSIS/DISCUSSION (cont.)

On February 28, 2025, OPSC sent out a survey to gather stakeholder feedback on a proposed requirement to make submittals through OPSC Online mandatory for all users and programs. The survey featured questions regarding the most used features of OPSC Online, suggestions for enhancements, and concerns regarding a proposed requirement to mandate submittals via OPSC Online. The results are summarized below.

#### **Most Used Features**

Based on the frequency of mentions across the responses, the top five most used features of OPSC Online are:

1. Funding Applications Dashboard
2. Project Tracking Number Tab
3. Funding Requests (50-04/ 50-09/ 50-10/ 70-01)
4. Eligibility Forms (50-01/ 50-02/ 50-03)
5. District Administration Tab

OPSC Staff will prioritize additional training resources and enhancements for these most frequently used features to best serve users.

#### **Suggestions**

Stakeholders also proposed several enhancements to make OPSC Online more user-friendly and efficient. The main suggestions included:

<b>Suggestion</b>	<b>OPSC Response</b>
<b>1. <i>Expanding Delegate Access</i></b> Stakeholders have requested that super delegates and consultants be allowed to submit documents on behalf of districts.	<b>1.</b> Although not advised by OPSC, school districts have the ability to designate District Representative permissions to consultants via a school board resolution. Please see our <a href="#">website</a> for more information on this process, which can be used to authorize a consultant to submit documents on behalf of school districts.
<b>2. <i>Changes in Document Uploading:</i></b> Stakeholders recommended development of an interactive checklist for required documents per application, so the district knows if they submitted all required documentation. There were also multiple requests for the ability to delete uploads.	<b>2.</b> OPSC will explore options for interactive checklists with our developers to see if we can offer these features.  However, the ability to delete uploaded documents will continue to be limited to internal Super Users. Stakeholders are reminded that uploading and submitting

STAFF ANALYSIS/DISCUSSION (cont.)

<b>Suggestion</b>	<b>OPSC Response</b>
<b>2. (cont.)</b>	<b>2. (cont.)</b> documents to OPSC Online is the equivalent to dropping an item in the mail. Additionally, OPSC Online is a “live” working environment. OPSC staff can access documents immediately and therefore, deletions would be problematic. For tax purposes, there is a 40-year retention policy for project files. OPSC recommends contacting the district’s assigned project manager for assistance if a document is uploaded by mistake.
<b>3. User Interface</b> Stakeholders suggested creating a more form-like interface resembling official PDF forms to reduce the reliance on dropdown buttons and streamline navigation.	<b>3.</b> OPSC will explore this option with our developers to see if we can offer this feature.
<b>4. Dashboard Customization</b> Stakeholders requested an ability to let users set their default view of their application dashboard to filter out irrelevant items.	<b>4.</b> OPSC will explore this option with our developers to see if we can offer this feature. Users currently have the ability to sort by utilizing the “Keyword Search” function on their main dashboard.
<b>5. Public Access to District Tab</b> Stakeholders also requested OPSC Online provide full access to modernization eligibility, Project Tracking Numbers (PTN), and site-level data without requiring district login. Respondents expressed satisfaction with the previous PTN system that allowed public access to view.	<b>5.</b> Several features of OPSC Online are publicly available, including the Project Reporting system. Users do not need a password to view project tracking data with this “read only” application. The application has search functions for both the School Facility Program and the predecessor Lease-Purchase Program. As part of future enhancements, OPSC plans to include the ability to view SAB-approved remaining eligibility and present-day dollar values of per-pupil grants.

**Concerns**

Stakeholders raised several concerns about mandating the use of OPSC Online to submit program forms. Most concerns were similar in nature and can be grouped into one of the following three categories:



STAFF ANALYSIS/DISCUSSION (cont.)

Concern	OPSC Response
<p><b>1. System Reliability and Technical Issues</b>            Stakeholders have reported bugs, performance issues, and disappearing data when using the system. Concerns also included poor mobile interface and the lack of backup processes for time-sensitive submissions.</p>	<p><b>1.</b> OPSC acknowledges the online system is not immune to technical difficulties and has a designated development team to monitor and troubleshoot defects. On November 7, 2024, OPSC released a major update to the system that has greatly improved user experience. One third of survey respondents reported that they have not utilized the system since the upgrade. In the event users are unable to access OPSC Online, proposed regulatory amendments include a provision that allows users to submit evidence of circumstances beyond the district's control that precluded the submittal, and to submit by the next business day immediately following restored access.</p> <p>Due to the large number of functions in OPSC Online and the amount of data available, OPSC Online was not designed for mobile use.</p> <p>All OPSC staff have been using OPSC Online for nearly four years and would also be impacted by outages and technical issues. At this time, OPSC has found most issues are short in duration and staff are available to assist school districts as needed.</p>
<p><b>2. Usability and Need for Training and Support</b>            Stakeholders reported the platform can be seen as difficult to navigate for infrequent users. They have requested more training and clearer guidance to build confidence using the platform.</p>	<p><b>2.</b> Prior to full implementation of proposed mandatory use of OPSC Online, staff plans a series of stakeholder meetings, additional training, and the publication of a more comprehensive OPSC Online user guide to make the transition as seamless as possible. Additionally, OPSC staff are available to provide one-on-one demonstrations and/or walk-throughs of OPSC Online functions.</p>

STAFF ANALYSIS/DISCUSSION (cont.)

