

OFFICE OF PUBLIC SCHOOL CONSTRUCTION
STAKEHOLDER MEETING
July 10, 2025

IMPLEMENTATION OF PROPOSITION 2 FOR THE SCHOOL FACILITY PROGRAM,
AND SECOND ROUND MODERNIZATION 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). Separate from Proposition 2 implementation, this meeting will also continue discussion of Second Round Modernization Regulation Updates, including proposed School Facility Program (SFP) regulatory amendments and stakeholder feedback.

Proposition 2 Implementation

- Career Technical Education Supplemental Grant (Attachment A12)

Non-Proposition 2 Topic

- Second Round Modernization (Attachment B1)

BACKGROUND

Proposition 2 and Second Round Modernization Updates

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. Additionally, the Office of Public School Construction (OPSC) seeks continued input on proposed regulatory amendments unrelated to Proposition 2 implementation.

OPSC requests stakeholder feedback regarding these changes. Each of the topics listed above is broken out into its own attachments for stakeholder reference.

AUTHORITY

See Attachments A12a, and Attachment B1a.

SUMMARY AND NEXT STEPS

For the Career Technical Education Supplemental Grant and Second Round Modernization, stakeholder feedback received from the last meeting may be found on Attachment C.

Staff will review any feedback on these four topics obtained in today's meeting and anything received through close of business on Friday, July 25, 2025, and will address those suggestions in the next public meeting on the corresponding topic.

To submit written feedback after today's meeting, specific to the proposed regulatory changes for the SFP, please email your suggestions to the OPSC Communications Team at OPSCCommunications@dgs.ca.gov.

ATTACHMENT A12

OFFICE OF PUBLIC SCHOOL CONSTRUCTION STAKEHOLDER MEETING July 10, 2025

PROPOSED AMENDMENTS TO THE SCHOOL FACILITY PROGRAM FOR A CAREER TECHNICAL EDUCATION FACILITIES MODERNIZATION SUPPLEMENTAL GRANT

PURPOSE

To continue to discuss and receive stakeholder feedback resulting from 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, to provide a Modernization supplemental grant for Career Technical Education (CTE) facilities. The Office of Public School Construction (OPSC) proposes the addition of School Facility Program (SFP) Regulation Section 1859.78.10 to implement this grant adjustment to provide an increase not to exceed five percent of the state share of the Modernization base grant.

AUTHORITY

See Attachment A12a.

DESCRIPTION

This report continues discussion of the new Modernization supplemental grant for CTE facilities presented to stakeholders on May 8, 2025. This report addresses comments OPSC staff received from stakeholders and includes proposed regulatory additions.

There are two additional attachments to this report:

1. Attachment A12b is the proposed SFP Regulation Section 1859.78.10.
2. Attachment A12c is the proposed amendments to the *Application for Funding* (Form SAB 50-04)

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 A12c does not reflect separate proposed changes to the Form SAB 50-04 that were approved by the Board on June 26, 2025. Future stakeholder meeting items and State Allocation Board agenda items will reflect proposed regulation and form changes once they go into effect.

BACKGROUND

Stakeholder Feedback

On May 8, 2025, OPSC presented the proposed addition of SFP Regulation Section 1859.78.10 and proposed amendments to the Form SAB 50-04 to provide an increase of up to five percent of the state share of the Modernization base grant for the new Modernization supplemental grant for CTE Facilities.

The full text of the stakeholder meeting item may be found here: [May 8, 2025 OPSC Proposition 2 Stakeholder Meeting #10 - Item](#)

The recording of the May 8, 2025, Stakeholder Meeting is available here: [May 8, 2025 OPSC Proposition 2 Stakeholder Meeting #10 - Recording](#)

Attachment C includes the full text of stakeholder feedback on this topic received following the May 8, 2025 meeting.

STAFF ANALYSIS/DISCUSSION

Summary of Stakeholder Feedback

Staff would like to thank stakeholders who participated in this meeting and provided valuable feedback either at the meeting or through written correspondence to OPSC.

Below is a summary of the stakeholder feedback and OPSC's responses as a result of the meeting held on May 8, 2025:

Stakeholder Feedback	OPSC response
1. The use of Sierra West F1 Level costs for the detailed cost estimate associated with the CTE scope of work deviates from SFP Regulation Sections 1859.193(b)(A) and (c)(A), which allow Career Technical Education Facilities Program (CTEFP) project costs to be determined by the project architect. Requiring F1 Level estimates introduces duplicative effort for the Local Educational Agency (LEA) electing to pursue the CTE supplemental grant for high-scoring CTEFP applications that did not receive funding and creates inconsistency within the SFP regulations for CTE scopes of work. We recommend that architect-prepared estimates be accepted for the supplemental grant to reduce administrative burden and for	1. OPSC acknowledges the request for the district to submit architect-prepared estimates for the CTE scope of work. As this is a supplemental grant for CTE facilities under Modernization funding, and consistent with other sections of the regulations, OPSC has updated our recommendation and recommends that costs for CTE scope of work, associated with reconfiguration or modernization of a school building must conform to the Current Construction Remodeling and Repair Cost publication by Sierra West Publishing at the F2 level. Costs associated with New

Stakeholder Feedback	OPSC response
1. (cont.) alignment with CTEFP application documentation.	1. (cont.) Construction must conform with the Current Construction Costs publication by Sierra West Publishing. This is consistent with other facets of the SFP Modernization program.
2. We request clarification regarding contract dates for prior modernization projects that include CTE facilities. May a project be submitted with a current California Department of Education (CDE) Score Letter if the contract for the work was executed prior to July 3, 2024?	<p>2. No, contracts must be executed on or after July 3, 2024 to seek a Modernization supplemental grant. Additionally, for any project to be eligible, the CDE Score Letter must have been issued on or after July 3, 2024 and must include a minimum score of 105 points.</p> <p>Note: The July 3, 2024 date aligns with the date statute was chaptered to place Proposition 2 on the ballot.</p>

Summary of Proposed Addition of SFP Regulation Section 1859.78.10

OPSC presents proposed changes to SFP Regulation Section 1859.78.10 since the version of the proposed regulations introduced at the May 8 stakeholder meeting, summarized as follows:

- Regulation Section 1859.78.10(a)(3)(C): Revised to include, “*career technical education*” to specify the type of CDE Score Letter that is required.
- Regulation Section 1859.78.10(a)(5): Added to clarify that contracts and/or purchase orders for the CTE scope of work being funded must have been signed on or after July 3, 2024. Additionally, this Section was added to align with Section 24 of the Form SAB 50-04.
- Regulation Section 1859.78.10(b)(2):
 - Revised to include, “*60 percent of the OPSC-approved costs*” to reflect the state share amount.
 - Additionally, the proposed regulations presented at the May 8, 2025, meeting indicated that costs for the CTE scope of work associated with reconfiguration or modernization of a school building, must conform to the Current Construction Remodeling and Repair Cost publication by Sierra West Publishing at the F1 level. Upon further review, the updated proposed regulations now specify the F2 level to align with modernization program standards and the guidance of the Sierra West publications.
- First paragraph after Regulation Section 1859.78.10(b)(2): Revised to indicate Approved Applications for Modernization Grants received on or after October 31, 2024, that are on OPSC’s workload list or the Applications

STAFF ANALYSIS/DISCUSSION (cont.)

Received Beyond Bond Authority List, may request the additional grant if a CTE component is included the scope of the original application submittal and the district submits the required CDE Score Letter.

- Second paragraph after Regulation Section 1859.78.10(b)(2): Revised to clarify that school districts cannot receive the CTE supplemental grant for any CTE components that were previously funded.

Attachment A12b includes the latest proposed version of new SFP Regulation Section 1859.78.10 for stakeholder consideration.

Summary of Proposed Amendments to the Form SAB 50-04

OPSC presents proposed changes to the Form SAB 50-04 since the version introduced at the May 8 stakeholder meeting, which include a revision to subsection (f) of Section 6 to include an editable entry for 60 percent of the costs associated with CTE components and a checkbox verifying that the district operates a comprehensive high school.

OPSC proposes additional certification language within Section 24 of the Form SAB 50-04 to verify the following conditions are met when requesting the additional grant:

1. The district will include the costs associated with the CTE component(s) in the scope of work and certifies that these costs exceed the modernization funding available.
2. The district operates a comprehensive high school and has an active career technical advisory committee.
3. The district has included a copy of the CDE plan score, with a minimum score of 105 points, dated on or after July 3, 2024.
4. Contracts for construction or acquisition of equipment were entered into on or after July 3, 2024.

Attachment A12c includes the latest proposed amendments to the Form SAB 50-04 for stakeholder consideration.

NEXT STEPS

Staff requests stakeholder feedback on the latest version of the proposed regulations and topics outlined in this item. Any stakeholder wishing to provide feedback should email the OPSC Communications Team by end of day on July 25, 2025 at OPSCCommunications@dgs.ca.gov.

AUTHORITY**Education Code (EC) 17078.72**

(a) The Career Technical Education Facilities Program is hereby established to provide funding to qualifying local educational agencies for the purpose of constructing new facilities or reconfiguring existing facilities, including, but not limited to, purchasing equipment with an average useful life expectancy of at least 10 years, to enhance educational opportunities for pupils in existing high schools in order to provide them with the skills and knowledge necessary for the high-demand technical careers of today and tomorrow.

