

CORRECTIONS TO EMERGENCY REGULATORY AMENDMENTS FOR THE SCHOOL FACILITY PROGRAM

PURPOSE OF REPORT

To present the State Allocation Board (Board) with corrections to the proposed regulatory amendments previously approved by the Board at its June 25, 2025 meeting.

DESCRIPTION

On June 25, 2025, the Board approved proposed regulatory amendments, on an emergency basis, that implement and align with new statutory requirements pursuant to the provisions of the Kindergarten through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024 (Proposition 2). There were four topics presented at the June Board meeting, as follows:

- Matching Shares
- 75 Years or Older Supplemental Grant
- Minimum Essential Facilities Supplemental Grant, and
- Transitional Kindergarten Supplemental Grant

This item seeks Board approval of minor, non-substantive corrections to the proposed regulatory amendments previously approved by the Board on June 25, 2025, pertaining to School Facility Program (SFP) Regulation Section 1859.78.9.1 Modernization Additional Grant for Minimum Essential Facilities and the *Application for Funding* (Form SAB 50-04).

AUTHORITY

Education Code Section 17070.35 states, in part:

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

(1) Adopt rules and regulations, pursuant to the rulemaking provisions of the Administrative Procedure Act, Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, for the administration of this chapter....

STAFF ANALYSIS/STATEMENTS

The June 25, 2025 Board item inadvertently contained two different versions of the newly proposed regulation section titled Modernization Additional Grant for Minimum Essential Facilities, one numbered as SFP Regulation Section 1859.77.5 and one numbered as SFP Regulation Section 1859.78.9.1. The section numbered 1859.77.5 was erroneous and should not have been included in the proposed regulatory

STAFF ANALYSIS/STATEMENTS (cont.)

amendments approved on June 25, 2025. Additionally, all instances in which Section 1859.77.5 was referenced in the June 25, 2025 cover item should have instead referenced Section 1859.78.9.1.

Previously Approved Section 1859.77.5 from the June 25, 2025 Board Item, which is Proposed to be Removed in this Item:

~~Section 1859.77.5. Modernization Additional Grant for Minimum Essential Facilities.~~

~~In addition to any other funding authorized by these Regulations, the Board shall provide grant amounts identified in Subsections (b) or (c) for an application for modernization if the eligible project includes a Minimum Essential Facility pursuant to Education Code Section 17073.16. The School District must meet all requirements to qualify for Modernization funding, prior to the additional grant pursuant to this section.~~

~~(a) A School District may request a modernization supplemental grant to construct a new or expand an existing multipurpose, gymnasium, library, school kitchen, or a hybrid combination of any of these four facility types, including, but not limited to, multipurpose/gymnasium hybrid, multipurpose/school kitchen hybrid, or multipurpose/gymnasium/school kitchen, when all of the following are met:~~

~~(1) The site does not have an existing Minimum Essential Facility, or the existing Minimum Essential Facility is not adequate to serve the enrollment of the school. For the purposes of this Section, an existing Minimum Essential Facility is considered inadequate to serve the enrollment of the school if the existing Square Footage is 60 percent or less than the square footage necessary for the enrollment in the current CBEDS Report at the time of receipt of an Approved Application at the site, as calculated pursuant to the chart in Section 1859.82.1(b)(4)(B)(2.).~~

~~(2) The site has not previously received funding pursuant to this article to construct or expand a Minimum Essential Facility.~~

~~(3) An Approved Application for Modernization funding has been received by OPSC for a project wherein the DSA approved plans contain the construction or expansion of a Minimum Essential Facility eligible for this grant.~~

~~(A) An Approved Application received by the OPSC, on or after October 31, 2024, may be amended to request this supplemental grant provided the plans and specifications that contain the expansion or construction of a Minimum Essential Facility eligible for this supplemental grant were approved by the DSA prior to the receipt of the Approved Application.~~

~~(B) If the School District wishes to amend its Approved Application to include a request for this supplemental grant and the plans and specifications were approved by DSA~~

STAFF ANALYSIS/STATEMENTS (cont.)

after the receipt of the Approved Application, the School District must request in writing that the Approved Application be withdrawn and removed from OPSC's workload list. The resubmitted Approved Application will receive a new received date by OPSC.

~~(4) The construction contract(s) for the construction or expansion of the Minimum Essential Facility was executed on or after July 3, 2024.~~

~~(5) The Minimum Essential Facility must meet the requirements pursuant to the California Code of Regulations, Title 5.~~

~~(6) For purposes of this Section, a multipurpose/gymnasium hybrid is considered to be both a multipurpose room and a gymnasium. A school site with a middle school and/or high school pupils is eligible for one multipurpose room and one gymnasium; therefore, if a school site has an adequate multipurpose room and an adequate gymnasium, it is not eligible for a multipurpose/gymnasium hybrid under this Section.~~

~~(b) If all conditions in Subsection (a) are met, and the site is lacking one or more of the Minimum Essential Facilities, the application is eligible to receive a supplemental grant based on the Square Footage of the new Minimum Essential Facility justified by enrollment at the project site as follows:~~

~~(1) Determine the current enrollment at the site using the CBEDS Report at the time of receipt of an Approved Application.~~

~~(2) The eligible Square Footage for the Minimum Essential Facility shall be the lesser of the actual Square Footage constructed or the Square Footage justified by enrollment pursuant to the chart in Section 1859.82.1(b)(4)(B)(2.).~~

~~(3) If a School District submits documentation that demonstrates additional toilet space must be constructed to obtain plan approval from DSA, the eligible toilet Square Footage may be increased by the amount of Square Footage required to obtain plan approval.~~

~~(4) Beginning [insert the OAL effective date of this Section], the permanent Square Footage amount(s) determined in (b)(2) above shall be multiplied by \$312 per square foot for all non-Toilet Facilities and by \$559 for Toilet Facilities (includes shower/locker area and physical therapy area for individuals with Exceptional Needs). The amounts shown will be adjusted in the manner prescribed in Section 1859.71.~~

~~(5) Beginning [insert the OAL effective date of this Section], the portable Square Footage amount(s) determined in (b)(2) above shall be multiplied by \$69 per square foot for all non-Toilet Facilities and by \$181 for Toilet Facilities (includes shower/locker area and physical therapy area for individuals with Exceptional Needs). The amounts shown will be adjusted in the manner prescribed in Section 1859.71.~~

~~(6) In addition to the funding provided in Subsections (4) and (5), the application is eligible to receive an amount equal to 35 percent of the sum of Subsections (4) and (5) for costs associated with site development, demolition, landscaping and other costs incurred when adding a Minimum Essential Facility to a site, utility costs, utility connections and other related fees necessary for the Minimum Essential Facility.~~

~~(7) In lieu of 35 percent funding provided in (6) above, the School District has the option of requesting 60 percent of eligible costs pursuant to Section 1859.76 (a), (b),~~

STAFF ANALYSIS/STATEMENTS (cont.)

and (c) by submitting a detailed cost estimate for site development work for the eligible Square Footage in the qualifying Minimum Essential Facility and submitting any justification documents that will support the work with the Form SAB 50-04. The Board will approve reasonable and appropriate site development work that meets common engineering practices and industry standards that are consistent with the specific site conditions if the site development costs are consistent with the most current edition of the Current Construction Costs publication by the Sierra West Group. The design professional must certify to the district that the site development work does not exceed the minimum requirements to develop the site to meet educational needs and/or standards. This amount will be prorated for any excess Square Footage constructed beyond the eligible Square Footage determined in (b)(2) and (b)(3).

(c) If all conditions in Subsection (a) are met, and the site's existing Minimum Essential Facility is not adequate to serve the enrollment of the school, the application is eligible to receive a supplemental grant based on the square footage of the expanded Minimum Essential Facility justified by enrollment at the project site as follows:

(1) Determine the current enrollment at the site using the CBEDS Report at the time of receipt of an Approved Application.

(2) The eligible Square Footage for the Minimum Essential Facility shall be the lesser of the delta between the Square Footage of the existing Minimum Essential Facility and actual Square Footage constructed or the delta between the Square Footage of the existing Minimum Essential Facility and the Square Footage justified by enrollment pursuant to the chart in Section 1859.82.1(b)(4)(B)(2).