Concern	OPSC Response
<p><b>3. Restrictions for Local Educational Agency (LEA) Delegated Users</b>          Stakeholders reported restrictions limit consultants' ability to submit on behalf of districts, creating workflow inefficiencies. The process of assigning access for multiple districts is viewed as overly burdensome.</p>	<p><b>3.</b> School districts may reach out to OPSC to assign OPSC Online access to consultants, architects, and other LEA delegates on their behalf. Establishing access is a one-time event that allows users full ability to submit documentation and draft applications up to the point of submittal. Authorized representatives need only log in to sign and submit the final application. This process does not differ from the historic practice of consultants preparing a Form SAB 50-04 and supporting documentation before sending it off to the district for a final signature.</p> <p>Although not advised by OPSC, school districts have the ability to designate District Representative permissions to consultants via a school board resolution. Please see our <a href="#">website</a> for more information on this process, which can be used to authorize a consultant to submit documents on behalf of school districts.</p>

**Summary of Proposed Amendments to SFP Regulations**

*Note on Proposed Regulation and Form Changes*

This stakeholder item proposes changes to the regulations and forms in effect as of the publication date of this item. This item does not reflect separate, State Allocation Board (Board)-approved proposed regulation and form changes that are pending in the rulemaking process and have not gone into effect. Specifically, Attachment B1b does not reflect separate proposed changes to the *Application for Funding* (Form SAB 50-04) that were approved by the Board on June 25, 2025. Future stakeholder meeting items and State Allocation Board agenda items will reflect proposed regulation and form changes once they go into effect.

The proposed amendments to the SFP Regulations are summarized below in order of appearance. The full text of the proposed amendments is reflected on Attachment B1a.

STAFF ANALYSIS/DISCUSSION (cont.)*Section 1859.2. Definitions*

An amendment is proposed to add a new definition for the term, “OPSC Online,” meaning the online system that allows School Districts and applicants to electronically submit requests for funding and associated project documentation for all School Facility Program projects.

Amendments are also proposed to the existing definitions of the terms “Approved Application” and “Approved Application for Career Technical Education Facilities Project Funding,” and the existing definitions for all SAB forms, to include the requirement that all applications and forms for active programs must be submitted through OPSC Online.

*Section 1859.17. SFP Application for Funding Submittal*

A new SFP Regulation Section 1859.17 is proposed to require the submittal of applications through OPSC Online beginning July 1, 2026. The section provides guidance for which application documents and formal correspondence is subject to this requirement, as well as submittal processes if OPSC Online is inaccessible.

*Section 1859.20 SFP Application for Determination of Eligibility*

Amendments are proposed to specify that documents for determination of eligibility must be submitted electronically through OPSC Online.

*Section 1859.21. SFP Application for Funding*

Amendments are proposed to specify that applications for funding must be submitted electronically through OPSC Online.

*Section 1859.90.2. Priority Funding Process*

Amendments are proposed to eliminate existing references to requests being “physically received” by OPSC.

**Form SAB 50-04 (Application For Funding)**

Staff proposes amendments to the instructions for the Form SAB 50-04 to include direction to submit all applications and supporting documents through OPSC Online, and to replace an outdated reference to the Project Tracking Number Generator with the relevant location for the information in OPSC Online. The full text of the proposed amendments is reflected on Attachment B1b. Staff intends to apply this language to all other SAB-approved forms, for presentation at a future stakeholder meeting.

NEXT STEPS

OPSC's goal is to maximize the usability of OPSC Online and ensure eligibility and funding submittals have the best resources for the application and upload process. Stakeholder insights are invaluable in this process, and we would greatly appreciate any comments and discussion on this topic.

The current OPSC Online User Guide (Rev. 04/2023) can be found [here](#). Staff are in the final stages of creating an updated, comprehensive OPSC Online User Guide. This latest revision contains over 800 pages of carefully curated, easily searchable material that will assist our school district partners, as well as their design and consulting teams, when they use OPSC Online to submit applications. OPSC has reached out to numerous stakeholders to review and test the draft OPSC Online User Guide prior to its official release in a few months. If you are interested in participating in an upcoming testing period, please let us know.

## ATTACHMENT B1a

### PROPOSED REGULATIONS

#### Section 1859. Purpose.

These regulations implement the Leroy F. Greene School Facilities Act of 1998, which establishes a State program to provide State per pupil funding for new construction and modernization of existing school facilities.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17070.10 and 17070.35, Education Code.

#### Section 1859.1. General Services Director.

The General Services Director, or his or her legal designee shall perform all acts necessary to carry out the provisions of the Act except such functions as are reserved to the Board and to other agencies by law or by Sections 1859 through 1859.107 inclusive. The acts to be performed include, but are not limited to, entering into contracts to administer the Act.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Section 17070.20, Education Code.

#### 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:

“Academic Achievement” means to improve one’s ability to engage in academic endeavors and to accomplish study in core curriculum areas such as reading, writing, mathematics, fine arts, science, vocational education, technology, history or social science.

“Act” means the Leroy F. Greene School Facilities Act of 1998.

“Adjacent” means the HSAs that will make up the Super HSA are adjoining, touching, or share a common geographical boundary.

“Alternative District Owned Site” means a district owned site that is deemed available for the project by the California Department of Education.

“Alternative Education” means community day, county community, county community day, and continuation high schools.

“Alternative Enrollment Projection” means a calculation of projected enrollment by eligible school districts as authorized by Education Code Section 17071.75(a)(1).

“Application” means a request pursuant to the Act to receive an eligibility determination and/or funding for a school project.

“Applications Received Beyond Bond Authority List” means an informational list of applications submitted to the Office of Public School Construction (OPSC) and presented to the Board. Funding applications placed on this list contain the preliminary grant amounts requested by a district. The OPSC has not determined that the Approved Application(s) are Ready for Apportionment.

“Apportionment” shall have the meaning set forth in Education Code Section 17070.15(a).

“Approved Application(s)” means a district has submitted, through OPSC Online, the application and all documents to the Office of Public School Construction that are required to be submitted with the application as identified in the General Information Section of Forms SAB 50-01; SAB 50-02; SAB 50-03; and SAB 50-04, as specified in Section 1859.2.