(b) The State Department of Education, in cooperation with the Chancellor's Office of the California Community Colleges, the Labor and Workforce Development Agency, and industry groups, shall develop criteria and pupil outcome measures to evaluate the program. The criteria shall ensure equity, program relevance to industry needs, and articulation with more advanced coursework at the partnering community colleges or private institutions.

(c) The program shall be based on grant applications administered by the board.

(d) Grants shall be allocated on a per-square-foot basis for the applicable type of construction proposed or deemed necessary by the board consistent with the approved application for the project.

(e) New construction grants shall not exceed three million dollars (\$3,000,000) per project per schoolsite, inclusive of equipment, and shall only be allocated to comprehensive high schools that have an active Career Technical Advisory Committee pursuant to Section 8070, in either of the following methods:

(1) For a stand-alone project on a per-square-foot basis for the applicable type of construction proposed, based on the criteria established pursuant to subdivision (b), consistent with the approved application for the project.

(2) For new school projects, as a supplement to the per pupil allocation pursuant to Section 17072.10. The supplement is intended to cover excess costs uniquely related to the facilities required to provide the career technical education program or programs.

(f) Modernization grants shall not exceed one million five hundred thousand dollars (\$1,500,000) per project per schoolsite, inclusive of equipment and may be awarded to comprehensive high schools or joint power authorities currently operating career technical education programs that have an active Career Technical Advisory Committee pursuant to Section 8070 for the purpose of reconfiguration. For comprehensive high schools, the grant shall be supplemental to the per pupil allocation pursuant to Section 17074.10. The supplement is intended to cover excess costs uniquely related to the facilities required to provide the career technical education program or programs.

AUTHORITY (cont.)

(g) (1) A school district shall contribute from local resources a dollar amount that is equal to the amount of the grant of state funds awarded under subdivisions (d), (e), and (f). The required local contribution may be provided by private industry groups, the school district, or a joint powers authority.

(2) A school district shall not be required to demonstrate that it has unhoused pupils or that a permanent school building is more than 25 years old in order to receive a grant under the program.

(h) The program shall allow the required local contribution to be paid over time if sufficient local funds are not immediately available. The board may provide for a repayment schedule consistent with subparagraphs (C) and (D) of paragraph (1) of subdivision (a) of Section 17078.57. The board shall not waive the required local contribution on the basis of financial hardship or on any other basis.

(i) Applications shall meet the criteria developed under subdivision (b) and shall require all of the following:

(1) A clear and comprehensive career technical education plan for each course of study applicable to the instructional space.

(2) Projections of pupil enrollment.

(3) Identification of feeder schools, industry partners, and community colleges or other postsecondary schools participating in the development, articulation, and review of the educational program.

(4) Evidence of approval of the plan by the entities listed in paragraph (3).

(5) The method by which accountability for pupil enrollments and outcomes will be maintained. Outcomes shall include, but are not limited to, certificate completion, the successful entry of pupil to employment in the applicable industry, and successful transition to post-secondary institutions for work in the applicable industry or other areas of study.

(6) Evidence of coordination with all feeder schools, middle schools, and high schools within the area to ensure that the project and programs complement career technical education offerings in the area.

(7) Evidence that upon completion of the project the local educational agency will meet all of its obligations under Section 51228 relating to career technical education.

(j) Applications shall give weight to the number of pupils expected to attend, the cost per pupil, financial participation by industry partners in the construction and equipping of the facility, commitment to accountability for outcomes and participation, the strength and relevance of the educational plans to the needs of industry for qualified technical employees applicable to the economic development needs of the region in which the project will be located, and coordination and articulation with feeder schools, other high schools, and community colleges.

AUTHORITY (cont.)

(k) The Office of Public School Construction shall develop and the board shall approve regulations to implement this article on or before April 19, 2007, and the board may promulgate those regulations first on an emergency basis, which shall be effective for no more than 12 months, after which any permanent regulations shall be promulgated in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

(l) Notwithstanding paragraphs (e) and (f), a project approved pursuant to this section is also eligible for an incentive grant from the funds specified in paragraph (8) of subdivision (a) of Section 101012 if the project meets the criteria prescribed in that section.

Education Code (EC) 17078.74 – Career Technical Education Modernization Supplemental Grant

(a) Except as otherwise provided in this section, a modernization grant adjustment provided pursuant to this section is not subject to the requirements of Section 17078.72.

(b) An applicant school district may include plan design and other project components that promote career technical education to enhance the educational opportunities for pupils in existing middle and high schools, and may seek a modernization grant adjustment for the state's share of the increased costs associated with those components.

(c) Career technical education components that enable school facilities to provide pupils with the skills and knowledge necessary for high-demand technical careers are eligible for inclusion into a project pursuant to this section, including, but not limited to, all of the following:

(1) Modernization of facilities to support career technical education programs.

(2) Reconfiguring a structure of any age that will enhance the educational opportunities for pupils in existing middle and high schools in order to provide them with the skills and knowledge necessary for high-demand technical careers.

(3) Purchasing equipment with an average useful life expectancy of at least 10 years.

(d) (1) In order to be eligible for the modernization grant adjustment pursuant to this section, the applicant shall certify that the cost for the project exceeds the amount of funding otherwise available to the applicant under this chapter and that the career technical education components are necessary to maintain industry standards.

(2) The applicant shall submit necessary plans and specifications for career technical education components to the State Department of Education for

AUTHORITY (cont.)

approval, ensuring compliance with eligibility criteria as stipulated, for modernization projects only, in Section 1859.192 of Title 2 of the California Code of Regulations, with the exception of paragraph (2) of subdivision (b) of Section 1859.192 of Title 2 of the California Code of Regulations.

(e) The board shall provide an applicant for a modernization project with a grant adjustment to provide an increase not to exceed 5 percent of its state grants authorized by Section 17074.10 for the state's share of costs associated with the design, purchase, and installation related to career technical education components as set forth in this section.

(f) An applicant career technical education program shall meet the criteria developed under subdivision (b) of Section 17078.72 and shall demonstrate all of the following:

(1) A clear and comprehensive career technical education plan for each course of study applicable to the instructional space.

(2) Projections of pupil enrollment.

(3) Identification of feeder schools, industry partners, and community colleges or institutions of higher education participating in the development, articulation, and review of the educational program.

(4) Evidence of approval of the plan described in paragraph (1) by the entities listed in paragraph (3) and the State Department of Education, including a determination by the State Department of Education that the application has scored at least 105 points as required under subdivision (c) of Section 1859.192 of Title 2 of the California Code of Regulations.

(5) The method by which accountability for pupil enrollments and outcomes will be maintained. Outcomes shall include, but are not limited to, certificate completion, successful entry of pupils to employment in the applicable industry, and successful transition to institutions of higher education for work in the applicable industry or other areas of study.

(6) Evidence of coordination with all feeder schools, middle schools, and high schools within the area to ensure that the project and programs complement career technical education offerings in the area.

(7) Evidence that upon completion of the project, the local educational agency will meet all of its obligations under Section 51228 relating to career technical education.

(g) The Office of Public School Construction shall develop regulations, subject to board approval, to implement this section. The regulations shall include procedures for the submission of State Department of Education-approved plans and specifications as a condition for the modernization grant adjustment,

AUTHORITY (cont.)

in alignment with subdivision (b) of Section 1859.197 of Title 2 of the California Code of Regulations.

(h) Projects shall be subject to a program accountability expenditure audit, consistent with State Department of Education guidelines, to ensure compliance with the funding regulations. Any repayments due back to the state as a result of these audits shall be subject to the repayment provisions in Section 1859.106.1 of Title 2 of the California Code of Regulations.

PROPOSED REGULATIONS

Section 1859.78.10 Modernization Additional Grant for Career Technical Education Components.

This Section shall apply to Approved Applications requesting a Modernization Grant received on or after October 31, 2024.

(a) In addition to any other funding authorized by these Regulations, the Board shall provide the grant amount identified in (b) for the costs associated with the design, purchase, and installation of components, and/or modernization or reconfiguration of facilities and structures, that promote career technical educational opportunities for pupils in existing middle and high schools if all the following are met:

(1) The project includes at least one career technical education component that conforms to Education Code Section 17078.74(c).

(2) The School District certifies that the costs for the career technical education portion of the project exceed the amount of funding otherwise available to the School District for the qualifying modernization scope of work, and that the career technical education components are necessary to maintain industry standards.

(3) The School District:

(A) Is a local educational agency operating a comprehensive high school pursuant to Education Code Sections 51224, 51225.3 and 51228.

(B) Has an active career technical advisory committee pursuant to Education Code Section 8070.

(C) The School District's application has met all the requirements in Education Code Section 17078.72(i) and received a career technical education plan score from CDE with a minimum score of 105 points on or after July 3, 2024.

(4) The project meets the criteria in Education Code Section 17078.72(b) and Education Code Section 17078.74(f), as verified by CDE.

(5) Contracts and/or purchase orders for the career technical education components in the project were signed on or after July 3, 2024.

(b) The grant amount shall be the lesser of (b)(1) or (b)(2):

(1) Five percent of the Modernization Grant.