(3) If a School District submits documentation that demonstrates that additional toilet space must be constructed to obtain plan approval from DSA, the eligible toilet Square Footage may be increased by the amount of Square Footage required to obtain plan approval.

(4) Beginning [insert the OAL effective date of this Section], the permanent Square Footage amount(s) determined in (b)(2) above shall be multiplied by \$312 per square foot for all non-Toilet Facilities and by \$559 for Toilet Facilities (includes shower/locker area and physical therapy area for individuals with Exceptional Needs). The amounts shown will be adjusted in the manner prescribed in Section 1859.71.

(5) Beginning [insert the OAL effective date of this Section], the portable Square Footage amount(s) determined in (b)(2) above shall be multiplied by \$69 per square foot for all non-Toilet Facilities and by \$181 for Toilet Facilities (includes shower/locker area and physical therapy area for individuals with Exceptional Needs). The amounts shown will be adjusted in the manner prescribed in Section 1859.71.

(6) In addition to the funding provided in Subsections (4) and (5), an amount equal to 35 percent of the sum of Subsections (4) and (5) for costs associated with site development, demolition, landscaping and other costs incurred when adding a Minimum Essential Facility to a site, utility costs, utility connections and other related fees necessary for the Minimum Essential Facility.

STAFF ANALYSIS/STATEMENTS (cont.)

~~(7) In lieu of 35 percent funding provided in (6) above, the School District has the option of requesting 60 percent of eligible site development costs pursuant to Section 1859.76 (a), (b) and (c) by submitting a detailed cost estimate for site development work for the eligible Square Footage in the qualifying Minimum Essential Facility and submitting any justification documents that will support the work with the Form SAB 50-04. The Board will approve reasonable and appropriate site development work that meets common engineering practices and industry standards that are consistent with the specific site conditions if the site development costs are consistent with the most current edition of the Current Construction Costs publication by the Sierra West Group. The design professional must certify to the School District that the site development work does not exceed the minimum requirements to develop the site to meet educational needs and/or standards. This amount will be prorated for any excess Square Footage constructed beyond the eligible Square Footage determined in (c)(2) and (c)(3).~~

~~Note: Authority cited: Sections 17070.35 and 17073.16, Education Code.
Reference: Sections 17073.16 and 17074.25, Education Code~~

Previously Approved Section 1859.78.9.1 from the June 25, 2025 Board Item, which Remains Unchanged in this Item:

Section 1859.78.9.1. Modernization Additional Grant for Minimum Essential Facilities.

In addition to any other funding authorized by these Regulations, the Board shall provide grant amounts identified in Subsections (b) or (c) for an application for modernization if the eligible project includes a Minimum Essential Facility pursuant to Education Code Section 17073.16. The School District must meet all requirements to qualify for Modernization funding, prior to the additional grant pursuant to this section.

(a) A School District may request a modernization supplemental grant to construct a new or expand an existing multipurpose, gymnasium, library, school kitchen, or a hybrid combination of any of these four facility types, including, but not limited to, multipurpose/gymnasium hybrid, multipurpose/school kitchen hybrid, or multipurpose/gymnasium/school kitchen, when all of the following are met:
(1) The site does not have an existing Minimum Essential Facility, or the existing Minimum Essential Facility is not adequate to serve the enrollment of the school. For the purposes of this Section, to determine if an existing Minimum Essential Facility is inadequate, the existing Square Footage is 60 percent or less than the square footage necessary for the enrollment in the current CBEDS Report at the time of receipt of an Approved Application at the site as calculated pursuant to the chart in Section 1859.82.1(b)(4)(B)2.

STAFF ANALYSIS/STATEMENTS (cont.)

(2) The site has not previously received funding pursuant to this article to construct or expand a Minimum Essential Facility.

(3) An Approved Application for Modernization funding has been received by OPSC for a project wherein the DSA-approved plans contain the construction or expansion of a Minimum Essential Facility eligible for this grant.

(A) An Approved Application received by the OPSC, on or after October 31, 2024, may be amended to request this supplemental grant provided the plans and specifications that contain the expansion or construction of a Minimum Essential Facility eligible for this supplemental grant were approved by the DSA prior to the receipt of the Approved Application.

(B) If the School District wishes to amend its Approved Application to include a request for this supplemental grant and the plans and specifications were approved by DSA after the receipt of the Approved Application, the School District must request in writing that the Approved Application be withdrawn and removed from OPSC's workload list. The resubmitted Approved Application will receive a new received date by OPSC.

(4) The construction contract(s) for the construction or expansion of the Minimum Essential Facility was executed on or after July 3, 2024.

(5) The Minimum Essential Facility must meet the requirements pursuant to the California Code of Regulations, Title 5.

(6) For purposes of this Section, a multipurpose/gymnasium Hybrid is considered to be both a multipurpose and a gymnasium. A school site with a middle school and/or high school pupils is eligible for one multipurpose and one gymnasium; therefore, if a school site has an adequate multipurpose and an adequate gymnasium, it is not eligible for a Multipurpose/Gymnasium Hybrid under this Section.

(b) If all conditions in Subsection (a) are met, and the site is lacking one or more of the Minimum Essential Facilities, the application is eligible to receive a supplemental grant based on the Square Footage of the new Minimum Essential Facility constructed justified by enrollment at the project site as follows:

(1) Determine the current enrollment at the site using the CBEDS Report at the time of receipt of an Approved Application.

(2) The eligible Square Footage for the Minimum Essential Facility shall be the lesser of the actual Square Footage constructed or the Square Footage justified by enrollment pursuant to the chart in Section 1859.82.1(b)(4)(B)2.

(3) If a School District submits documentation that demonstrates additional toilet space must be constructed to obtain plan approval from DSA, the eligible toilet Square Footage may be increased by the amount of Square Footage required to obtain plan approval.

(4) Beginning [insert the OAL effective date of this Section], the permanent Square Footage amount(s) determined in (b)(2) above shall be multiplied by \$312 per square foot for all non-Toilet Facilities and by \$559 for Toilet Facilities (includes shower/locker area and physical therapy area for individuals with Exceptional Needs). The amounts shown will be adjusted in the manner prescribed in Section 1859.71.

STAFF ANALYSIS/STATEMENTS (cont.)

(5) Beginning [insert the OAL effective date of this Section], the portable Square Footage amount(s) determined in (b)(2) above shall be multiplied by \$69 per square foot for all non-Toilet Facilities and by \$181 for Toilet Facilities (includes shower/locker area and physical therapy area for individuals with Exceptional Needs). The amounts shown will be adjusted in the manner prescribed in Section 1859.71.

(6) In addition to the funding provided in Subsections (4) and (5), an amount equal to 35 percent of the sum of Subsections (4) and (5) for costs associated with site development, demolition, landscaping and other costs incurred when adding a Minimum Essential Facility to a site, utility costs, utility connections and other related fees necessary for the Minimum Essential Facility.

(7) In lieu of 35 percent funding provided in (6) above, the School District has the option of requesting 60 percent of eligible costs pursuant to Section 1859.76 (a), (b), and (c) by submitting a detailed cost estimate for requests related to site development work for the eligible Square Footage in the qualifying Minimum Essential Facility and any justification documents that will support the work must be submitted with the Form SAB 50-04. The Board will approve reasonable and appropriate site development work that meets common engineering practices and industry standards that are consistent with the specific site conditions if the site development costs are consistent with the most current edition of the Current Construction Costs publication by the Sierra West Group. The design professional must certify to the district that the site development work does not exceed the minimum requirements to develop the site to meet educational needs and/or standards. This amount will be prorated for any excess Square Footage constructed beyond the eligible Square Footage determined in (b)(2) and (b)(3).

(c) If all conditions in Subsection (a) are met, and the site's existing Minimum Essential Facility is not adequate to serve the enrollment of the school, the application is eligible to receive a supplemental grant based on the square footage of the expanded Minimum Essential Facility constructed justified by enrollment at the project site as follows:

(1) Determine the current enrollment at the site using the CBEDS Report at the time of receipt of an Approved Application.

(2) The eligible Square Footage for the Minimum Essential Facility shall be the lesser of the delta between the Square Footage of the existing Minimum Essential Facility and actual Square Footage constructed or the delta between the Square Footage of the existing Minimum Essential Facility and the Square Footage justified by enrollment pursuant to the chart in Section 1859.82.1(b)(4)(B)(2).