“Approved Application for Career Technical Education Facilities Project Funding” means an applicant has submitted, through OPSC Online, an *Application for Career Technical Education Facilities Funding*, Form SAB 50-10, including all required supporting documents as identified in the General Information Section of that Form, to the OPSC and the OPSC has accepted the application for processing.

...

## ATTACHMENT B1a

"Form SAB 50-01" means the *Enrollment Certification/Projection*, Form SAB 50-01 (Revised 05/09), and, when utilizing HSAA residency reporting, the High School Attendance Area Residency Reporting Worksheet (New 06/08), which are incorporated by reference, and shall be submitted through OPSC Online.

"Form SAB 50-02" means the *Existing School Building Capacity*, Form SAB 50-02 (Revised 05/09), which is incorporated by reference, and shall be submitted through OPSC Online.

"Form SAB 50-03" means the *Eligibility Determination*, Form SAB 50-03 (Revised 03/09), which is incorporated by reference, and shall be submitted through OPSC Online.

"Form SAB 50-04" means the *Application For Funding*, Form SAB 50-04 (Revised 05/20), which is incorporated by reference, and shall be submitted through OPSC Online.

"Form SAB 50-05" means the *Fund Release Authorization*, Form SAB 50-05 (Revised 06/17), which is incorporated by reference, and shall be submitted through OPSC Online.

"Form SAB 50-06" means the *Expenditure Report*, Form SAB 50-06 (Revised 10/22), which is incorporated by reference, and shall be submitted through OPSC Online.

"Form SAB 50-07" means the *Application For Joint-Use Funding*, Form SAB 50-07 (Revised 10/14), which is incorporated by reference.

"Form SAB 50-08" means the *Application For Preliminary Apportionment*, Form SAB 50-08 (Revised 10/14), which is incorporated by reference.

"Form SAB 50-09" means the *Application for Charter School Preliminary Apportionment*, Form SAB 50-09 (Revised 10/14), which is incorporated by reference, and shall be submitted through OPSC Online.

"Form SAB 50-10" means the *Application for Career Technical Education Facilities Funding*, Form SAB 50-10 (Revised 10/14), which is incorporated by reference, and shall be submitted through OPSC Online.

"Form SAB 50-11" means the *Overcrowding Relief Grant District-Wide Eligibility Determination*, Form SAB 50-11, (New 02/07), which is incorporated by reference.

"Form SAB 58-01" means the *Facility Hardship Cost Estimate*, Form SAB 58-01 (New 05/20), which is incorporated by reference, and shall be submitted through OPSC Online.

...

"OPSC Online" means the online system that allows School Districts and applicants to electronically submit requests for funding and associated project documentation for all School Facility Program projects. Beginning July 1, 2026, School Districts shall submit all required forms and supporting documentation electronically through OPSC Online.

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### Article 3. SFP Application Procedure

#### Section 1859.17. SFP Forms and Supporting Documentation Submittal

Beginning July 1, 2026, all forms and supporting documentation required for participation in the SFP shall be submitted electronically using the OPSC Online system. Supporting documentation may include, but is not limited to, enrollment information, approval letters, cost estimates, substantial progress checklists, formal correspondence, Financial Hardship Checklists, and Detailed Listings of Project Expenditures.

If a School District is unable to access the OPSC Online system, evidence must be submitted to OPSC that demonstrates circumstances beyond the control of the School District, which precluded the submittal of the required SAB Forms and/or supporting documentation through OPSC Online. Once access to OPSC Online is restored, School Districts must submit outstanding items by the next business day immediately following restored access to OPSC Online.

Note: Authority cited: Section 17070.35, Education Code. 15503, Government Code

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Reference: Sections 17070.35, Education Code. 15503, Government Code

### Section 1859.20. SFP Application for Determination of Eligibility.

A School District seeking a determination of eligibility for a SFP project shall complete and file the following documents electronically through with the OPSC Online:

- (a) For new construction, either districtwide, HSAA, or Super HSAA, or for modernization projects, the Form SAB 50-03.
- (b) For new construction projects, either districtwide, HSAA or Super HSAA, the Form SAB 50-01.
- (c) For new construction projects, the Form SAB 50-02.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17070.35, 17070.50, 17070.80, 17071.10, 17071.25, 17073.10 and 17073.25, Education Code.

### Section 1859.21. SFP Application for Funding.

A School District seeking funding for a modernization or new construction project shall complete and file the Form SAB 50-04 electronically with the through OPSC Online, the Form SAB 50-04.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17070.35, 17070.63, 17072.30, 17073.25 and 17074.15, Education Code.

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### Section 1859.90.2. Priority Funding Process.

The priority funding process allows the Board to distribute available funds to districts or charter schools that request, pursuant to (a) or (b) below, as applicable, an Apportionment or an advance release of funds from a Preliminary Apportionment or Preliminary Charter School Apportionment, during specific 30-calendar day filing periods beginning with July 27, 2011 and continuing with the 2nd Wednesday of January and the 2nd Wednesday of July of 2012. Requests submitted during the filing periods described above are valid until the next filing period begins. The specific 30-calendar day filing periods subsequent to 2012 begin with January 9, 2013 and continue with the 2nd Wednesday of May and the 2nd Wednesday of November, each calendar year. Requests submitted during the filing period beginning with January 9, 2013 are valid until June 30, 2013. Requests submitted during a filing period beginning with the 2nd Wednesday of May are valid from July 1 until December 31 of that year. Requests submitted during a filing period beginning with the 2nd Wednesday in November are valid from January 1 until June 30 of the following year. Requests must be physically received by the submitted to OPSC through OPSC Online by the 30th calendar day of each filing period to be considered valid.