(2) 60 percent of the OPSC-approved costs for the career technical education scope of work, inclusive of equipment, included in an Approved Application for Modernization Grants. The School District must provide an itemized list of equipment and detailed cost estimate for the career technical education scope of work. Costs associated with new construction must be provided in conformance with the Current Construction Costs publication by Sierra West Publishing. Costs associated with reconfiguration or modernization of a school building must conform to the Current Construction Remodeling and Repair Cost publication by Sierra West Publishing, at the F2 total unit cost amounts. Equipment costs are only eligible if the equipment has an average useful life expectancy of at least 10 years.

Approved Applications for Modernization Grants received on or after October 31, 2024, that are on OPSC's workload list or the Applications Received Beyond Bond Authority List, may request this additional grant, provided there is a career technical education component in the project that was included in the original scope of work. The School District must submit the plan score pursuant to 1859.78.10(a)(3)(C).

A School District shall not be eligible to receive this additional grant for any career technical education component(s) on a school site that were funded previously through the Career Technical Education Facilities Program or pursuant to 1859.78.10.

A School District electing to submit more than one Approved Application for Modernization Grants using the same DSA approval may receive this additional grant for only one of the Approved Applications.

Note: Authority cited: Section 17078.74, Education Code.

Reference: Section 17070.35, Education Code.

**APPLICATION FOR FUNDING
SCHOOL FACILITY PROGRAM**

SAB 50-04 (REV 05/20)(XX/25)

GENERAL INFORMATION

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 finding that the non-school function on the district-owned site must be relocated.
4. A separate apportionment for design cost for a modernization project pursuant to Section 1859.81.1. This apportionment is available only to districts that meet the financial hardship criteria in Section 1859.81. For purposes of this apportionment, the following documents must be submitted with this form (if not previously submitted):
 - 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.
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.
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.

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

**APPLICATION FOR FUNDING
SCHOOL FACILITY PROGRAM**

SAB 50-04 (REV 05/20)(XX/25)

- 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.

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

SPECIFIC INSTRUCTIONS

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

- a. Select the type of project that best represents this application request and enter the total number of pupils assigned to the project for each grade group. Include pupils to be housed in a new or replacement school authorized by

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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.

maximum allowance, please submit a letter along with application indicating the desired amount.

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.
- f. **If the district is requesting an Additional Grant for Career Technical Education (CTE) Components pursuant to Section 1859.78.10, enter 60 percent of the costs for the eligible CTE component(s) in the entire modernization application. Additionally, check the box if the district operates a comprehensive high school pursuant to Education Code Sections 51224, 51225.3, and 51228.**

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

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**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.

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

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

1. Type of Application—Check Only One

- ☐ New Construction
- ☐ New Construction (Final Apportionment)
- ☐ New Construction (Final Charter School Apportionment)
- ☐ New Construction (Overcrowding Relief Grant)
- ☐ Rehabilitation (Final Charter School Apportionment)
- ☐ Modernization
- ☐ Modernization of California Schools for Deaf/Blind
- ☐ Facility Hardship [Section 1859.82.1]
 - ☐ Conceptual Approval [Section 1859.82.3(a)]
 - ☐ Replacement Site
 - ☐ Replacement School Building(s):

Toilets (sq. ft.) _____

Other (sq. ft.) _____

- ☐ Rehabilitation Costs: \$ _____
- ☐ Seismic Mitigation [Section 1859.82.2]
- ☐ Conceptual Approval [Section 1859.82.3(b)]
- ☐ Replacement Site
- ☐ Replacement School Building(s):

Toilets (sq. ft.) _____

Other (sq. ft.) _____

- ☐
- Seismic Rehabilitation Grant: \$

Separate Apportionment

- ☐ Site Only—New Construction [Section 1859.81.1]
- ☐ Site Only (District owned)—New Construction [Section 1859.81.2]
- ☐ Site Only—Environmental Hardship [Section 1859.75.1]
- ☐ Design Only—New Construction [Section 1859.81.1]
- ☐ Design Only—New Construction with High Performance
- ☐ Design Only—Modernization
- ☐ Design Only—Modernization with High Performance
- ☐ Design Only—Modernization of California Schools for Deaf/Blind
- ☐ Design Only—Facility Hardship [Section 1859.82.1]
- ☐ Design Only—Seismic Mitigation [Section 1859.82.2]
- ☐ Advance Funding for Evaluation and RA

2. Type of Project

- a. ☐ Elementary School **Total Pupils Assigned:**
☐ Middle School K-6: _____
☐ High School 7-8: _____
 9-12: _____
 Non-Severe: _____
 Severe: _____

- b. ☐ 50 Years or Older Building Funding (Modernization Only)
- Total Eligible Classrooms/Square Footage: _____
- Classroom/Square Footage at Least 50 Years Old: _____
- Ratio of 50 Years Old Classrooms/Square Footage: _____ %

From 2a above, how many are 50 Year or Older Pupil Grants?

K-6:

7-8:

9-12:

Non-Severe:

Severe:

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

K-6: _____

7-8:

9-12:

Non-Severe:

Severe:

- d. Is this a 6–8 school? ☐ Yes ☐ No

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

Is this an Alternative Education School? ☐ Yes ☐ No

- e. Is this a use of grant request pursuant to Section 1859.77.2? ☐ Yes ☐ No
Is this request pursuant to Section 1859.77.2(c)? ☐ Yes ☐ No
If yes, enter date of successful bond election: _____
Is this a use of grant request pursuant to Section 1859.77.3? ☐ Yes ☐ No
Is this request pursuant to Section 1859.77.3(c)? ☐ Yes ☐ No
If yes, enter date of successful bond election: _____

Charter School Facilities Program Rehabilitation Request:

Toilets (sq. ft.) _____

Other (sq. ft.) _____

- f. Project to be located on:
- ☐ Leased Site
- ☐ New Site
- ☐ Existing Site with Additional Acreage Acquired
- ☐ Existing Site with No Additional Acreage Acquired

- q. ORG Projects Only

NAME OF ELIGIBLE SCHOOL/SITE(S)	NUMBER OF PORTABLES BEING REPLACED	NUMBER OF SITE SPECIFIC ELIGIBLE PUPILS BEING REQUESTED
Total		

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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): _____
- f. ☐ Career Technical Education Components – 60 percent: \$ _____
- ☐ District operates a comprehensive high school

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

**APPLICATION FOR FUNDING
SCHOOL FACILITY PROGRAM**

SAB 50-04 (REV 05/20)

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.
- If the district is requesting an Additional Grant for CTE Components pursuant to Section 1859.78.10, the following conditions are met (check all that apply):
- ☐ 1. The district will include the costs associated with the CTE component(s), as outlined in Section 1859.78.10(b)(2), in the scope of the work and certifies that these costs exceed the modernization funding available.
 - ☐ 2. The district operates a comprehensive high school and has an active career technical advisory committee.
 - ☐ 3. The district has included a copy of the plan score issued by the CDE, dated on or after July 3, 2024, verifying a minimum score of 105 points.
 - ☐ 4. The contracts for construction or acquisition of equipment were entered into on or after July 3, 2024.

NAME OF DISTRICT REPRESENTATIVE (PRINT)

PHONE NUMBER

SIGNATURE OF DISTRICT REPRESENTATIVE

DATE

ATTACHMENT B1

OFFICE OF PUBLIC SCHOOL CONSTRUCTION STAKEHOLDER MEETING July 10, 2025

MODERNIZATION GRANT FOR FACILITIES PREVIOUSLY MODERNIZED WITH STATE FUNDS

PURPOSE

To continue to discuss and receive stakeholder feedback on how school districts generate School Facility Program (SFP) modernization eligibility for the second time, and how funding utilizing that eligibility must be applied.

AUTHORITY

See Attachment B1a.

BACKGROUND

The Office of Public School Construction (OPSC) held a public meeting on May 8, 2025, to discuss the determination of eligibility and funding for a second round of modernization, and to receive stakeholder input. Written comments received by OPSC since the last stakeholder meeting can be found on Attachment C. Questions that require further discussion or that were received after the meeting are addressed in this item.

The full text of the stakeholder meeting item may be found here: [May 8, 2025 OPSC Second Round Stakeholder Meeting #2 - Item](#)

The recording of the May 8, 2025 stakeholder meeting is available at the link below. It includes feedback that OPSC was able to respond to at the time of the meeting that did not impact the proposed regulations: [May 8, 2025 OPSC Second Round Stakeholder Meeting #2 - Recording](#)

STAFF ANALYSIS/DISCUSSION

Staff would like to thank stakeholders who participated in the May 8, 2025 meeting. At that meeting, OPSC presented responses to the stakeholders' feedback and further considerations related to second round modernization eligibility. In this meeting, OPSC staff are introducing proposed regulatory amendments to implement Education Code Sections 17073.15 and 17074.10(f). Attachment B1b includes the proposed regulatory amendments and OPSC seeks stakeholder feedback regarding the changes.

Staff has consolidated all questions asked during and after the previous stakeholder meeting on this topic and provides the following responses to them.

STAFF ANALYSIS/DISCUSSION (cont.)