(3) If a School District submits documentation that demonstrates that additional toilet space must be constructed to obtain plan approval from DSA, the eligible toilet Square Footage may be increased by the amount of Square Footage required to obtain plan approval.

(4) Beginning [insert the OAL effective date of this Section], the permanent Square Footage amount(s) determined in (b)(2) above shall be multiplied by \$312 per square

STAFF ANALYSIS/STATEMENTS (cont.)

foot for all non-Toilet Facilities and by \$559 for Toilet Facilities (includes shower/locker area and physical therapy area for individuals with Exceptional Needs). The amounts shown will be adjusted in the manner prescribed in Section 1859.71.

(5) Beginning [insert the OAL effective date of this Section], the portable Square Footage amount(s) determined in (b)(2) above shall be multiplied by \$69 per square foot for all non-Toilet Facilities and by \$181 for Toilet Facilities (includes shower/locker area and physical therapy area for individuals with Exceptional Needs). The amounts shown will be adjusted in the manner prescribed in Section 1859.71.

(6) In addition to the funding provided in Subsections (4) and (5), an amount equal to 35 percent of the sum of Subsections (4) and (5) for costs associated with site development, demolition, landscaping and other costs incurred when adding a Minimum Essential Facility to a site, utility costs, utility connections and other related fees necessary for the Minimum Essential Facility.

(7) In lieu of 35 percent funding provided in (6) above, the School District has the option of requesting 60 percent of eligible site development costs pursuant to Section 1859.76 (a), (b) and (c) by submitting a detailed cost estimate for requests related to site development work for the eligible Square Footage in the qualifying Minimum Essential Facility and any justification documents that will support the work must be submitted with the Form SAB 50-04. The Board will approve reasonable and appropriate site development work that meets common engineering practices and industry standards that are consistent with the specific site conditions if the site development costs are consistent with the most current edition of the Current Construction Costs publication by the Sierra West Group. The design professional must certify to the School District that the site development work does not exceed the minimum requirements to develop the site to meet educational needs and/or standards. This amount will be prorated for any excess Square Footage constructed beyond the eligible Square Footage determined in (c)(2) and (c)(3).

Note: Authority cited: Sections 17070.35 and 17073.16, Education Code.

Reference: Sections 17073.16 and 17074.25, Education Code

Summary of Proposed Corrections to the Form SAB 50-04 Previously Approved as Part of the June 25, 2025 Board Item:

There are three changes to the Form SAB 50-04 amendments adopted as part of the June 25, 2025 Board item, which are indicated in **bold** and highlighted yellow for emphasis on pages 2, 4 and 6 of Attachment A. The first change on page 2 adds the word "Section" to a regulatory citation. On pages 4 and 6, the instructions are changed to align the references to enrollment data with the corresponding Regulation Sections 1859.78.9.2 and 1859.70.5(a)(3) previously approved on June 25, 2025. On page 4, the instructions previously referenced the Longitudinal Pupil Achievement Data System (CALPADS) and grade levels K-3. These references have been corrected to reflect the

STAFF ANALYSIS/STATEMENTS (cont.)

California Basic Educational Data System (CBEDS) as the source of enrollment data for grade levels TK-3 to align with the data fields on page 8 of the Form. On page 6, the inserted language directs the applicant to enter specific enrollment data as it would have been reported on the *Enrollment Certification/Projection* (Form SAB 50-01).

Attachment B is the previously approved emergency regulatory action Board item adopted on June 25, 2025.¹

RECOMMENDATIONS

1. Adopt the correction to the SFP Regulations adopted on June 25, 2025 to remove erroneous Section 1859.77.5 and reaffirm SFP Regulation Section 1859.78.9.1 as the correct section for the new SFP Regulation pertaining to the Modernization Additional Grant for Minimum Essential Facilities, as shown on pages 2 through 8.
2. Adopt the corrections to the Form SAB 50-04 previously approved at the June 25, 2025 Board meeting, as shown on Attachment A.
3. Authorize the Executive Officer to combine the corrections indicated in this item, along with the regulations previously approved by the Board at its June 25, 2025 meeting, into one rulemaking file, and to file the regulations with the Office of Administrative Law on an emergency basis and make the regulations permanent.

This Item was approved by the State Allocation Board on August 19, 2025.

¹ For ease of reference, Attachment B of this item does not include copies of all associated stakeholder meeting items that were included as Attachment E in the June 25, 2025 Board item.

**APPLICATION FOR FUNDING
SCHOOL FACILITY PROGRAM**

SAB 50-04 (REV 05/20 08/25)

ATTACHMENT A**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.

APPLICATION FOR FUNDING SCHOOL FACILITY PROGRAM

SAB 50-04 (REV 05/20 08/25)

ATTACHMENT A

- DSA approval letter for elevator to meet ~~handicapped~~ access 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.
 - For requests to replace 75 Years or Older Building(s) per Section 1859.78.7.1, the district must submit the following:
 - A completed 75 Years or Older Building Cost Estimate and Cost/Benefit Analysis (Form SAB 57-75).
 - A copy of the demolition plans, or other supporting documentation, that demonstrate the demolition of the qualifying 75 Years or Older Building(s).
 - A detailed cost estimate that delineates the cost associated with the work to demolish and replace the qualifying 75 Years or Older Building(s), inclusive of the allowable site development costs per **Section 1859.78.7.1**, apart from the other Modernization work in the DSA-approved plans.
 - If the request includes funding for the construction of a Minimum Essential Facility (MEF) per Section 1859.78.9.1, or a Transitional Kindergarten classroom(s) per Section 1859.78.9.2, the district must submit a detailed cost estimate that delineates the cost associated with the work for the qualifying facility(s) in the DSA-approved plans apart from the other Modernization work in the DSA-approved plans.
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~~ access 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 1859.144. **113**

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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 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. Check the box if the project is eligible for funding for 75 Years or Older Buildings and report the following, if applicable:

- The total number of eligible classrooms and/or the total eligible square footage building area being demolished. Refer to Section 1859.78.7.1.
- The total number of eligible classrooms and/or the total eligible square footage building area being constructed. Refer to Section 1859.78.7.1.
- Enter the appropriate number assigned to the project for each grade group.

The number of pupils entered cannot exceed the cumulative number of pupil grants requested in Section 2a. and determined by using the percentage factor above.

e.d. Indicate if this request is for funding of a 6–8 school and/or an Alternative Education School.

f.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.

g.f. Enter the square footage of the non-toilet area and toilet area contained in the Charter School Facilities Program Rehabilitation project.

h.g. Indicate the site scenario that best represents the project request.

i.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

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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.

- 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 if the district requests an additional grant for site development utility cost necessary for the replacement of a 75 Years or Older Building, if not already provided under the provisions pursuant to Section 1859.78.7(a). Enter 60 percent of the eligible costs allowable.

e. Check the box(es) if the district requests and the project qualifies for additional funding for fire code requirements authorized in Section 1859.78.4.

f. If the district is requesting an Additional Grant for High Performance Incentive pursuant to Section 1859.70.4, enter the number of high performance points as prescribed in Section 1859.77.4, subject to Education Code Section 17070.965.

g. Check the box if the district is requesting an Additional Grant for a Minimum Essential Facility pursuant to Regulation Section 1859.78.9.1. Check the box for the type of facility being requested (if the facility is a hybrid facility, select 'Hybrid' and indicate the type of facility on the line provided) and indicate the amount of eligible Toilet and Other square footage being built in the project. Check the appropriate box depending on whether the Minimum Essential Facility is permanent or portable construction. Check the box if the district is requesting an additional grant for Site Development pursuant to Regulation Section 1859.78.9.1. At the district's option, the district may request 35 percent of the Minimum Essential Facility supplemental grant or enter 60 percent of the amount calculated pursuant to Regulation Section 1859.78.9.1(b)(7) or 1859.78.9.1(c)(7).

h. 1) Check the box if the district is requesting an Additional Grant for Transitional Kindergarten classrooms for the construction of a new transitional kindergarten classroom(s) and/or retrofit of an existing school facility to be a transitional kindergarten classroom(s). Check the appropriate boxes if the district is augmenting the grant with additional supplemental grants respective of the transitional kindergarten classroom project scope. Check the box if the district is requesting an additional grant for Site Development pursuant to Regulation Section 1859.78.9.2. The district may choose to request 35 percent of the Transitional Kindergarten supplemental grant, or enter 60 percent of minimum work amount, pursuant to Regulation Section 1859.78.9.2(c)(4) or 1859.78.9.2(c)(5)(A).

h. 2) The information needed to complete this section is based on the latest California Basic Educational Data System (CBEDS) enrollment data Longitudinal Pupil Achievement Data System (CALPADS) that is available approximately October 15th of each year. Applications filed on or after November 1st must include the current school year enrollment. Report the current year and the three prior years' K-3 enrollment, as appropriate. Enter the CALPADS CBEDS enrollment for grades TK-3 at the school site for the current year and the three prior years' TK-3 enrollment, as appropriate.