- (a) In order to be considered for an Apportionment, approved advance release of design funds from a Preliminary Charter School Apportionment, or approved advance release of environmental hardship site acquisition funds from a Preliminary Apportionment, the district or charter school must provide a priority funding request in the form of a written statement signed by an authorized representative that includes each of the project Application numbers, and the type of Apportionment request (e.g., Apportionment, separate Apportionment for design or site acquisition), within the 30-calendar day filing period, and shall contain the following:
  - (1) Statement that the request is to convert the unfunded approval to an Apportionment or to receive an approved advance release of funds; and



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- (2) Acknowledgement that a valid, original signature Form SAB 50-05 must be submitted and physically received by the OPSC within 90 calendar days of Apportionment or approved advance release of funds request, except for a Career Technical Education Facilities Project in (a)(5), and that failure to do so will result in the rescission of the Apportionment or approved advance release of funds request without further Board action; and
- (3) Acknowledgement that a Grant Agreement must be submitted pursuant to Section 1859.90.4 and physically received by the OPSC prior to, or concurrently with, the Form SAB 50-05 referenced in (a)(2); and
- (4) Acknowledgement that, if the district submits the Form SAB 50-05 on or after July 1, 2013 and is required to submit an LCP third party report, pursuant to Section 1859.97(b), the report will be submitted to the OPSC and the DIR at least 60 days prior to submitting the Form SAB 50-05; and
- (5) For those receiving an Apportionment, acknowledgement that by participating in the priority funding process, the district or charter school is waiving its right to the timeline for fund release submittal described in Section 1859.90.
- (6) For a Career Technical Education Facilities Project that was granted an unfunded approval without the required CDE plan approval and/or required DSA-approved plans and specifications, the applicant's request must include:
  - (A) Acknowledgement that the applicant must submit the required approval(s) to the OPSC within 12 months from the date of the Apportionment. If the required submittal(s) is not received within 12 months, the Apportionment shall be rescinded without further Board action pursuant to Section 1859.197(c)(1); and
  - (B) Acknowledgement that a valid, original signature Form SAB 50-05 must be submitted and physically received by the OPSC within 90 calendar days of the submittal described in (6)(A) and that failure to do so will result in the rescission of the Apportionment without further Board action; and
  - (C) Acknowledgement that a Grant Agreement must be submitted pursuant to Section 1859.90.4 and physically received by the OPSC prior to, or concurrently with, the Form SAB 50-05 referenced in (a)(6)(B).
- (b) In order to be considered for an approved advance release of site acquisition funds from a Preliminary Charter School Apportionment, the district or charter school must provide a priority funding request in the form of a written statement signed by an authorized representative within the 30-calendar day filing period, and shall contain all of the following:
  - (1) Statement that the request is to convert the advance release of funds to an approved advance release of funds request; and,
  - (2) Acknowledgement that a valid, original signature Form SAB 50-05 must be submitted and physically received by the OPSC within 180 calendar days of the approved advance release of funds request and that failure to do so will result in the rescission of the approved advance release of funds request without further Board action; and
  - (3) Acknowledgement that a Grant Agreement must be submitted pursuant to Section 1859.90.4 and physically received by the OPSC prior to, or concurrently with, the Form SAB 50-05 referenced in (b)(2); and
  - (4) Acknowledgement that it must provide evidence that it has entered into the Charter School Agreements within 90 calendar days of approval of the advance release of funds request and that failure to do so will result in the rescission of the approval without further Board action.
- (c) If a district or charter school receives an Apportionment or approved advance release of funds request through the priority funding process, the OPSC must receive a valid, original signature copy of the Form SAB 50-05 within the specified time period, pursuant to (a)(2), (a)(6) or (b)(2), as applicable, and a Grant Agreement, pursuant to (a)(3), (a)(6)(C), or (b)(3), as applicable. Upon submittal of the original signature copy of the Form SAB 50-05, if OPSC determines that the Form SAB 50-05 is not valid, the district will have ten business days to amend the Form SAB 50-05 in order to make the Form SAB 50-05 valid. If the OPSC does not receive a valid, original signature copy of the Form SAB 50-05 within the time period:
  - (1) The priority funding Apportionment or approved advance release of funds request shall be rescinded without further Board action, and
  - (2) If the Application is not subject to rescission pursuant to Section 1859.90.3(c) as defined in Section 1859.90.3(d), the Application shall return to the Unfunded List (Lack of AB 55 Loans) with a new unfunded approval date that is 90 calendar days from the date of Apportionment or approval of the advance release of funds request.
- (d) In the event that the amount of requests received during a specific 30-calendar day filing period exceeds the funds available, the Board shall apportion based on the unfunded approval date and the Application received date up to the



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available cash from each bond source. Projects that have requested to participate in the priority funding process for which an Apportionment cannot be provided shall retain their date order position on the Unfunded List (Lack of AB 55 Loans). Requests not converted to Apportionments will not be returned to the district or kept by the OPSC.

- (e) In the event that unexpected cash proceeds from sources other than bond funds become available for use for priority funding Apportionments, at a public meeting the Board may, based on considerations relevant to the amount of time available to effect a distribution of funds, waive the 30-calendar day filing provision specified in this section for impacted school districts to provide funds more rapidly.
- (1) OPSC shall identify and invite impacted school districts to submit a priority funding request that meets all other criteria in (a) above.
- (2) Requests submitted under this provision shall be valid from the date the priority funding request is submitted until the end of the regularly scheduled filing period specified above.
- (3) Requests submitted under this provision must comply with all other requirements of the priority funding process in this Section and Section 1859.90.3.
- (4) Districts may decline to submit a request outside the normal 30-calendar day filing period without consequence. If the option to submit a request is declined, the requirements to participate in the standard 30-calendar day filing periods specified in (a) above remain in effect.
- (5) Unexpected cash proceeds from sources other than bond funds include, but are not limited to, the \$250 million appropriated from the General Fund to the 2016 State School Facilities Fund as a result of the enactment of Statutes of 2021, Chapter 44, Section 163 (Assembly Bill 130).
- (f) For purposes of this section “rescinded” or “rescission” shall mean that the Apportionment or approved advance release of funds request returns to unfunded approval status with a new unfunded approval date, except for (a)(5)(A). The new unfunded approval date will be 90 calendar days from the Apportionment date. The district or charter school will not be required to re-submit the Application and no further Application review will be required.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17070.41, 17071.75, 17072.12, 17072.30, 17073.10, 17074.16, 17076.10, 17077.40, 17077.42 and 17077.45, Education Code.