Stakeholder Feedback	OPSC Response
<p>1. <i>Item #5 (p. 295)</i> - This item specifies that when a portable classroom is replaced by a permanent building, it will continue to generate eligibility as a portable every 20 years. Please clarify what happens when a portable classroom is replaced with a permanent classroom. Additionally, what is the rationale to continue to classify a permanent building as a portable building?</p>	<p>1. Within the SFP modernization program, a site is viewed based on the original square footage and portable/permanent construction type at the time of SFP establishment and does not change. Because the second round of modernization funding eligibility is generated by the square footage that was eligible during the immediately preceding State modernization Apportionment, and because only that square footage determines eligibility, second round of modernization grants are made available every 20/25 years per the original classification of the square footage that was eligible at modernization establishment.</p> <p>Therefore, if a district replaces a portable classroom with a permanent classroom, that classroom will continue to be eligible every 20 years past the apportionment date because of the original construction type. If a district replaces the portable classroom with another portable classroom, that classroom will also continue to be eligible every 20 years past the apportionment date.</p>
<p>2. There are concerns with OPSC's current methodology for determining the type of pupil grant (permanent or portable) returned to districts during second-round modernization funding. Because funding applications do not require districts to identify whether the grant request was for permanent or portable pupils, we recommend that districts be given discretion to determine the type of pupil grant being returned. A proration based on square footage of permanent versus portable facilities may not accurately reflect the original intent of the application, particularly when</p>	<p>2. Similar to what is described in the response to #1 above, the original construction type for the square footage of the original facility that is generating the second round of modernization pupil grants is the determining factor for what type of pupil grant is available, not the type of project to be funded. Therefore, if a building that was permanent construction at the time of SFP Modernization eligibility establishment becomes eligible for a second round of modernization funding because 25 years have elapsed since the district received a modernization apportionment based on</p>

STAFF ANALYSIS/DISCUSSION (cont.)

Stakeholder Feedback	OPSC Response
<p>2. (cont.) permanent construction was proposed. As such, it may result in an inequitable return of eligibility after the aging period.</p>	<p>2. (cont.) the age of that building, the pupil grants available for the second round of modernization funding are tied to the original permanent building type. Conversely, if a portable existed at the time of SFP Modernization eligibility establishment and it generates eligibility for a second round of modernization funding because 20 years have elapsed since the immediately preceding State modernization Apportionment based on the age of that portable, the pupil grants available for the second round of modernization funding are tied to the original portable building type. The frequency and type of pupil grants generated by a portable or permanent building are determined by the original building type at the time SFP Modernization eligibility was established for the school site, regardless of the type of Modernization project the district completed with the immediately preceding State modernization Apportionment from that building's eligibility.</p> <p>In addition, the grants that will be made available as a result of a second round of modernization funding eligibility do not need to be utilized when they become available.</p>
<p>3. The language of EC Section 17074.10(f) states, “for a portable classroom that is eligible for a second modernization, the board shall require the school district to use the modernization funds to replace the portable classroom and to certify that the existing portable classroom will be removed from any classroom use...” We concur with staff's interpretation that the replacement</p>	<p>3. OPSC maintains the position that EC Section 17074.10(f) is specifically stating that the portable classroom must be replaced with classroom space and removed from any classroom use, not to be replaced with non-classroom square footage. As the words “replace” and “classroom use” are included within the same sentence, staff interprets this to mean that the replacement for the</p>

STAFF ANALYSIS/DISCUSSION (cont.)

Stakeholder Feedback	OPSC Response
<p>3. (cont.) building must be for classroom use and that the district is required to replace the portable classroom space with classroom space (permanent or portable), <i>under this first section of the EC</i>. However, the remainder of EC Section 17074.10(f) states, "...unless the school district is able to document that modernizing the portable classroom is a better use of public resources."</p> <p>We request that OPSC allow the replacement in-kind of different usage to be considered "a better use of public resources," as certified to by the district. Per SFP Regulation Section 1859.79.2(a)(1), "modernization" is allowed to be "replacement building area of like kind;" therefore, it follows that a district "modernizing" a classroom should be able to replace it with like-kind building area. Further, OPSC has previously opined that "replacement area of like kind" refers to replacement square footage and not the type of area. Statewide K-12 enrollment is currently declining, and many districts need to now reevaluate their spaces and make the decisions that are best for their student population.</p>	<p>3. (cont.) existing portable classroom—whether the replacement is permanent construction or another portable—must be for classroom use.</p> <p>Modernization within the SFP does allow for the replacement of a building in like kind, but OPSC does not interpret the reference to modernization as "a better use of public resources" in EC Section 17074.10(f) to refer to like-kind replacement with non-classroom square footage. Rather, the phrase directly refers to a scenario in which "modernizing the portable classroom" is a better use of public resources <i>than replacement</i> of the portable classroom.</p>

Proposed Regulatory Amendments*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 B1c does not reflect separate proposed changes to the *Application for Funding* (Form SAB 50-04) that were approved by the Board on June 26, 2025. Future stakeholder meeting items and State Allocation Board agenda items will reflect proposed regulation and form changes once they go into effect.

STAFF ANALYSIS/DISCUSSION (cont.)

Informed by the previous stakeholder meetings on this topic, this item presents proposed regulatory amendments that will provide additional clarity to ensure that the second round of modernization funding is tracked and allocated equitably and in accordance with statute. The proposed regulatory amendments are on Attachment B1b and are summarized below:

- Staff proposes to amend SFP Regulation Section 1859.61: Adjustments to the Modernization Baseline Eligibility to add (i)(1), (i)(2), and (i)(3) to account for adjustments to the baseline as a result of the second round of modernization grants. Staff also proposes an amendment to subsection (i) to indicate that these adjustments are not only “increases” to the baseline, but that second round of modernization grants can be both made available and removed from the baseline. These amendments would ensure that the second round of modernization grants made available to districts are accurately added and removed for tracking purposes and include special circumstances like Reduced to Cost Incurred (RCI) projects.
- Staff proposes to amend SFP Regulation Section 1859.78.8: Modernization Grant for Facilities Previously Modernized with State Funds to include stipulations for the return of second round of modernization grants as discussed in both the 2004 Implementation Committee meetings as well as the current stakeholder meetings. Staff proposes to define the phrase “prior Form SAB 50-03” for purposes of this SFP Regulation Section to mean the Form SAB 50-03 associated with the most recent State modernization Apportionment for the building(s) generating additional modernization eligibility.
- Additionally, staff proposes that the language specifying the modernization apportionment that will determine the grants made available by the second round of modernization funding be changed from “previous” to “the immediately preceding State modernization Apportionment” to provide clarity regarding the apportionment that is being used for grant determination. In addition, the following sections have been added for consideration:
 - 1859.78.8 (b)(1-4) - Staff proposes adding specific types of documentation acceptable for a district to indicate that modernization of a portable classroom constitutes a better use of public resources, as they were discussed and agreed upon at the 2004 Implementation Committee meetings. Including this information in the SFP Regulations will provide the available options for a district’s reference regarding the approved documentation types that allow a portable classroom to be modernized rather than replaced.
 - Section 1859.78.8 (c) - Staff proposes the inclusion of information regarding the need for a district to separate the special day class facilities from the K-12 facilities, if the district has not already done so, and

STAFF ANALYSIS/DISCUSSION (cont.)

clarifying that this requirement needs to be completed prior to approval of the second round of modernization funding by the Board.

- Section 1859.78.8 (d)(1-2) - This subsection details the calculation method as to how second round of modernization pupil grants are determined based on the information included on the prior Form SAB 50-03 as a result of the choice of Option A or Option B, and how the eligible classrooms and facility grants will be made available for funding.
- Section 1859.78.8 (e)(1-2) - This subsection discusses the proposed parameters for eligible portable classrooms and/or portable square footage which was already demolished and replaced in a previously state-funded project, as discussed in prior stakeholder meetings. In this case, the portable classrooms and/or portable square footage do not qualify for a second modernization apportionment because they cannot meet the statutory requirement pursuant to Education Code Section 17074.10(f) that requires second round modernization funds to be used to replace the portable classrooms. The proposed parameters include calculations that remove the ineligible grants that were made available by the second round portables already removed and replaced in a state-funded project so that the resulting balance of available grants is accurate.
- Section 1859.78.8 (f) and (g) – Staff proposes to reorder existing subsections (c) and (d), which pertain to school facilities located on a military installation, and to make non-substantive, conforming changes to these subsections.

Additionally, staff proposes that the second box under bullet number five in the Certification Section of the Form SAB 50-04 be amended to include a reference to SFP Regulation Section 1859.78.8(b) to refer to the proposed documentation a district may submit to demonstrate that modernization of a portable constitutes a better use of public resources. The proposed amendments to the Form SAB 50-04 are on Attachment B1c.

NEXT STEPS

Staff is seeking stakeholder feedback on the proposed regulatory amendments to ensure that funding is provided for a second round of modernization and that the pupil grants are made available and utilized according to statute.

Staff requests stakeholder feedback on the proposed regulations and topics outlined in this item. Any stakeholder wishing to provide feedback should email the OPSC Communications Team by end of day on July 25, 2025 at OPSCCommunications@dgs.ca.gov.

ATTACHMENT B1a

AUTHORITY

Education Code 17073.15(a) – Modernization Eligibility Determination

A school district is eligible to receive an apportionment for the modernization of a permanent school building that is more than 25 years old or a portable classroom that is at least 20 years old. A school district is eligible to receive an additional apportionment for the modernization of a permanent school building every 25 years after the date of the previous apportionment or a portable classroom every 20 years after the previous apportionment.