Requests for funding shall include the documents as follows:

- Site map that includes labelling of all facilities and their current use, and identifies all classrooms constructed or previously retrofitted to house kindergarten students.
- Narrative that explains the current classroom and facility usage at the site, what the School District plans to do with the project, and the resulting usage at the completion of the project.

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. At the district's option, the district may request three percent of the modernization

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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.

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:

- a. The facilities to be constructed/modernized as part of this project will be for joint use by other governmental agencies.
- b. The new construction or modernization grants will be used for facilities located or to be located on leased property.

17. Project Progress Dates

- a. 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.)
- b. 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.
- c. 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.

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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. Local Funding Adjustment Grant

Enter the following:

- a. The district's total assessed valuation pursuant to Section 1859.70.5(a)(1). The district must provide a letter from the county auditor-controller that certifies the school district's total assessed valuation.
- b. The district's gross bonding capacity, rounded to the nearest whole dollar. To calculate this, take the total assessed valuation and multiply that by 1.25% for non-unified school districts or 2.5% for unified school districts, rounded to two decimal places.
- c. The district's unduplicated pupil percentage as determined for purposes of the local control funding formula pursuant to Education Code Section 42238.02, rounded to two decimal places.
- d. The district's enrollment, pursuant to Section 1859.70.5(a)(3) based on the latest California Basic Educational Data System (CBEDS) **enrollment data as it would have been reported using the criteria in Parts A, C and D of the Form SAB 50-01** that is available approximately October 15 of each year. Applications filed on or after November 1 must include the current school year enrollment.
- e. Check Yes or No to indicate whether the project includes the use of a Project Labor Agreement for this application. If the district indicates it intends to have a Project Labor Agreement, but does not yet, it will be audited for compliance and the funding will be adjusted accordingly if it does not have a Project Labor Agreement.

22-23. Architect of Record or Licensed Architect Certification

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

23, 24. Architect of Record or Design Professional Certification

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

24-25. 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)

☐ Advance Funding for Evaluation and RA

Ratio of 50 Years Old Classrooms/Square Footage: _____ %

NAME OF ELIGIBLE SCHOOL/SITE(S)	NUMBER OF PORTABLES BEING REPLACED	NUMBER OF SITE SPECIFIC ELIGIBLE PUPILS BEING REQUESTED
Total		118

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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. ☐ Site Development—75 Years or Older: \$ _____
- e. ☐ Automatic Fire Detection/Alarm System
- f. ☐ High Performance Incentive (Indicate Points): _____
- g. ☐ Minimum Essential Facility

☐ Multipurpose☐ Gymnasium☐ Library☐ Kitchen☐ Hybrid: _____

Toilet (sq. ft.): _____

Other (sq. ft.): _____

Construction Type

☐ Permanent☐ Portable☐ Site Development pursuant to Section 1859.78.9.1☐ 35 percent of supplemental grant; or,☐ 60 percent of minimum work \$ _____**h. 1) Transitional Kindergarten Classroom(s)**

- ☐ New Construction
Number of Classroom(s): _____
- ☐ Automatic Fire Detection/Alarm System
- ☐ Automatic Sprinkler System
- ☐ Multilevel Classroom(s) Construction: _____
- ☐ Retrofit
Number of Classroom(s): _____
- ☐ Automatic Fire Detection/Alarm System
- ☐ 50-year-old utilities
- ☐ Site Development pursuant to Section 1859.78.9.2
- ☐ 35 percent of supplemental grant; or,
- ☐ 60 percent of minimum work \$ _____

h. 2) Enrollment Data for Site

	3rd Prev.	2nd Prev.	Previous	Current
Grade	/	/	/	/
TK				
K				
1				
2				
3				
TOTAL	0	0	0	0

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: _____

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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: \$ _____

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. Local Funding Adjustment Grant

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

22.23. 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

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23. 24. 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.
- If the request is for a Modernization Grant and includes replacement of a 75 Years or Older Building(s), the cost estimate must delineate the costs associated with the work for the qualifying facility(s) pursuant to Sections 1859.78.7.1. in the DSA-approved plans apart from the other Modernization work in the DSA-approved plans and indicate 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 that portion of the grant amount provided by the State and the district's matching share.
- If the request is for a Modernization Grant and includes a Minimum Essential Facility or new or retrofitted Transitional Kindergarten classroom(s), the cost estimate must delineate the costs associated with the work for the qualifying facility(s) pursuant to Sections 1859.78.9.1, or 1859.78.9.2 in the DSA-approved plans apart from the other Modernization work in the DSA-approved plans and indicate 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 that portion of the grant amount provided by the State and the district's matching share.

ARCHITECT OF RECORD OR DESIGN PROFESSIONAL (PRINT NAME)

SIGNATURE

DATE

24. 25. 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,

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- 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 1859.73(a) and (b)]
 - ☐ 3. The pupils requested from a different grade level will be housed in classrooms at an existing school in the district which will have its grade level changed, to the grade level requested, at the completion of the proposed SFP project. [Applicable for Sections 1859.77.2(b) and 1859.77.3(b)].
- If the district requested additional funding for fire code requirements pursuant to Sections 1859.71.2 or 1859.78.4, the district will include the automatic fire detection/alarm system and/or automatic sprinkler system in the project prior to completion of the project; and,
- The district has consulted with the career technical advisory committee established pursuant to Education Code Section 8070 and the need for vocational and career technical facilities is being adequately met in accordance with Education Code Sections 51224, 51225.3(b), 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 marked the box for 'Yes' in Section 22 e. of this application that it has or will include a project labor agreement, the use of a project labor agreement will be verified as part of the audit required in EC Section 41024. If it is determined that a project labor agreement was not used, the additional Local Share Adjustment Grant funding provided as a result of the points assigned to the project to determine the matching share percentage will be required to be returned, with interest (based on the interest rate earned in the Pooled Money Investment Account at the time of fund release) until funds are returned.
- If the district is requesting the modernization supplemental grant for Minimum Essential Facilities pursuant to Section 1859.78.9.1 as part of this application, the district certifies that any classrooms displaced as a result of reconfiguration are replaced in the same plan set, or the district certifies that the classrooms are not being replaced due to a demonstrated lack of need and the district acknowledges that no adjustment to the district's new construction eligibility will be made for the removal of these classrooms; and,
- If this funding request is for the retrofit of kindergarten classrooms, the School District certifies that the classrooms did not meet design requirements for a kindergarten classroom at the time they were built or previously retrofitted to meet kindergarten standards; and,

- If funding for new or retrofitted Transitional Kindergarten classrooms is being requested, the School District certifies that _____ classrooms were constructed or previously altered to meet the requirements for a kindergarten classroom; and,
- With regards to providing Transitional Kindergarten instruction as pursuant to Section 1859.78.9.2, the School District certifies that the School District is currently or will provide Transitional Kindergarten at the project site.

NAME OF DISTRICT REPRESENTATIVE (PRINT)	PHONE NUMBER
SIGNATURE OF DISTRICT REPRESENTATIVE	DATE

ATTACHMENT B

REPORT OF THE EXECUTIVE OFFICER State Allocation Board Meeting, June 25, 2025

PROPOSED EMERGENCY REGULATORY AMENDMENTS FOR THE SCHOOL FACILITY PROGRAM

PURPOSE OF REPORT

To present the State Allocation Board (Board) with recommendations for the adoption of School Facility Program (SFP) regulatory amendments, on an emergency basis, for 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. These proposed amendments are related to the implementation of a total of four Proposition 2 topics.