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**GENERAL INFORMATION**

Pursuant to Regulation Section 1859.17, the district must submit all Board required forms and supporting documentation for a valid and complete application using the OPSC Online System.

If this application is submitted when there is Insufficient Bond Authority, as defined in Regulation Section 1859.2, the School District must adopt and submit a school board resolution, pursuant to Regulation Section 1859.95.1. For information regarding remaining bond authority, contact the Office of Public School Construction (OPSC) prior to submittal of this application.

If not previously submitted, a district may file an application for modernization funding by use of this form concurrently with a determination of or an adjustment to the district's modernization eligibility. The district must submit a determination of or an adjustment to the district's new construction baseline eligibility upon request, as described in Regulation Sections 1859.51 or 1859.70, as applicable. 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 must submit an adjustment to the district's new construction baseline eligibility as required in Section 1859.51 upon request. This may be accomplished by completion and submittal of Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03 for the current enrollment year. Failure to submit the requested Forms may result in OPSC returning the funding application to the district unprocessed.

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 find-

ing 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

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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 or 1859.180. 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.
  - Site/plan approval letter from the CDE.
  - Appraisal of property if requesting site acquisition funds.
  - Plans and specifications (P&S) for the project that were approved by the DSA. Submittal of plans may be on CD-ROM or "Zip Drive" readable in AutoCAD 14. The specifications may be provided on a diskette that is IBM compatible.
  - Cost estimate of proposed site development, if requesting site development funding.
  - If this request is pursuant to Section 1859.77.2 and the district's housing plan is other than those listed in the certification section of this form, a copy of the school board resolution and the approved housing plan.
  - If the site apportionment is requested pursuant to Regulation Section 1859.74.5, a cost benefit analysis as prescribed in Regulation Section 1859.74.6 or a copy of the Board finding that the non-school function on the district-owned site must be relocated.
  - If this request is fully or partially based on eligibility derived from an Alternative Enrollment Projection, a justification of how the project relieves overcrowding, including but not limited to, the elimination of the use of Concept 6 calendars, four track year-round calendars, or bussing in excess of 40 minutes.
  - 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), 51228(b), and 52336.1.
6. For purposes of the Overcrowding Relief Grant (ORG), districts must submit the Overcrowding Relief Grant District-Wide Eligibility Determination (Form SAB 50-11) prior to the submittal of this funding application. In addition, districts must have had the CDE deem the site eligible for the ORG (pursuant to Section 1859.181) prior to the submittal of this application. For purposes of this apportionment, the following documents must be submitted with this form as well as the documents listed in section 5 above:
  - Overcrowding Relief Grant Eligibility Determination Form approved by the CDE.
  - Copies of the supporting documentation provided to the CDE when determining the density of the site, including the site diagram.

The district is not required to submit its current CBEDS enrollment data.
7. 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.

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- 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), 51228(b), and 52336.1.
8. Final Charter School Apportionment for Charter School Facilities Rehabilitation pursuant to Section 1859.167.1. For purposes of this apportionment, the following documents must be submitted with this form (as appropriate):
- P&S for the project that were approved by DSA.
  - If the request includes funding for accessibility and fire code requirement pursuant to Section 1859.167.3(d), 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.
  - High performance incentive (HPI) scorecard from DSA.
  - Plan approval letter from the CDE.
  - Construction cost estimate signed by the architect of record or design professional.
  - Determination of financial soundness from the California School Finance Authority (CSFA).
  - Written confirmation from the applicant'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), 51228(b), and 52336.1.
9. If the application includes a request for Financial Hardship, the district must comply with the requirements of Section 1859.81.
- If the application is submitted when there is Insufficient Bond Authority, as defined in Section 1859.2, the district must adopt a school board resolution pursuant to Section 1859.95.1(b).

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

For a list of the documents that must be submitted in 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.dgs.ca.gov/opsc](http://www.dgs.ca.gov/opsc).

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 [district tab on OPSC Online](http://www.dgs.ca.gov/opsc), [OPSC Web site at www.dgs.ca.gov/opsc](http://www.dgs.ca.gov/opsc) "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 a health and safety threat pursuant to Section 1859.82.1, or a seismic replacement or seismic rehabilitation for the Most Vulnerable Category 2 Buildings pursuant to Section 1859.82.2, and/or the request is for a conceptual approval for a Facility Hardship application pursuant to Section 1859.82.3(a) or a Seismic Mitigation Program application pursuant to Section 1859.82.3(b), 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 for an Overcrowding Relief Grant, check the New Construction (Overcrowding Relief Grant) box.

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 13, 14, 15, 16, and 24 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

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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.

For ORG projects, the amount entered cannot exceed the Overcrowding Relief Pupil Eligibility (pursuant to Section 1859.182 and 1859.183) as reflected in the total number of eligible pupils determined by the Form SAB 50-11 or the CDE Overcrowding Relief Grant Eligibility Determination form.

For Charter School Facilities Program Rehabilitation, leave the number of pupils blank.