Education Code Section 17074.10(f) – Modernization Apportionment

For a portable classroom that is eligible for a second modernization, the board shall require the school district to use the modernization funds to replace the portable classroom and to certify that the existing eligible portable classroom will be removed from any classroom use, unless the school district is able to document that modernizing the portable classroom is a better use of public resources. The capacity and eligibility of the school district shall not be adjusted for replacing a portable classroom pursuant to this subdivision and Section 17073.15.

SFP Regulation Section 1859.61. Adjustments to the Modernization Baseline Eligibility

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

- (a) Reduced by the number of pupils provided grants in a modernization SFP project or a CSFP Rehabilitation project at the specific site.
- (b) Reduced by the number of pupils housed, based on the loading standards pursuant to Education Code Section 17071.25(a)(2), in a modernization LPP project funded under the LPP pursuant to Sections 1859.14 and 1859.15.
- (c) Increased by changes in projected enrollment in subsequent enrollment reporting years.
- (d) Increased for additional facilities not previously modernized with State funds, that become 25 years old, if permanent, or 20 years old, if portable or as a result of audit findings made pursuant to Sections 1859.90, 1859.90.3 and 1859.105.
- (e) Adjusted as a result of errors or omissions by the district or by the OPSC.
- (f) Adjusted as a result of amendments to these Subgroup 5.5 Regulations that affect the eligibility.
- (g) For classroom loading standards adopted by the Board for non-severely disabled individuals with exceptional needs and severely disabled individuals with exceptional needs.
- (h) As directed by the Board due to a finding of a Material Inaccuracy pursuant to Regulation Section 1859.104.1.
- (i) Increased for facilities previously modernized with State funds, which qualify for an additional modernization apportionment pursuant to Section 1859.78.8.
- (j) Decreased for facilities that were deemed eligible for modernization pursuant to Sections 1859.60 and 1859.61(d) and subsequently replaced, or will be replaced under a signed contract for construction or acquisition of facilities, in a project funded by the district without participation from the State.
- (k) Adjusted as a result of replaced eligible portables funded with the Overcrowding Relief Grant, pursuant to Education Code Section 17079, et seq.
- (l) Adjusted upon Board receipt of the local school board resolution acknowledging that the buildings have been removed from K-12 use, as follows:

ATTACHMENT B1a

- (1) School Buildings and/or classrooms that receive replacement funding via the New Construction Grant or the Facility Hardship Square Footage Grant pursuant to Section 1859.82.1 or Section 1859.82.2
- (2) School Buildings and/or classrooms that were originally included in the district's baseline eligibility and were later demolished or removed from classroom use due to health and/or safety concerns that meet the requirements of Regulation Section 1859.82.1 or 1859.82.2 as verified by OPSC, except the district did not have the current enrollment to support the replacement and funding of those School Buildings and/or classrooms. Buildings and/or classrooms removed from K-12 classroom use that remain on the school site will be identified on a list published on OPSC's website.

For (l)(1) the building age shall be reset to the date of the Apportionment for the corresponding project. For (l)(2) the building shall be removed from the classroom inventory used to establish modernization eligibility at the site.

SFP Regulation Section 1859.78.8. Modernization Grant for Facilities Previously Modernized with State Funds

The Board shall provide an additional apportionment provided by Education Code 17074.10(a) and Section 1859.78.3, for facilities previously modernized with State funds as follows:

- (a) An additional apportionment will be provided for the modernization of a permanent school building every 25 years following the date of its previous State modernization apportionment.
- (b) In the case of portable classrooms, an additional apportionment will be permitted every 20 years after the date of its previous State modernization apportionment provided the modernization funds will be used to replace the portable classroom(s) and the school district must certify that the portable classrooms will be removed from any classroom use unless acceptable documentation is provided by the district indicating that the modernization of the portable classrooms is a better use of public resources.

If the previous SFP modernization apportionment includes both permanent and portable facilities, the number of pupil grants that will be added to the site's baseline eligibility shall be determined by the percentage of permanent or portable facilities identified on the Form SAB 50-03 that generated the initial eligibility.

The capacity and eligibility of the school district will not be adjusted for the replacement of the portable classroom pursuant to Education Code Sections 17074.10(f) and 17073.15.

PROPOSED REGULATIONS

Section 1859.61. Adjustments to the Modernization Baseline Eligibility.

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

- (a) Reduced by the number of pupils provided grants in a modernization SFP project or a CSFP Rehabilitation project at the specific site.
- (b) Reduced by the number of pupils housed, based on the loading standards pursuant to Education Code Section 17071.25(a)(2), in a modernization LPP project funded under the LPP pursuant to Sections 1859.14 and 1859.15.
- (c) Increased by changes in projected enrollment in subsequent enrollment reporting years.
- (d) Increased for additional facilities not previously modernized with State funds, that become 25 years old, if permanent, or 20 years old, if portable or as a result of audit findings made pursuant to Sections 1859.90, 1859.90.3 and 1859.105.
- (e) Adjusted as a result of errors or omissions by the district or by the OPSC.
- (f) Adjusted as a result of amendments to these Subgroup 5.5 Regulations that affect the eligibility.
- (g) For classroom loading standards adopted by the Board for non-severely disabled individuals with exceptional needs and severely disabled individuals with exceptional needs.
- (h) As directed by the Board due to a finding of a Material Inaccuracy pursuant to Regulation Section 1859.104.1.
- (i) ~~Increased~~Adjusted for facilities previously modernized with State funds, which qualify for an additional modernization Apportionment pursuant to Section 1859.78.8 or Education Code Section 17073.15(b), as follows:
 - (1) Increased for the portable facilities that qualify for an additional modernization Apportionment, which will include any grants previously retained as a result of an audit pursuant to Sections 1859.90, 1859.90.3 and 1859.105.
 - (2) Increased for the permanent facilities that qualify for an additional modernization Apportionment, which will include any grants previously retained as a result of an audit pursuant to Sections 1859.90, 1859.90.3 and 1859.105.
 - (3) Decreased for portable classrooms that cannot meet the statutory requirement pursuant to Education Code Section 17074.10(f) that requires the modernization funds generated pursuant to (i)(1) be used to replace the portable classrooms because they were already demolished and replaced in a previously state-funded project and therefore do not qualify for a second modernization Apportionment.
- (j) Decreased for facilities that were deemed eligible for modernization pursuant to Sections 1859.60 and 1859.61(d) and subsequently replaced, or will be replaced under a signed contract for construction or acquisition of facilities, in a project funded by the district without participation from the State.
- (k) Adjusted as a result of replaced eligible portables funded with the Overcrowding Relief Grant, pursuant to Education Code Section 17079, et seq.
- (l) Increased for additional facilities located on a military installation pursuant to Education Code Section 17073.15(b) not previously modernized with State funds, that become 10 years old, if permanent or portable. Portable buildings modernized pursuant to this subsection shall be replaced with a permanent structure.
- (m) Adjusted upon Board receipt of the local school board resolution acknowledging that the buildings have been removed from K-12 use, as follows:
 - (1) School Buildings and/or classrooms that receive replacement funding via the New Construction Grant or the Facility Hardship Square Footage Grant pursuant to Section 1859.82.1 or Section 1859.82.2
 - (2) School Buildings and/or classrooms that were originally included in the district's baseline eligibility and were later demolished or removed from classroom use due to health and/or safety concerns that meet the requirements of Regulation Section 1859.82.1 or 1859.82.2 as verified by OPSC, except the district did not have the current enrollment to support the replacement and funding of those School Buildings and/or classrooms. Buildings and/or classrooms removed from K-12 classroom use that remain on the school site will be identified on a list published on OPSC's website.

For (m)(1) the building age shall be reset to the date of the Apportionment for the corresponding project. For (m)(2) the building shall be removed from the classroom inventory used to establish modernization eligibility at the site.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17070.51, 17071.25, 17072.15, 17072.20, 17073.15, 17074.10, 17075.10 and 17079.30, Education Code.

Section 1859.78.8. Modernization Grant for Facilities Previously Modernized with State Funds.

For purposes of this section, the phrase "prior Form SAB 50-03" refers to the Form SAB 50-03 associated with the most recent State modernization Apportionment for the building(s) generating additional modernization eligibility.