DESCRIPTION

To implement Proposition 2 provisions, staff is conducting stakeholder meetings to discuss and receive feedback on proposed regulatory amendments resulting from statutory additions and amendments to Education Code (EC). The Office of Public School Construction (OPSC) has conducted multiple stakeholder meetings to discuss Proposition 2 implementation and propose regulatory amendments to the SFP. In part, these stakeholder meetings introduced proposed concepts and regulations for the following four topics:

- Matching Shares
- 75 Years or Older Supplemental Grant
- Supplemental Grant for Minimum Essential Facilities (MEF)
- Transitional Kindergarten (TK) Supplemental Grant

Based upon feedback received, OPSC determined that the proposed regulatory amendments related to these topics are able to move forward for Board consideration after some adjustments to the versions presented in the most recent stakeholder meetings, which are respectively outlined in the Staff Analysis component of this item.

This item seeks Board approval of staff's recommendation to adopt the proposed regulatory amendments to the SFP regulations to implement and align with new statutory requirements pursuant to the provisions of Proposition 2. This item also seeks Board approval of staff's recommendation to adopt the proposed amendments to the *Application for Funding* (Form SAB 50-04) to align with the proposed amendments.

AUTHORITY

See Attachment A.

BACKGROUND

The passage of Proposition 2 makes numerous changes to the SFP that are applicable to applications received on or after October 31, 2024. Staff has held five stakeholder meetings for the proposed regulatory amendments presented in this item, on January 30, February 13, March 13, April 3, and May 8, 2025. This item represents the second set of proposed regulatory amendments for the Board's consideration to implement Proposition 2 provisions for applicable SFP applications received on or after October 31, 2024. Additional proposed amendments will be presented at future Board meetings on a flow basis.

Below is an overview of the relevant Proposition 2 statutes as they apply to each topic.

Matching Shares

Historically, SFP New Construction and Modernization projects have been eligible for a fixed state share percentage of the total approved project cost, except for school districts that qualify for financial hardship funding.¹ School districts applying for New Construction funding must provide an equal matching share (50/50). For school districts applying for Modernization funding, the state provides 60 percent of the total approved project cost, and the school district provides 40 percent of the total approved project cost.

Proposition 2 establishes a points-based determination and sliding scale for the required state and local matching shares for all SFP projects, regardless of whether they qualify for financial hardship assistance. Proposition 2 specifies the number of points awarded based on the school district's gross bonding capacity per enrollment, the school district's unduplicated pupil percentage as determined for purposes of the Local Control Funding Formula, whether the school district has an enrollment of 200 pupils or fewer, and whether the project includes the use of a project labor agreement. Based on the total number of points for a project, the required local matching share will be adjusted as follows, with no change to the total approved project cost. The range of total possible points is between 3 points and 16 points, inclusive. The relevant statutory changes are as follows:

- EC Section 17070.59 was added to establish a points-based determination and sliding scale for the required state and local match for SFP projects that do not qualify for financial hardship assistance.
- EC Section 17070.87 was added to require New Construction and Modernization applications submitted before October 31, 2024, to be processed and apportioned in accordance with the SFP statutes, as they read on January 1, 2024.

¹ School districts eligible for financial hardship assistance may qualify for additional state funding beyond the Proposition 2 points-based determination and sliding scale amounts and may receive up to 100 percent state funding for the total approved project cost.

BACKGROUND (cont.)

- EC Section 17072.30 was amended to outline the sliding scale and point allocation for New Construction projects and to delete a reference to the fixed 50-percent state share.
- EC 17074.16 was amended to outline the sliding scale and point allocation for Modernization projects and to delete references to the fixed 60-percent state share and 40-percent local match.

75 Years or Older Buildings Supplemental Grant

Proposition 2 added EC Section 17074.265, which provides a Modernization supplemental grant for projects with a scope of work that includes the demolition and replacement of building(s) at least 75 years of age or older.

MEF Supplemental Grant and TK Supplemental Grant

Another addition to EC is Section 17073.16, which authorizes several new Modernization supplemental grants. Subdivisions (a) and (b) of this EC Section provide an MEF supplemental grant for projects that are either:

- Expanding an existing gymnasium, multipurpose room, library, or school kitchen if the facility is 60 percent or less than the department's recommended size needed to serve the enrollment of the school, or
- Constructing a new gymnasium, multipurpose room, library, or school kitchen if the site is lacking one or more of the specified facilities.

Additionally, EC Section 17073.16(c) provides a TK supplemental grant for projects that are either:

- Retrofitting an existing school facility to adequately house TK pupils, or
- Constructing new TK classrooms if the site is lacking sufficient school facilities to house TK pupils.

STAFF ANALYSIS/STATEMENTS**Stakeholder Meetings**

At the January 30, 2025 stakeholder meeting, staff introduced the points-based determination and sliding scale for the required local match for SFP projects (Matching Shares) in addition to the 75 Years or Older Building Supplemental grant.

On February 13, 2025, staff presented proposed implementation of supplemental grants for MEF and TK.

Subsequently, Matching Shares was presented a second time at the March 13, 2025 stakeholder meeting to address feedback received from the first meeting. The remaining topics were discussed for a second time at the April 3, 2025 stakeholder meeting.

STAFF ANALYSIS/STATEMENTS (cont.)

Finally, the 75 Years or Older Buildings supplemental grant was presented for the third time at the May 8, 2025 stakeholder meeting.

Stakeholder Feedback

Staff appreciates those who attended and those who raised questions or provided feedback.

Feedback that was received for each respective stakeholder meeting may be found on Attachment E, alongside the items as previously presented. A summary of stakeholder feedback received since the last stakeholder meeting for each topic and staff's response is provided on Attachment F.

Collectively, staff's recommendations presented in this item were informed by stakeholder feedback and represent staff's final recommendations for implementation of these topics.

Proposed SFP Regulations

Below is a summary of the proposed SFP Regulations for each respective topic within this item, as seen on Attachment B:

Matching Shares

- SFP Regulation Section 1859.2 includes a new definition for "Local Funding Adjustment Grant," which means the additional funding provided to reduce a school district's required matching share, pursuant to Education Code Sections 17072.30, 17074.16, and 17070.59 for applications received on or after October 31, 2024.
- SFP Regulation Section 1859.70.5 delineates the methodology as prescribed in statute (EC Section 17070.59) for purposes of determining the points used to compute the required matching funds from local sources pursuant to EC Sections 17072.30 and 17074.16.
- SFP Regulation Section 1859.77.1 specifies matching share determination requirements for New Construction applications received on or before October 30, 2024 as well as for applications received on or after October 31, 2024 (pursuant to EC Section 17072.30) and adjusted for the Local Funding Adjustment grant as determined in Section 1859.70.5.
- SFP Regulation Section 1859.79 specifies matching share determination requirements for Modernization applications received on or before October 30, 2024 as well as for applications received on or after October 31, 2024 (pursuant to EC Section 17074.16) and adjusted for the Local Funding Adjustment grant as determined in Section 1859.70.5.

75 Years or Older Buildings Supplemental Grant

- SFP Regulation Section 1859.2 includes a new definition for the proposed *75 Years or Older Building Cost Estimate and Cost/Benefit Analysis* (Form SAB 57-75).

STAFF ANALYSIS/STATEMENTS (cont.)

- SFP Regulation Section 1859.78.7.1 is a new section for the Modernization Additional Grant for 75 Years or Older Buildings that outlines the eligibility criteria and grant calculations for this grant. With these regulations, a new modernization supplemental grant has been created to replace a 75 Years or Older Building using a grant that is aligned with the new construction per pupil grant amount. These grants will be adjusted annually based on the change in the Class B Construction Cost Index as approved by the Board each January, along with the other SFP grants. A qualifying portable building must be replaced with a permanent building.
- SFP Regulation Section 1859.79.2 has a proposed amendment to include the replacement of existing buildings that are at least 75 years old, pursuant to Section 1859.78.85, with increased area needed to meet the minimum California Code of Regulations, Title 5 requirements as one of the exclusions for new building area within a modernization project. Additional classrooms constructed within the replacement area will result in an adjustment to the new construction baseline eligibility pursuant to Section 1859.51.