- b. Check the box if the project is eligible for funding for 50 year or older permanent buildings and report, at the option of the district:
  - The total number of eligible classrooms or the total eligible square footage building area at the site. Refer to Section 1859.78.6(b)(1)(A) or (b)(2)(A).
  - The total number of permanent classrooms or the total permanent square footage building area that is at least 50 years old and not been previously modernized with state funds. Refer to Section 1859.78.6(b)(1)(B) or (b)(2)(B).
  - Enter the greater percentage as calculated under Regulation Section 1859.78.6(b)(1)(C) or Regulation Section 1859.78.6(b)(2)(C).
  - If this project includes eligible 50 year or older pupil grants, enter the appropriate number assigned to the project for each grade group. The number of pupils entered cannot exceed the cumulative number of 50 year or older permanent buildings pupil grants requested for all modernization funding applications for the site as determined by using the percentage factor above.
- c. If this request includes pupil grants generated by an Alternative Enrollment Projection Method, enter the number of pupils by grade level.
- d. Indicate if this request is for funding of a 6–8 school and/or an Alternative Education School.
- e. 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.
- f. Enter the square footage of the non-toilet area and toilet area contained in the Charter School Facilities Program Rehabilitation project.
- g. Indicate the site scenario that best represents the project request.
- h. For ORG projects, the district must provide the following information in the space provided:
  - Name of the eligible school site(s) where portables will be replaced in this project
  - Number of portables being replaced at each school site
  - Number of site specific eligible pupils being requested for this project for each school site. The total number of site specific eligible pupils assigned to this project must equal the total number of pupils in Section 2a.

**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 appropriate box(es) if the district is requesting financial hardship assistance because it is unable to meet its matching share requirement.

- If the application includes a request for Financial Hardship, the district must comply with the requirements of Section 1859.81.
- If there is Insufficient Bond Authority for the type of application, check the second box and attach a school board resolution pursuant to Section 1859.95.1(b).

**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. Refer to Sections 1859.72 through 1859.76 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.

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.



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

Check the box if the district is requesting an Additional Grant for General Site Development pursuant to Section 1859.76

- g. If the district is requesting 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).
- h. 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.
- i. 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 or 1859.77.4, as appropriate, subject to Education Code Section 17070.965.

**6. Modernization Additional Grant Request**

- a. Check the box if the district is requesting project assistance allowance pursuant to Section 1859.78.2. If the district has not submitted a request for new construction baseline eligibility on a district-wide basis, it must submit a current Form SAB 50-01 based on district-wide enrollment data with this form.
- b. If the district is requesting an Additional Grant for Energy Efficiency pursuant to Section 1859.78.5, enter the percentage of energy efficiency that exceeds Title 24 requirements as prescribed in Section 1859.78.5(a)(3).
- c. Check the box if the district requests an additional grant for site development utility cost necessary for the modernization of 50 years or older permanent building(s). Enter 60 percent of the eligible costs allowable pursuant to Section 1859.78.7(a).
- d. Check the box(es) if the district requests and the project qualifies for additional funding for fire code requirements authorized in Section 1859.78.4.
- e. 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, subject to Education Code Section 17070.965.

**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 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 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.

**8. Charter School Facilities Program Rehabilitation – Additional Grant and Excessive Cost Hardship Request****Additional Grant Request**

- a. If the applicant is requesting an Additional Grant for High Performance Incentive pursuant to Section 1859.77.4, enter the number of high performance points as prescribed in Section 1859.77.4.

**Excessive Cost Hardship Request**

Check the appropriate box to request an augmentation to the Charter School Facilities Program Rehabilitation grants for an excessive cost hardship for the items listed. Refer to Section 1859.167.4 for eligibility criteria.

- b. Check the box if the applicant requests and qualifies for an Excessive Cost Hardship Grant due to Geographic Location pursuant to Section 1859.167.3(a).
- c. Check the box if the applicant requests and qualifies for an Excessive Cost Hardship Grant for a small size project pursuant to Section 1859.167.3(b).
- d. Check the box if the applicant requests and qualifies for an Excessive Cost Hardship Grant due to Urban Location, Security Requirements, and Impacted Site pursuant to Section 1859.167.3(c).
- e. Check the box if the applicant requests and qualifies for an Excessive Cost Hardship Grant due to accessibility and fire code requirements pursuant to Section 1859.167.3(d). Requests for excessive cost grants for accessibility requirements are allowed only if required by the Division of the State Architect (DSA). At the applicant's option, the applicant may request three percent of the Charter School Facilities Program Rehabilitation Grant or enter 50 percent of the amount calculated pursuant to Regulation Section 1859.167.3(d)(2). Attach a copy of the DSA approved list that shows the minimum work necessary for accessibility requirements.

**9. 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.

**10. 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.

**11. 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.

**12. 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.

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**13. 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.

**14. 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.

- a. 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.

**15. 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.

**16. 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.

**17. Project Progress Dates**

- Enter the date(s) the construction contract(s) was awarded for this project(s). If a construction contract has not been executed, enter N/A. (If the space provided is not sufficient for all applicable contract dates, please list all dates on a separate attachment to this form.)
- Enter the issue date(s) 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.
- If a construction contract was awarded prior to January 1, 2012, check the appropriate box to indicate whether or not the district has initiated and enforced a Labor Compliance Program (LCP) approved by the Department of Industrial Relations (DIR) pursuant to Labor Code Section 1771.7 for this project.

**18. Prevailing Wage Monitoring and Enforcement Costs**

If the construction contract(s) for this project was awarded on January 1, 2012 through June 19, 2014, check the appropriate box to indicate which of the following methods was or is being used to meet the requirement for prevailing wage

monitoring and enforcement pursuant to Labor Code Section 1771.3 in effect on January 1, 2012 through June 19, 2014:

- DIR Public Works administration and enforcement
- A DIR-approved internal LCP
- A collective bargaining agreement that meets the criteria set forth in Labor Code Section 1771.3(b)(3) in effect on January 1, 2012 through June 19, 2014.