The Board shall provide an additional Apportionment provided by Education Code 17074.10(a) and Section 1859.78.3, for facilities previously modernized with State funds as follows:

- (a) An additional Apportionment will be provided for the modernization of a permanent school building every 25 years following the date of ~~its previous~~ the immediately preceding State modernization ~~a~~Apportionment.
- (b) In the case of portable classrooms, an additional Apportionment will be permitted every 20 years after the date of ~~its previous~~ the immediately preceding State modernization ~~a~~Apportionment provided the modernization funds will be used to replace the portable classroom(s) and the school district must certify that the portable classrooms will be removed from any classroom use unless acceptable documentation is provided by the district indicating that the modernization of the portable classrooms is a better use of public resources. Acceptable documentation indicating that the modernization of the portable classrooms is a better use of public resources is one or more of the following:
 - (1) A cost benefit analysis prepared by a licensed design professional.
 - (2) A narrative that provides the rationale to substantiate the modernization of the portable classroom(s) rather than its replacement, which could include copies of maintenance records, photos, etc.
 - (3) A copy of the school board minutes that indicate that the board has discussed and agreed that modernization of portable classrooms eligible for an additional Apportionment would be a better use of public resources. The board minutes shall be submitted prior to State Allocation Board approval of the project.
 - (4) Other evidence satisfactory to the State Allocation Board.
- (c) For a site in which the gross classroom inventory that was reported at the time the district requested its initial determination of existing school building capacity was not previously adjusted as a result of special day class loading, the site must have the inventory adjusted for the special day class loading during modernization eligibility establishment prior to the calculation of an additional Apportionment. Once the prior Form SAB 50-03 has been adjusted for special day class loading, the revised Form SAB 50-03 will be used to determine the number of pupil grants made available.
- (d) If the immediately preceding ~~previous~~ SFP State modernization ~~a~~Apportionment included both permanent and portable facilities, the number of pupil grants that will be added to the site's baseline eligibility shall be determined by the percentage of permanent or portable facilities identified on the prior Form SAB 50-03. A subsequent round of modernization eligibility shall be determined by a calculation based upon the district's selection of Option A or Option B on the prior Form SAB 50-03. The district will only be given the opportunity to change from the Option selected on the prior Form SAB 50-03 during an adjustment to the classroom inventory as a result of special day class loading. The additional Apportionment will be provided by one the following calculation methods:
 - (1) If Option A was chosen on the prior Form SAB 50-03, or if Option B with reported classroom count was chosen on the prior Form SAB 50-03, for each qualifying classroom that was eligible, the pupil grants shall be made available by the following determination:
 - (A) Calculate the total classroom count by adding the number of permanent and portable classrooms that were eligible at the site at the time of the immediately preceding State modernization Apportionment.
 - (B) Divide the total permanent classrooms by the total classroom count calculated in (d)(1)(A). Round up to the nearest one tenth of one percent.
 - (C) Divide the total portable classrooms by the total classroom count calculated in (d)(1)(A). Round up to the nearest one tenth of one percent.

- (D) Multiply the percentage determined in (d)(1)(B) by the total modernization eligibility as determined on the current Form SAB 50-03, for each grade group. Round up to the nearest whole number to determine the pupil grants available that are attributable to permanent classrooms.
- (E) Multiply the percentage determined in (d)(1)(C) by the total modernization eligibility as determined on the current Form SAB 50-03, for each grade group. Round up to the nearest whole number to determine the pupil grants available that are attributable to portable classrooms.
- (2) If Option B reported square footage on the prior Form SAB 50-03, for qualifying classroom(s) and/or non-classroom space, the pupil grants shall be made available by the following determination:
 - (A) Calculate the total Square Footage building area that was eligible at the site per (d)(2).
 - (B) Divide the Square Footage of permanent building area by the total Square Footage of building area calculated in (d)(2)(A). Round up to the nearest one tenth of one percent.
 - (C) Divide the Square Footage of portable building area by the total Square Footage of building area calculated in (d)(2)(A). Round up to the nearest one tenth of one percent.
 - (D) Multiply the percentage determined in (d)(2)(B) by the total modernization eligibility as determined on the current Form SAB 50-03, for each grade group. Round up to the nearest whole number to determine the pupil grants available that are attributable to permanent building area.
 - (E) Multiply the percentage determined in (d)(2)(C) by the total modernization eligibility as determined on the current Form SAB 50-03, for each grade group. Round up to the nearest whole number to determine the pupil grants available that are attributable to portable building area.
- (e) For eligible portable classrooms that have been demolished and replaced in a prior state-funded project, the pupil grants will be made available on the baseline and then reduced by the ineligible portable classrooms or square footage pursuant to 1859.61(i)(3), as follows:
 - (1) The pupil grants made available as a result of (d)(1) will be prorated to separate the ineligible portable classrooms from the eligible portable classrooms by subtracting the total ineligible classroom count from the total eligible classroom count. The number of pupil grants the classroom is eligible for per (e) for each classroom will be reduced by the loading standards for each ineligible classroom.
 - (2) The pupil grants made available as a result of (d)(2) will be prorated to separate the ineligible portable classroom square footage from the total eligible square footage on the site during the immediately preceding State modernization Apportionment.
- (fe) In the case of permanent school facilities that are located on a military installation and are pursuant to the criteria in Education Code Section 17073.15(b), an additional Apportionment will be provided for the modernization of a permanent school building every 10 years following the date of ~~its previous~~ the immediately preceding State modernization apportionment.
- (ge) In the case of portable school classrooms that are located on a military installation and are pursuant to the criteria in Education Code Section 17073.15(b), an additional Apportionment will be provided for the replacement of the portable classrooms with a permanent structure. Portable buildings modernized pursuant to this subsection shall be replaced with a permanent structure.

The capacity and eligibility of the school district will not be adjusted for the replacement of the portable classroom pursuant to Education Code Sections 17074.10(f) and 17073.15.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17074.10 and 17073.15, Education Code.

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GENERAL INFORMATION

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 finding that the non-school function on the district-owned site must be relocated.
4. A separate apportionment for design cost for a modernization project pursuant to Section 1859.81.1. This apportionment is available only to districts that meet the financial hardship criteria in Section 1859.81. For purposes of this apportionment, the following documents must be submitted with this form (if not previously submitted):
 - 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.
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.

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

SPECIFIC INSTRUCTIONS

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

- a. Select the type of project that best represents this application request and enter the total number of pupils assigned to the project for each grade group. Include pupils to be housed in a new or replacement school authorized by

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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.

STATE OF CALIFORNIA

STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION

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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
Total		

40

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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

**APPLICATION FOR FUNDING
SCHOOL FACILITY PROGRAM**

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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 classroom(s) 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 pursuant to Section 1859.78.8(b).
- 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



May 23, 2025

Communications Team
Office of Public School Construction (OPSC)
707 Third St, 4th Floor
West Sacramento, CA 95605

RE: FEEDBACK ON TOPICS PRESENTED DURING THE MAY 8, 2025 STAKEHOLDER MEETING FOR IMPLEMENTATION OF PROPOSITION 2 FOR THE SCHOOL FACILITY PROGRAM

To Whom it May Concern:

Hancock Park & DeLong, Inc. appreciates the opportunity to continue providing feedback regarding the topics presented during the tenth Proposition 2 Stakeholder meeting held on May 8, 2025. Below is a summary of our comments and concerns:

• **Modernization Grant for 75 years or Older Buildings**

- We encourage OPSC to reconsider allowing the relocation of certain 75-year old buildings, and the associated site development costs, when the relocation includes a Multipurpose/Cafeteria building or a Gymnasium/Locker building. Title 5 requires Gymnasiums/Shower/Lockers to be secured from other parts of the campus for evening and weekend events and/or for public use (including emergencies). Similarly, Title 5 requires Multipurpose buildings to be located on the campus where the building will be easily accessible for public use, but close to the street for delivery truck access. Districts should have the ability to relocate these buildings on their school campuses in order to meet Title 5 requirements and increase school security while also allowing public access.

• **CTE Facilities: Modernization Supplemental Grant**

- We request clarification regarding contract dates for prior modernization projects that include CTE facilities. May a project be submitted with a current CDE score letter if the contract for the work was executed prior to July 3, 2024?

• **Regulatory Amendments for General Clean-up**

- The current instructions for Part D of the *Enrollment Certification/Projection* (Form SAB 50-01) include outdated references for how special education enrollment information is reported to CDE. The form currently asks for the information "as shown and reported within the California Special Education Management Information System [CASEMIS] to the CDE in December prior to

ATTACHMENT C

the latest CBEDS report.” Data collection for special education pupils was transitioned from CASEMIS to the California Longitudinal Pupil Achievement Data System (CALPADS) over five years ago, during the 2019-20 school year. Under CALPADS, special education pupil data is collected at the same time as the rest of the K-12 data is collected, in early October of each year; there is no longer special ed data reporting being done in December of each year. As special education enrollment is no longer reported to CASEMIS, and no longer reported in December, clarification on the appropriate reporting process would be appreciated. It may be appropriate and timely to update the Form SAB 50-01 instructions to better align with the current practice by school districts.

- **Modernization Grant for Facilities Previously Modernized with State Funds**

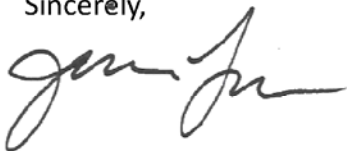
- Regarding the situations where a district replacing a portable classroom eligible for second round funding with a different usage, assuming classroom space is no longer needed, we encourage OPSC to take another look at the previously proposed request.

The language of EC Section 17074.10(f) states “for a portable classroom that is eligible for a second modernization, the board shall require the school district to use the modernization funds to replace the portable classroom and to certify that the existing eligible portable classroom will be removed from any classroom use...” We concur with staff’s interpretation to mean that the replacement building must be for classroom use and that the district is required to replace the portable classroom space with classroom space (permanent or portable), *under this first section of the EC*. However, the remainder of ECS 17074.10(f) states, “...unless the school district is able to document that modernizing the portable classroom is a better use of public resources.”