Minimum Essential Facilities Supplemental Grant

- SFP Regulation Section 1859.2 includes a new definition for the term “Minimum Essential Facility.”
- SFP Regulation Section 1859.77.5 outlines the eligibility criteria and grant calculation. These grants will be adjusted annually based on the change in the Class B Construction Cost Index as approved by the Board each January, along with the other SFP grants.

TK Supplemental Grant

- SFP Regulation Section 1859.51 is amended to require an adjustment to New Construction eligibility as a result of new TK classrooms constructed. While the Full Day Kindergarten (FDK) Program provides an exclusion for new classrooms constructed with program funds so that the new capacity was not included in the New Construction baseline in EC Section 17375, the same exclusion was not provided in EC Section 17073.16(c). Therefore, the proposed SFP regulation amendments include an adjustment to the district's new construction baseline if new TK classrooms are constructed with funding from the new supplemental grant. Additionally, SFP Regulation Section 1859.32 is amended to exclude classrooms funded through the FDK Program from the gross classroom inventory, pursuant to EC Section 17375(a)(5).
- SFP Regulation Section 1859.78.9.2 outlines the eligibility criteria and calculation for this supplemental grant to construct new or retrofit existing space into TK classrooms. This section limits the supplemental funding to a maximum of four classrooms per school site. These grants will be adjusted annually based on the change in the Class B Construction Cost Index as approved by the Board each January, along with the other SFP grants.

STAFF ANALYSIS/STATEMENTS (cont.)

- SFP Regulation Section 1859.79.2 has a proposed amendment to include TK classrooms as one of the exclusions for new building area within a modernization project.

SFP Regulation Section 1859.79.2 – Use of Modernization Grant Funds

- SFP Regulation Section 1859.79.2 include the addition of subdivisions (a)(3) and (a)(4) that modernization grant funds may be used on additional square footage constructed with funding pursuant to Sections 1859.78.7.1, 1859.78.9.1, and 1859.78.9.2, as well as any additional square footage constructed to meet the minimum requirements of California Code of Regulations, Title 5.
- SFP Regulation subdivision (b)(3) has been added to account for an exception for site development work for facilities indicated within subdivision (a)(2), (a)(3), and (a)(4).

Proposed Form SAB 50-04

Below is a summary of the proposed amendments to the Form SAB 50-04, as seen on Attachment C:

Matching Shares

- The form has a proposed Section 22: Local Funding Adjustment Grant. Both the instructions and body of the form have been amended for this addition and subsequent renumbering of sections.
- The instructions of the form have been amended to include requested information and documentation to determine the Local Funding Adjustment Grant, i.e., the district's total assessed valuation, gross bonding capacity, unduplicated pupil percentage, pupil enrollment, and whether the project includes the use of a Project Labor Agreement.

75 Years or Older Buildings Supplemental Grant

- Under the General Information component of the form, number 7 has been amended to include information related to 75 Years or Older Building Apportionments and required documentation.
- The proposed Section 2(d.) of the Specific Instructions and body of the form provides instructions and a fillable component of the form for requesting funding for 75 Years or Older Buildings. With this proposed change, the existing subsections under this Section are renumbered to become Section 2(e.) through (i.)
- The proposed Section 6(d.) of the Specific Instructions provides instructions and a fillable component of the form for requesting the site development grant for 75 Years or Older Buildings. The current subsections are renumbered to become Section 6(e.) through (f.)

STAFF ANALYSIS/STATEMENTS (cont.)*MEF Supplemental Grant*

- Section 6 of the Specific Instructions and body of the form includes a proposed additional subsection (g) that provides instructions and a fillable component to request an additional grant for an MEF.
- A Certification has been added to the Form SAB 50-04 for instances in which a classroom(s) is demolished and reconfigured into an MEF.

TK Supplemental Grant

- Section 6 of the Specific Instructions and body of the form includes a proposed additional subsection (h) that provides instructions and a fillable component to request an additional grant for a Transitional Kindergarten Classroom(s).
- A Certification has been added to the Form SAB 50-04 regarding funding requests for TK Classrooms.

Substantive Changes to the Proposed SFP Regulations Since the Last Stakeholder Meetings

After the most recent presentations of these topics, staff made some substantive amendments to the proposed SFP Regulations. Each topic is broken out respectively below.

Matching Shares

- A new definition was added to SFP Regulation Section 1859.70.5 for “Local Funding Adjustment Grant.”
- The introductory paragraph of proposed SFP Regulation Section 1859.70.5 was revised to specify when required documentation, pursuant to subdivision (a), must be submitted to OPSC for determination of the Local Funding Adjustment Grant. For Approved Applications on the workload list or the Applications Received Beyond Bond Authority list, the school district must submit documentation for total assessed valuation within 90 days of the OPSC notification of application processing, and that document submittal date serves at the point in time for the reporting year required for the total assessed valuation documentation. The documentation for purposes of the total assessed valuation is based in statute and referenced within the proposed regulation. For Approved Applications pursuant to SFP Regulation Sections 1859.82.1 and 1859.82.2, the received date of the Form SAB 50-04 serves as the point in time for the reporting year required for the total assessed valuation documentation.
- Subdivision (a) was added to proposed SFP Regulation Section 1859.70.5 to specify the information school districts must submit to OPSC for determination of the Local Funding Adjustment Grant.
- Subdivision (c) was added to specify that school districts that do not provide supporting documentation will receive the lowest points allowable under each category used to determine the Local Funding Adjustment.

STAFF ANALYSIS/STATEMENTS (cont.)*75 Years or Older Building Supplemental Grant*

- A new definition for “Current Replacement Cost” has been added to SFP Regulation Section 1859.2.
- A second introductory paragraph was added to SFP Regulation Section 1859.78.7.1 to indicate that a school district may replace a 75 Years or Older Building in the same location or an alternate location on the same site, and that site development funding for the minimum work required to replace the qualifying building may be provided.
- SFP Regulation Section 1859.78.7.1(e) was amended to indicate that the Board shall provide 60 percent of approved site development and applicable design costs. Previously, OPSC proposed providing site development and design funding equal to the lesser of 60 percent of approved site development and applicable design costs or 35 percent of the funding in either 1859.78.7.1(b) or (c). Upon further consideration, OPSC determined a 35-percent cap could disadvantage some districts and the 60-percent approach better aligns site development grants with the work in the DSA-approved plans and specifications.

MEF Supplemental Grant

- Several subsections of SFP Regulation Section 1859.77.5 were revised to specify that OPSC will use the enrollment in the current CBEDS Report at the time of receipt of an Approved Application at the site. Initially, OPSC proposed using the current CBEDS at the time of processing of the application to determine the recommended MEF size. However, based on stakeholder feedback and consideration that this grant is a modernization supplemental grant, OPSC made this change to facilitate districts’ ability to better plan their projects and to more closely align with the Modernization program. This change does not have any effect on the New Construction Program or the enrollment reporting requirements for new construction funding applications. Districts will still be required to update their new construction eligibility at the time of processing of their new construction funding applications.
- An additional grant for Site Development was added to SFP Regulation Section 1859.77.5 to assist with the costs associated with site development, demolition, landscaping and other costs incurred when adding an MEF to a site, utility costs, utility connections and other related fees necessary for the MEF. With the addition of subsections (b)(6) and (b)(7) for new projects, and the addition of subsections (c)(6) and (c)(7) for expansion projects, districts have the option of requesting a flat 35-percent increase to the amount determined from the square footage calculation or districts may choose to submit a detailed cost estimate for the site development work required for the eligible portion of the MEF and receive 60 percent of OPSC’s verified eligible costs contained in the cost estimate.
- SFP Regulation Section 1859.82.1 was amended to add two new rows to the chart in this section to account for multipurpose only (excludes food service) and school kitchen facilities. In the current chart, the recommended school

STAFF ANALYSIS/STATEMENTS (cont.)

kitchen square footage amount is included in the multipurpose room square footage amount. Education Code 17073.16 specifies that funding can be provided for a gymnasium, multipurpose room, library or school kitchen. To account for multipurpose room-only or school kitchen-only projects, OPSC developed square footage amounts for multipurpose room-only (excludes food service) and school kitchen facilities and included them in the existing chart.