**19. 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.

**20. 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.

**21. Overcrowding Relief Grant Narrative**

The district must either provide an explanation in the space provided or attach a letter signed by the district representative detailing how this project will relieve overcrowding.

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

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

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

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

**24. 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.dgs.ca.gov/opsc](http://www.dgs.ca.gov/opsc).

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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)

NAME OF ELIGIBLE SCHOOLS/SITE(S)	NUMBER OF PORTABLES BEING REPLACED	NUMBER OF SITE SPECIFIC ELIGIBLE PUPILS BEING REQUESTED
<b>Total</b>		



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**3. Number of Classrooms:**

Master Plan Acreage Site Size (Useable): \_\_\_\_\_

Recommended Site Size (Useable): \_\_\_\_\_

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

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

**4. Type of Financial Hardship Request**

- ☐ Submittal pending OPSC approval pursuant to Section 1859.81(h)
- ☐ Submittal with school board resolution, pursuant to Section 1859.95.1  
(Insufficient Bond Authority)

**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: \$ \_\_\_\_\_
- ☐ 50 percent Utilities: \$ \_\_\_\_\_
- ☐ General Site
- g. ☐ Energy Efficiency: \_\_\_\_\_ %
- h. ☐ Automatic Fire Detection/Alarm System
- ☐ Automatic Sprinkler System
- i. ☐ High Performance Incentive (Indicate Points): \_\_\_\_\_

**6. Modernization Additional Grant Request**

- a. ☐ Project Assistance
- b. ☐ Energy Efficiency: \_\_\_\_\_ %
- c. ☐ Site Development—60 percent utilities: \$ \_\_\_\_\_
- d. ☐ Automatic Fire Detection/Alarm System
- e. ☐ 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)]
- ☐ Small Size Project
- ☐ Urban/Security/Impacted Site;
- If a new site, \$ \_\_\_\_\_ per Useable Acre [Section 1859.83(d)(2)(C)]

**Modernization Only**

- ☐ Geographic Percent Factor: \_\_\_\_\_ %
- ☐ Small Size Project
- ☐ Urban/Security/Impacted site
- ☐ Accessibility/Fire Code
- ☐ 3 percent of base grant; or,
- ☐ 60 percent of minimum work \$ \_\_\_\_\_
- ☐ Number of 2-Stop Elevators: \_\_\_\_\_
- ☐ Number of Additional Stops: \_\_\_\_\_

**8. Charter School Facilities Program Rehabilitation Additional Grant and Excessive Cost Hardship Request****Additional Grant Request**

- a. ☐ High Performance Incentive (Indicate Points): \_\_\_\_\_

**Excessive Cost Hardship Request**

- b. ☐ Geographic Percent Factor: \_\_\_\_\_ %
- c. ☐ Small Size Project
- d. ☐ Urban/Security/Impacted site
- e. ☐ Accessibility/Fire Code
- ☐ 3 percent of base grant; or,
- ☐ 50 percent of minimum work \$ \_\_\_\_\_
- ☐ Number of 2-Stop Elevators: \_\_\_\_\_
- ☐ Number of Additional Stops: \_\_\_\_\_

**9. 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).

**10. Prior Approval Under the LPP**

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

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

**11. Prior Apportionment Under the SFP**

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

Design—Modernization: 57/ \_\_\_\_\_

**12. Preliminary Apportionment to Final Apportionment**

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

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

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

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**14. 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: \_\_\_\_\_

**15. Pending Reorganization Election—New Construction Only** ☐ Yes ☐ No**16. Joint-Use Facility/Leased Property**

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

**17. Project Progress Dates**

- a. Construction Contract(s) awarded on: \_\_\_\_\_  
(If the space provided is not sufficient for all applicable contract dates, please list all dates on a separate attachment to this form.)
- b. Notice(s) to Proceed issued on: \_\_\_\_\_
- c. If the Construction Contract(s) was awarded prior to January 1, 2012, have you initiated and enforced an LCP approved by the DIR pursuant to Labor Code Section 1771.7 for this project? ☐ Yes ☐ No

**18. Prevailing Wage Monitoring and Enforcement Costs**

If the Construction Contract(s) was awarded on January 1, 2012 through June 19, 2014, please indicate which monitoring requirement was or is being used, pursuant to Labor Code Section 1771.3 in effect on January 1, 2012 through June 19, 2014:

- ☐ DIR Public Works administration and enforcement  
☐ DIR approved District LCP  
☐ Collective bargaining agreement, pursuant to Labor Code Section 1771.3(b)(3) in effect on January 1, 2012 through June 19, 2014

**19. 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: \_\_\_\_\_

**20. 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): \_\_\_\_\_

**21. Overcrowding Relief Grant Narrative**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**22. 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 Facilities 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 Facilities 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

**23. 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, not including the ORG, 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 and the High Performance Base Incentive Grant. 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 Facilities 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, less the High Performance Base Incentive Grant. 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

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**24. Certification**

I certify, as the District Representative, that the information reported on this form, with the exception of items 22 and 23, 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,
- 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 rehabilitated under the Charter School Facilities 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 Facilities 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,
- 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)]