We request that OPSC allow the replacement-in-kind of different usage to be considered “a better use of public resources”, as certified to by the district. Per SFP Reg Section 1859.79.2(a)(1) “modernization” is allowed to be “Replacement building area of like kind”, therefore it follows that a district “modernizing” a classroom should be able to replace it with like-kind building area. Further, OPSC has previously opined that “replacement area of like kind” refers to replacement *square footage* and not the *type of area*. Again, statewide K-12 enrollment is currently declining, many districts are needing to now re-evaluate their spaces and make the decisions that are best for their student population.

Please let us know if you have any questions or would like additional information regarding these topics. We look forward to continuing conversations as these topics progress with development.

Sincerely,



Jessica Love
Hancock Park & DeLong



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

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May 23, 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 #10

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 May 8, 2025, Implementation Stakeholder Meeting #10.

75-Year-Old Modernization Supplemental Grant

Stakeholder Feedback #3 - OPSC's response states that F1 level is to be used for 75-years-or-older projects. However, OPSC references three different Sierra West Levels in the subsequent pages: F2 level (pp. 16), F1 level (pp. 28), and F3 level (pp. 30). Los Angeles Unified continues to advocate for the appropriateness of using the F3 level, consistent with the definitions provided in the *Sierra West Current Construction Remodeling Costs 2025* publication. Nonetheless, LA Unified would also support the use of the F2 level. As illustrated by Sierra West (see Image 1), the F1 level is not appropriate for the modernization of a 75-year-old facility, as Sierra West indicates that F1 is typically applied to new construction or tenant improvements in large, open, unfinished spaces—conditions that do not reflect the complexities of modernizing an aging structure.

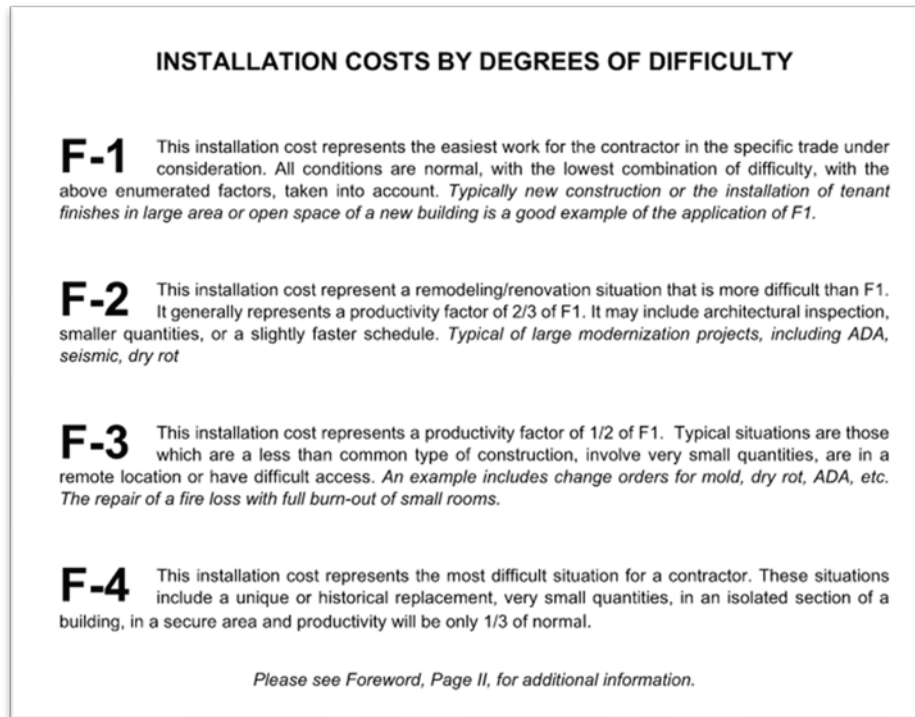


Image 1

Accordingly, LA Unified urges OPSC to authorize the use of the F2 or F3 levels (with a preference for the F3 level) for modernization projects involving aging facilities, and to update the associated regulations and forms to reflect a consistent and appropriate application of these cost levels.

Stakeholder Feedback #7 – OPSC’s response does not address the stakeholder’s request for the rationale for basing 75-year-old site development utilities grant on 50-year pupil grants. Los Angeles Unified requests further clarity on OPSC’s rationale on this item.

Stakeholder Feedback #11 – The revisions to 2 CCR Section 1859.78.65(b)(5) were not included as part of the May 8, 2025, meeting materials. Los Angeles Unified requests the proposed revisions be provided for stakeholder review before they are finalized

Stakeholder Feedback #12 – Los Angeles Unified requests the rationale behind the 35 percent cap that is being proposed for site development related to 75-year-old buildings.

Stakeholder Feedback #13 – OPSC states its opposition to funding site development costs for replacement of a 75-year-old building elsewhere on the same campus. Los Angeles Unified requests the basis for this determination.

Proposed 2 CCR Section 1859.78.7.1 – Please see the Attachment at the end of this letter, which includes Los Angeles Unified’s in-line comments on the “Modernization Additional Grant for 75 Years or Older Buildings” section.

Proposed SAB Form 50-04

- Based on the information provided, the first two bullet points under Section 2.d (p. 20) should read: “The total number of eligible classrooms and/or the total non-classroom square footage...”.
- Based on the information provided, Section D (p. 23) should be clarified to state: “The total square footage of eligible non-classroom space being demolished”.

Proposed Form SAB 57-75

- For clarity, Los Angeles Unified suggests the proposed categories under Part IV (p. 29) be revised to read “Permanent Toilet,” “Permanent Other,” “Portable Toilet,” and “Portable Other.”
- Part IV (p. 29) references “OPSC Verified Total Project Cost” but Los Angeles Unified believes it should read “OPSC Approved Total Project Cost” to reflect the language on the form. The “Calculation Detail” (p. 31) appears to include an internal OPSC note in error.

Career Technical Education Supplemental Grant

Proposed 2 CCR Section 1859.78.10(b)(2) – OPSC proposes use of Sierra West F1 Level costs for the detailed cost estimate associated with the career technical education (CTE) scope of work under the supplemental grant. This approach deviates from 2 CCR §1859.193(b)(A) and (c)(A), which allow CTEFP project costs to be determined by the project architect. Requiring F1 Level estimates introduces duplicative effort for LEAs who elect to pursue the CTE supplemental grant for high-scoring CTEFP applications that did not receive funding, and creates inconsistency within the SFP regulations for CTE scopes of work. Los Angeles Unified recommends that architect-prepared estimates be accepted for the supplemental grant to reduce administrative burden and for alignment with CTEFP application documentation.

Global SFP Regulation Updates

Stakeholder Feedback #2 – OPSC’s response to the stakeholder comment does not fully address the question posed. It is understood that buildings without DSA approval should not be included in the snapshot to determine modernization eligibility, however this does not address how buildings built before DSA existed should be aged. Any building built before 1933 did not receive a DSA approval stamp until after 1933, which means the building’s age is being misrepresented. This misrepresentation affects school districts’ ability to apply for supplemental grants determined by a building’s age, such as the 75-year-old modernization supplemental grant. Los Angeles Unified recommends that, for buildings constructed prior to the establishment of DSA, the date of the original construction plans be used to determine age eligibility under the 75-year-old supplemental grant.

2 CCR Section 1859.193 Career Technical Education Facilities Grant Determination – Los Angeles Unified would like clarification on whether reducing specific equipment to fewer items (e.g., purchasing two units of an item instead of four units) or removal of equipment altogether, due to descope during design or lack of availability, is still considered a change in scope, and would therefore continue to require an appeal be submitted to the SAB.

Proposed 2 CCR Section 1859.106 Revisions – Los Angeles Unified disagrees with OPSC's interpretation that the penalty for a finding of ineligible expenditures must equal 100% of the funds in question. The School Facility Program is fundamentally structured around a matching share model, where both the State and Local Education Agency contributes proportionally to eligible projects. Accordingly, any repayment obligation should be limited to the State's matching share of the ineligible expenditures, as determined by the local auditor, rather than the aggregate amount.

The intent of the penalty provision is to protect the State's financial interest—not to recover funds beyond its contribution. Requiring repayment of 100% effectively includes both the State and local shares, which exceeds the scope of the State's interest and imposes an undue financial burden on the Local Education Agency.

Second Round Modernization

Item #5 (p. 295) - This item specifies that when a portable classroom is replaced by a permanent building, it will continue to generate eligibility as a portable every 20 years. Los Angeles Unified seeks clarification on what happens when a portable classroom is replaced with a permanent classroom. Additionally, Los Angeles Unified requests further explanation on the rationale to continue to classify a permanent building as a portable building.

Determination of Second Round Modernization Pupil Types – Los Angeles Unified has concerns with OPSC's current methodology for determining the type of pupil grant (permanent or portable) returned to districts during second-round modernization funding. Because funding applications do not require districts to identify whether the grant request was for permanent or portable pupils, Los Angeles Unified recommends that districts be given discretion to determine the type of pupil grant being returned. A proration based on square footage of permanent versus portable facilities may not accurately reflect the original intent of the application, particularly when permanent construction was proposed. As such, it may result in an inequitable return of eligibility after the aging period.

For example, if a district had 400 eligible pupils, with 200 being permanent pupils and 200 being portable pupils, and submitted a funding request for 150 pupils, the district should be permitted to designate whether that request reflected permanent pupils, portable pupils, or a combination of both when those pupils become eligible for second-round funding. This is particularly important when the original funding application proposed constructing permanent facilities.