- A certification has been added to Section 24 of the Form SAB 50-04 for instances when a classroom(s) is demolished and reconfigured into an MEF. The certification requires districts to certify that the classroom(s) is being rebuilt in the same plan set as the application requesting the MEF, or the district certifies that the classroom(s) is not being rebuilt due to lack of need and the district acknowledges that no adjustment to the school district's new construction eligibility will be made for the removal of classrooms when they are lost as part of a reconfiguration project.
- The Form SAB 50-04 Instructions and Section 6g were amended to account for the addition of the site development grant as it relates to this supplemental grant.

TK Supplemental Grant

- Several subsections of SFP Regulation Section 1859.78.9.2 were revised to specify that OPSC will use the enrollment at the time of receipt of an Approved Application. Initially, OPSC proposed using enrollment at the time of processing of the application. However, based on stakeholder feedback and consideration that this grant is a modernization supplemental grant, OPSC made this change to facilitate districts' ability to better plan their projects and to more closely align with the Modernization program. This change does not have any effect on the New Construction Program or the enrollment reporting requirements for new construction funding applications. Districts will still be required to update their new construction eligibility at the time of processing of their new construction funding applications.
- An additional option for Site Development funding was added to SFP Regulation Section 1859.78.9.2 to assist with the costs associated with site development, demolition, landscaping, utility costs, utility connections and other related fees necessary for adding or retrofitting a TK classroom(s) on a site. With the addition of subsection (c)(5) for new projects, and the addition of subsection (d)(5) for retrofit projects, districts have the option of requesting a flat 35-percent increase to the TK per pupil grant amount or districts may choose to submit a detailed cost estimate for the site development work required for the eligible TK classrooms and receive 60 percent of OPSC's verified eligible costs contained in the cost estimate.

Non-Substantive Technical and Language Adjustments Since the Last Stakeholder Meetings

After the most recent presentations of these topics, staff made technical and language adjustments to the proposed SFP Regulations and Form SAB 50-04, which are outlined by topic below.

STAFF ANALYSIS/STATEMENTS (cont.)*Matching Shares*SFP Regulations

- The title of the proposed SFP Regulation Section 1859.70.5 was updated to “Points for Determining the Local Funding Adjustment Grant,” rather than “Points for Local Matching Share Determination.”
- Language in the introductory paragraphs and in subsection (b) of proposed SFP Regulation Section 1859.70.5 was condensed and reorganized for clarity.
- Additionally, staff referenced adjustments for the Local Funding Adjustment Grant using the points determined in SFP Regulation Section 1859.70.5 within the existing New Construction and Modernization Matching Share SFP Regulations (Sections 1859.77.1 and 1859.79).

Form SAB 50-04

- Staff included language in the instructions for proposed Section 22, requiring the district to provide a letter from the county auditor-controller, that certifies the school district’s current year total assessed valuation. In accordance with the statute (EC Section 17070.59) for determining the points associated with the local matching shares, a school district must indicate its gross bonding capacity, which is based upon a calculation associated with the school district’s current year assessed valuation. EC Section 17070.54, specific to the new requirement related to the five-year school facilities master plan, requires the verification of the applicable school district’s current assessed value from the appropriate local government entity that collects and maintains this information.
- Staff amended the instructions
A correction was made to accurately reference the “California Basic Educational Data System” (CBEDS) in the proposed instructions for the new Section 22 (Local Funding Adjustment Grant).
- The proposed Section 22 instructions were amended for purposes of the following:
 - Total Assessed Valuation shall be reported pursuant to SFP Regulation Section 1859.70.5(a)(1).
 - Districtwide enrollment shall be reported pursuant to SFP Regulation Section 1859.70.5(a)(3).

Form SAB 57-75 and Instructions

- The Form title was updated for consistency with the proposed regulations.
The unit cost per unit amount from the Sierra West Current Construction Remodeling Costs publication was confirmed at F2. A separate page for the Instructions was created and expanded to ensure all portions of the Form have clear directions for required information. In particular, the Cost Benefit Allowance instructions portion of the Form was updated. The prior version of the Form presented to stakeholders had the Current Replacement Cost amounts entered as approved by the Board in January 2025 for demonstration purposes. Those were removed, as the user will enter the

STAFF ANALYSIS/STATEMENTS (cont.)

amounts for the year during which they are completing the Form. Finally, instructions were added for the amounts to enter and how to calculate the 50-percent threshold to determine eligibility of the building.

75 Years or Older Building Supplemental GrantSFP Regulations

- Within Section 1859.2, a new Definition for “Department” is proposed to align with the definition in Education Code Section 17070.15.
- Allowable costs to be included in the Cost Estimate for the required Cost Benefit Analysis were updated to exclude replacement of portable classrooms, furniture and equipment, and costs for routine maintenance and repair.
- The grant determination for the replacement of non-classroom square footage was clarified.

MEF Supplemental GrantSFP Regulations

- Within SFP Regulation Section 1859.77.5, the word “eligible” and a sentence clarifying that the district must meet all requirements to qualify for Modernization funding, prior to receiving the additional grant, were added to the introduction paragraph.
- In SFP Regulation Sections 1859.77.5(a) and 1859.77.5(a)(3)(B), School District was capitalized.
- In subdivision (a)(1), (A) was removed as it was not necessary and Square Footage was capitalized.
- In SFP Regulation Section 1859.79.2, subdivision (a)(4) was added to include the clause, “including the School District’s required matching share.”

TK Supplemental GrantSFP Regulations

- Within SFP Regulation Section 1859.2, new definitions for “Retrofit” and “Transitional Kindergarten” were added.
- Language in SFP Regulation Section 1859.32(n) was abbreviated.
- SFP Regulation Section 1859.77.6 was renumbered to Section 1859.78.9.2 and the section was reorganized for clarity.

Additional Non-Substantive Amendments to the Form SAB 50-04

Separately from the stakeholder items, staff proposes an amendment to the Form SAB 50-04, which removes the term “handicapped” and replaces it with the term “access” as it relates to access compliance, which is the current California Code of Regulations, Title 24 terminology. This change may be seen within the instructions of the form under General Information, numbers 7 and 8, as well as under the body of the Form within the proposed Section 23, Architect of Record or Licensed Architect Certification.

RECOMMENDATIONS

1. Adopt the proposed amendments to the SFP Regulations as shown on Attachment B.
2. Adopt the proposed amendments to the Form SAB 50-04 as shown on Attachment C.
3. Adopt the proposed *75 Years or Older Building Cost/Benefit Analysis* (Form SAB 57-75) as shown on Attachment D.
4. Authorize the Executive Officer to file the proposed regulatory amendments with the Office of Administrative Law on an emergency basis and make the regulations permanent.

This Item was approved by the State Allocation Board on June 25, 2025.

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AUTHORITY

Education Code (EC) Section 17070.35 – General Provisions

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

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

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

(3) Determine the eligibility of school districts to receive apportionments under this chapter.

(4) Apportion funds to eligible school districts under this chapter.

(b) The board shall review and amend its regulations as necessary to adjust its administration of this chapter to conform with the act that amended this section to add this subdivision. Regulations adopted pursuant to this subdivision shall be adopted by November 5, 2002, and shall be adopted as emergency regulations in accordance with the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). The adoption of any emergency regulation pursuant to this subdivision filed with the Office of Administrative Law shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare. Notwithstanding subdivision (e) of Section 11346.1 of the Government Code, any emergency regulation adopted pursuant to this section shall remain in effect for no more than 365 days unless the board has complied with Sections 11346.2 to 11348, inclusive, of the Government Code.

EC Section 17070.59 – General Provisions

For purposes of determining the points used to compute the required matching funds from local sources applied pursuant to Sections 17072.30 and 17074.16, the department shall compute the sum of the following point computations applicable to each school district:

(a) For each school district, the department shall divide the district's gross bonding capacity by the district's total enrollment, as determined for purposes of this chapter.

(1) A school district determined to have a gross bonding capacity per enrollment of zero dollars (\$0) to nine thousand nine hundred ninety-nine dollars (\$9,999), inclusive, shall receive four points.

(2) A school district determined to have a gross bonding capacity per enrollment

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of ten thousand dollars (\$10,000) to nineteen thousand nine hundred ninety-nine dollars (\$19,999), inclusive, shall receive three points.

(3) A school district determined to have a gross bonding capacity per enrollment of twenty thousand dollars (\$20,000) to fifty-four thousand nine hundred ninety-nine dollars (\$54,999), inclusive, shall receive two points.