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- 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), and 51228(b), and 52336.1; and,
- If the district is requesting an Additional Grant for Energy Efficiency pursuant to Sections 1859.71.3 or 1859.78.5, the increased costs for the energy efficiency components in the project exceeds the amount of funding otherwise available to the district; and,
- If this application is submitted after January 1, 2004 for modernization funding, the district has considered the potential for the presence of lead-containing materials in the modernization project and will follow all relevant federal, state, and local standards for the management of any identified lead; and,
- The district has initiated and enforced an LCP that has been approved by the DIR, 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 before January 1, 2012; and,
- The district has contracted with the DIR for prevailing wage monitoring and enforcement pursuant to Labor Code Section 1771.3(a) in effect on January 1, 2012 through June 19, 2014, if the construction contract was awarded on January 1, 2012 through June 19, 2014 and the district has not obtained a waiver for the requirement, pursuant to Labor Code Section 1771.3(b) in effect on January 1, 2012 through June 19, 2014. The district understands that if it fails to meet this requirement, it will be required to repay all state bond funds received including interest; 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 1859.180, the district certifies that within six months of occupancy of the permanent classrooms, it will remove the replaced portables from the eligible school site and K-12 grade classroom use with the exception of schools described in Education Code Section 17079.30(c); 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; and,
- If the district is requesting an additional grant for high performance incentive funding, the school district governing board must have a resolution on file that demonstrates support for the high performance incentive grant request and the intent to incorporate high performance features in future facilities projects; and,
- If this application is submitted when there is Insufficient Bond Authority, the district has adopted a school board resolution pursuant to Section 1859.95.1; and,
- The district will comply with all laws pertaining to the construction or modernization of its school building.

NAME OF DISTRICT REPRESENTATIVE (PRINT)

PHONE NUMBER

SIGNATURE OF DISTRICT REPRESENTATIVE

DATE



**Alberto M. Carvalho**  
Superintendent

**Los Angeles Unified School District**  
Legislative Affairs & Government Relations

Sacramento Office: 1201 K St., Suite 1040  
Sacramento, CA 95814  
Administrative Office: 333 S. Beaudry Ave., 24th Floor  
Los Angeles, CA 90017  
Phone: (916) 443-4405

**Board of Education**

Scott M. Schmerelson, President  
Dr. Rocío Rivas, Vice President  
Sherlett Hendy Newbill  
Nick Melvoin  
Karla Griego  
Kelly Gonez  
Tanya Ortiz Franklin

June 26, 2025

Rebecca Kirk, Executive Director  
Office of Public School Construction  
Department of General Services  
707 Third St  
West Sacramento, CA 95605

**Re: Proposition 2 Implementation Stakeholder Meeting #11**

Dear Ms. Kirk,

On behalf of the Los Angeles Unified School District (Los Angeles Unified), we appreciate OPSC's Proposition 2 stakeholder engagement and welcome the opportunity to provide input on the proposed amendments to the Schol Facility Program in response to Proposition 2.

The comments and recommendations provided below correspond to the topics raised and materials provided for the June 12, 2025, Implementation Stakeholder Meeting #11.

**Interim Housing/Natural Disaster Assistance**

*SFP Regulation Section 1859.84.2 - Natural Disaster Assistance Discussion*

- Regarding the State Share Basis for Natural Disaster Assistance, OPSC has stated: "OPSC proposes that the Board should have the flexibility to provide grants for the purposes of Natural Disaster Assistance on either a 50 percent state share basis for new construction projects or a 60 percent state share basis for modernization projects." Los Angeles Unified respectfully requests clarification as to whether the referenced state share percentages are intended to incorporate the matching share sliding scale provisions authorized under Proposition 2.

*Proposed CCR Section 1859.84.1. Interim Housing Assistance*

- For clarity, Los Angeles Unified suggests revising the section title to: “Natural Disaster Assistance – Interim Housing.”

*Proposed CCR Section 1859.84.2. Natural Disaster Assistance*

- For clarity, Los Angeles Unified suggests revising the section title to: “Natural Disaster Assistance – Other Than Interim Housing.”
- Los Angeles Unified interprets “Natural Disaster Assistance” to mean “Natural Disaster Assistance – Other Than Interim Housing.” Further, we understand it is intended to encompass forms of assistance related to natural disasters beyond Interim Housing. However, as currently drafted the proposed regulations do not provide examples or clear guidance on what constitutes “any other natural disaster assistance.” To ensure consistency, Los Angeles Unified recommends that the final regulation language or the instruction for the proposed Form SAB 195 include examples of “any other natural disaster assistance.” The examples could include, but are not limited to, accelerated processing and funding or assistance for facilities that do not fit the “classroom” definition. Providing such examples would support applicants in determining if they should apply for non-interim housing Natural Disaster Assistance.
- Los Angeles Unified would like further clarity on the rationale in Section 1859.84.2(c) for reducing the apportionment by 50 percent of any insurance proceeds. It appears that the appropriate reduction should depend on factors such as whether the project involves repair/modernization or replacement of the affected building, as well as the applicable state and district contribution rates under the sliding scale. Given these variables, it’s unclear why a uniform 50 percent reduction would be applied in all cases.

*Proposed Form SAB 195 Interim Housing and Natural Disaster Assistance Request*

- For clarity, the Los Angeles Unified School District recommends revising the title of Form SAB 195 from “Interim Housing and Natural Disaster Assistance Request” to “Natural Disaster Request for Interim Housing or Other Assistance.” The current title may cause confusion, as it could be misinterpreted to suggest that the form may be used to request interim housing for reasons unrelated to a natural disaster.
- The Los Angeles Unified School District respectfully requests clarification on whether separate Forms SAB 195 must be submitted when a school district is requesting both Interim Housing Assistance and Natural Disaster Assistance (interpreted above as Natural Disaster Assistance – Other Than Interim Housing). If separate submissions are required, Los Angeles Unified recommends that this requirement be clearly stated in the Form SAB 195 instructions.

ATTACHMENT C

Thank you for the opportunity to provide feedback on this item.

Sincerely,

A handwritten signature in black ink, appearing to read "Sasha Horwitz", with a horizontal line extending from the end of the signature.

Sasha Horwitz  
Legislative Advocate  
Los Angeles Unified School District