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

Sincerely,



Sasha Horwitz
Legislative Advocate
Los Angeles Unified School District

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1859.2 Definitions

....
'Form SAB 57-75' means the 75 Year Old Building Cost/Benefit Analysis, Form SAB 57-75, (Revised xx/25), which is incorporated by reference.
....

Section 1859.78.7.1 Modernization Additional Grant for 75 Years or Older Buildings

In lieu of the funding provided by subdivision (a) of Education Code Section 17074.10 and Section 1859.78.3, the Board shall provide funding to Approved Applications received on or after October 31, 2024 for projects that include the demolition and replacement of 75 years or older permanent or portable school building(s) if a contract for the work was awarded on or after July 3, 2024.

(a) To receive 75 years or older funding pursuant to Education Code Section 17074.265, all of the following must be met:

- (1) The existing permanent or portable building must be at least 75 years or older. For purposes of determining the age of the building, the 75 years or older period shall begin 12 months after the original plans for the construction of the building were approved by the Department or DSA as applicable.
- (2) Each building on the site that is 75 years or older must qualify on an individual basis.
- (3) If the school building was demolished prior to OPSC's receipt of an Approved Application, the school building must have been 75 years old prior to the demolition.
- (4) The existing permanent or portable building must be replaced at the same site.
- (5) The School District must complete and submit to OPSC a 75 Year Old Building Cost/Benefit Analysis (Form SAB 57-75) that demonstrates the total cost to modernize the school building(s) and comply with current Title 24 Building Code are at least 50 percent of the Current Replacement Cost for the applicable building type; permanent or portable. The cost/benefit analysis must meet the following criteria:
 - (A) The Form SAB 57-75 must demonstrate the minimum work required to modernize and remain in the School Building is at least 50 percent of the Current Replacement Cost of the existing Square Footage of the school building.

LAUSD Comments:

The Los Angeles Unified School District respectfully seeks clarification on who is responsible for determining what constitutes "minimum work."

(B) The modernization work required may only include work directly related to the demolition and replacement of the 75 year old school building(s), which may include improvements to extend the useful life of, or to enhance the physical environment of the qualifying 75 year old building. The Form SAB 57-75 may only include:

1. The cost of design, engineering, testing, inspection, plan checking, construction management, demolition, construction, the replacement of portable classrooms, necessary utility costs, utility connection and other fees, the purchase and installation of air-conditioning equipment and insulation materials and related costs, costs to limit pupil exposure to harmful air pollutants by updating air filtration systems, furniture and equipment, including

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telecommunication equipment to increase school security, fire safety improvements, and the upgrading of electrical systems or wiring or cabling of classrooms in order to accommodate educational technology.

2. The cost of designs and materials that promote the efficient use of energy and water, the maximum use of natural lighting and indoor air quality, the use of recycled materials and materials that emit a minimum of toxic substances, the use of acoustics conducive to teaching and learning, and other characteristics of high-performance schools.

(C) The Form SAB 57-75 may not include costs associated with the acquisition of real property or costs for routine maintenance and repair.

(D) The Form SAB 57-75 must use the most current edition of the Current Construction Remodeling and Repair Cost publication by Sierra West Publishing. For all materials or items listed in the most current edition of the Current Construction Remodeling and Repair Cost publication, the amounts entered on the Form SAB 57-75 must use the provided unit costs. For individual materials or items that are not contained in the most current edition of the Current Construction Remodeling and Repair publication, the School District must provide supporting documentation to demonstrate that the costs for the unique work are reasonable and appropriate.

(E) All requested line items shall include Construction Specifications Institute reference number (CSI #), description, F2 total unit cost amount, and quantity. Any line items that include amounts in lump-sum formats will not be reviewed or approved.

LAUSD Comments:

Per OPSC's response to Stakeholder Feedback Item No. 3: "OPSC maintains the position of providing the F1 level for 75-years-or-older projects." The Los Angeles Unified School District respectfully seeks clarification regarding which unit cost amount should be used on Form SAB 57-75. As currently written, the regulation instructs the use of the F2 total unit cost, which appears to conflict with OPSC's stated position of applying the F1 level for projects involving facilities that are 75 years or older.

(b) For each 75 years old or older classroom replaced, funding shall be provided on a per pupil grant basis for the number of pupils to be housed as follows: 25 for each K-6 Classroom, 27 for each 7-12 Classroom, 13 for each Special Day Class Non-Severe Classroom, and 9 for each Special Day Class Severe Classroom. The grant amounts shown below shall be adjusted annually based on the change in the Class B Construction Cost Index as approved by the Board each January, pursuant to Education Code Section 17072.10.

- (1) \$19,016 for each elementary pupil.
- (2) \$20,113 for each middle school pupil.
- (3) \$25,592 for each high school pupil.
- (4) \$53,437 for each Special Day Class Severe pupil.
- (5) \$35,738 for each Special Day Class Non-Severe pupil.

(c) For 75 years old or older non-classroom Square Footage replaced, the eligible Square Footage shall be the lesser of the delta between the Square Footage of the existing non-classroom Square Footage determined by Section 1859.60 and actual Square Footage constructed or the delta between the Square Footage of the existing non-classroom Square Footage per the snapshot and the Square Footage justified by enrollment pursuant to the chart in Section 1859.82.1(b)(4)(B)2. Excess square

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footage required as part of Title 5 requirements needed to obtain plan approval are permissible per Regulation Section 1859.79.2 and considered an eligible expenditure, not to exceed square footage provided in Regulation Section 1859.82.1. Any excess Square Footage not due to Title 5 requirements will not be eligible and must be locally funded by the School District. The funding provided will be calculated as follows:

- (1) Multiply the resulting Square Footage of the qualifying building by \$312.

LAUSD Comments:

The Los Angeles Unified School District respectfully seeks clarification on how the \$312 amount was determined. Furthermore, the Los Angeles Unified School District seeks clarification on whether the \$312 will be subject to an annual adjustment.

- (2) Divide the product by the per pupil allowance in subsection (b) to determine the total allowable pupil grants for the square footage being constructed.

(d) An additional grant for site development for the minimum work required to replace the qualifying building. Any site development provided will be reduced, on a prorated basis, by the percentage of excess square footage constructed. The School District may request the lesser of either (1) or (2):

- (1) 60 percent of the following approved site development and applicable design costs:

(A) Service site development cost, within school property lines, attributable only to the replacement 75 year old building for:

1. Site clearance including the removal of trees, brush, and debris within footprint of the replacement 75 year old building.
2. Demolition and removal of the qualifying 75 year old building and existing buildings and site improvements which lie in the footprint of a proposed replacement 75 year old building.
3. Removal and rerouting of existing utility service which lie in the footprint of a proposed replacement 75 year old building.
4. Rough grading including cut and fill and leveling and terracing operations required in the design.
5. Soil compaction adhering to common engineering practices and engineered fill that is required by a soils report that is available for review by the OPSC.
6. On-site drainage facilities including inlets below grade drainage facilities and retention basins.
7. Erosion control improvements such as plant material, temporary sprinkler systems, jute mesh and straw, due to embankments having a slope of at least two to one and a vertical height greater than six feet.
8. Outside stairways, handicap ramps and retaining walls due to embankments having a slope of at least two to one and a vertical height greater than six feet.
9. Fire code requirements on site that are not a part of the building.

(B) Utility service costs that are necessary to serve replacement 75 years or older building:

1. Water: Replacement or repair of main water service line(s) between the utility company connection and to five feet of the 50 years or older building(s) on the site, connection fees if applicable, meter (if not provided by the serving utility), and replacement or repair of a domestic water appurtenances (i.e., well, pump, tank) as needed for the proper operation of the system.

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2. Sewage: Replacement or repair of main sewer line between the utility company connection and to five feet of the 50 years or older building(s) on the site and connection fees, if applicable. Replacement or repair of sewage appurtenances (i.e., treatment/disposal system) as needed for the proper operation of the system and a main disposal line from the treatment system to five feet of the 50 years or older building(s) on the site.
3. Gas: Replacement or repair of main gas service line between the utility company connection and to five feet of the 50 years or older building(s) on the site, connection fee (if applicable), meter (if not provided by serving utility) or replacement or repair of gas service appurtenances (i.e., liquefied petroleum system and tank) as needed for proper operation of the system and a new main supply line from the tank to five feet of the 50 years or older building(s) on the site.
4. Electric: Replacement or repair of electrical service between the utility company connection and the building's main switchboard. Primary electric service runs between the utility company's point of connection and the transformer. Secondary electric service runs between the transformer and the main switchboard. Connection fee, transformer pads and protective devices (i.e., bollards) as required by the utility company.
5. Communication systems: Replacement or repair of service between the utility company connection and the nearest distribution center.

(2) Site development and design costs equal to 35 percent of the funding provided in (b) or (c).

(e) Portable buildings replaced pursuant to this section shall be replaced with a permanent Square Footage.

(f) The qualifying permanent or portable 75 year old or older building must be demolished before the Notice of Completion of the project.

Note: Authority cited: Section 17070.35, Education Code. Reference: Section 17074.265, Education Code.

THE INCLUSION OF
FIVE-YEAR SCHOOL FACILITIES MASTER PLAN
ITEM HAS BEEN WITHDRAWN
FROM THIS STAKEHOLDER MEETING.