(4) A school district determined to have a gross bonding capacity per enrollment of fifty-five thousand dollars (\$55,000) or more shall receive one point.

(b) (1) For each school district, the department shall identify each district's unduplicated pupil percentage as determined for purposes of the local control funding formula pursuant to Section 42238.02.

(2) (A) A school district determined to have an unduplicated pupil percentage of between 75 percent and 100 percent shall receive eight points.

(B) A school district determined to have an unduplicated pupil percentage of between 50 percent and 74.99 percent shall receive six points.

(C) A school district determined to have an unduplicated pupil percentage of between 25 percent and 49.99 percent shall receive four points.

(D) A school district determined to have an unduplicated pupil percentage that is 24.99 percent or less shall receive two points.

(c) A school district that has a pupil enrollment of 200 pupils or fewer shall receive two points.

(d) (1) A school district project that includes the use of a project labor agreement shall receive two points.

(2) For purposes of this subdivision, "project labor agreement" has the same meaning as defined in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

(e) The department shall draft regulations for consideration by the board to further clarify the requirements of this section.

EC Section 17070.87 – General Provisions

New construction and modernization applications submitted before October 31, 2024, shall be processed and apportioned in accordance with this chapter, as it read on January 1, 2024.

EC Section 17072.30 – New Construction Funding Process

(a) Subject to the availability of funds, the board shall apportion funds to an eligible school district only upon the approval of the project by the Department of General Services pursuant to the Field Act, as defined in Section 17281, and certification by the school district that the required matching funds from local sources have been expended by the district for the project, or have been deposited in the county fund, or will be expended by the district by the time the project is completed, in an amount at least equal to the proposed apportionment pursuant to this chapter, before release of the state funds.

(b) The board shall adjust a school district's required local contribution pursuant to this section and the school district's associated state contribution required pursuant to Article 4 (commencing with Section 17072.10), as follows:

(1) For a school district determined to have a score of more than 10 points pursuant to Section 17070.59, the school district's required local matching funds pursuant to subdivision (a) shall be 45 percent and the associated state contribution pursuant to Article 4 (commencing with Section 17072.10) shall be 55 percent.

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(2) For a school district determined to have a score of 9 or 10 points pursuant to Section 17070.59, the school district's required local matching funds pursuant to subdivision (a) shall be 47 percent and the associated state contribution pursuant to Article 4 (commencing with Section 17072.10) shall be 53 percent.

(3) For a school district determined to have a score of eight points pursuant to Section 17070.59, the school district's required local matching funds pursuant to subdivision (a) shall be 48 percent and the associated state contribution pursuant to Article 4 (commencing with Section 17072.10) shall be 52 percent.

(4) For a school district determined to have a score of six or seven points pursuant to Section 17070.59, the school district's required local matching funds pursuant to subdivision (a) shall be 49 percent and the associated state contribution pursuant to Article 4 (commencing with Section 17072.10) shall be 51 percent.

(5) For a school district determined to have a score of less than six points pursuant to Section 17070.59, the required local matching funds pursuant to subdivision (a) shall be 50 percent and the associated state contribution pursuant to Article 4 (commencing with Section 17072.10) shall be 50 percent.

EC Section 17073.16 – Modernization Eligibility Determination

(a) A school district eligible for funding pursuant to this article may receive a supplemental grant for either of the following:

(1) Expanding an existing gymnasium, multipurpose room, library, or school kitchen, if the facility is 60 percent or less than the department's recommended size needed to serve the enrollment of the school.

(2) Constructing a new gymnasium, multipurpose room, library, or school kitchen if the site is lacking one or more of the specified facilities.

(b) A site may receive a supplemental grant for only one project described in subdivision (a).

(c) (1) A school district eligible for a modernization apportionment may also receive a supplemental grant for either of the following:

(A) Retrofitting an existing school facility to adequately house transitional kindergarten pupils.

(B) Constructing new transitional kindergarten classrooms if the site is lacking sufficient school facilities to house transitional kindergarten pupils.

(2) A school district that receives a supplemental grant to house transitional kindergarten pupils pursuant to paragraph (1) shall meet the requirements of subparagraphs (A) and (B) of paragraph (5) of subdivision (b) of, paragraphs (2) and (3) of subdivision (f) of, and subdivision (g) of, Section 17375.

(d) The funding provided under this section shall be in addition to any other funding provided pursuant to this article.

(e) The board, in consultation with the Superintendent, shall develop regulations implementing this section.

EC Section 17074.16 – Modernization Apportionment

(a) The board shall release disbursements to school districts with approved applications for modernization, to the extent state funds are available for the state's share, and the school district has provided its required local match.

Subject to the availability of funds, the board shall apportion funds to an eligible school district only upon the approval of the project by the Department of General Services pursuant to the Field Act, as defined in Section 17281, including, but not

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limited to, a project that complies with the Field Act by complying with Section 17280.5, and evidence that the certification by the school district that the required matching funds from local sources have been expended by the district for the project, or have been deposited in the county fund or will be expended by the district by the time of completion of the project, and evidence that the district has entered into a binding contract for the completion of that project. If state funds are insufficient to fund all qualifying school districts, the board shall fund all qualifying school districts in the order in which the application for funding was approved by the board.

(b) The board shall adjust a school district's required local contribution pursuant to this section and the school district's associated state contribution required pursuant to this article as follows:

(1) For a school district determined to have a score of more than 10 points pursuant to Section 17070.59, the school district's required local matching funds pursuant to subdivision (a) shall be 35 percent and the associated state contribution pursuant to this article shall be 65 percent.

(2) For a school district determined to have a score of 9 or 10 points pursuant to Section 17070.59, the school district's required local matching funds pursuant to subdivision (a) shall be 37 percent and the associated state contribution pursuant to this article shall be 63 percent.

(3) For a school district determined to have a score of eight points pursuant to Section 17070.59, the school district's required local matching funds pursuant to subdivision (a) shall be 38 percent and the associated state contribution pursuant to this article shall be 62 percent.

(4) For a school district determined to have a score of six or seven points pursuant to Section 17070.59, the school district's required local matching funds pursuant to subdivision (a) shall be 39 percent and the associated state contribution pursuant to this article shall be 61 percent.

(5) For a school district determined to have a score of less than six points pursuant to Section 17070.59, the required local matching funds pursuant to subdivision (a) shall be 40 percent and the associated state contribution pursuant to this article shall be 60 percent.

EC Section 17074.265 – Modernization Apportionment

(a) Notwithstanding Article 6 (commencing with Section 17073.10), a school district shall be eligible to receive a modernization apportionment to demolish and construct a building or buildings on an existing schoolsite if both of the following conditions are met:

(1) The building or buildings to be replaced are at least 75 years old.

(2) The school district provides a cost-benefit analysis that indicates the total cost to modernize the building or buildings is at least 50 percent of the current replacement cost, as defined by the board, of the building or buildings. The cost-benefit analysis may include applicable site development costs.

(b) A project that meets the requirements of subdivision (a) shall be eligible for a grant equal to the grant provided under Section 17072.10 multiplied by the capacity of the building or buildings calculated pursuant to Section 17071.25.

(c) The board may adopt regulations to implement this section.

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Revenue and Taxation Code Section 2052 – The Equalized County Assessment Roll

The local roll as delivered to the auditor pursuant to Section 617, including any changes made by the county board during the month of July, together with the board roll as transmitted to the auditor pursuant to Section 756 and the estimate with any changes transmitted pursuant to Section 755, shall become the last equalized roll on August 20, and such rolls together shall continue to be the last equalized roll, except as otherwise provided in this chapter, (a) for the purpose of computing any debt limit for the issuance of bonds of any public entity that is based on a percentage of assessed valuation as shown on the last equalized assessment roll and (b) for all other purposes, until the assessment roll for the following year becomes the last equalized roll in accordance with the provisions of this section.

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Proposed Regulatory Amendments

School Facility Program (SFP) Regulation Section 1859.2 Definitions

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

...
“Current Replacement Cost” means, beginning [insert the OAL effective date of the regulation], \$932.00 per square foot for permanent Toilet Facilities and \$517.00 per square foot for all other permanent spaces, and \$302.00 per square foot for portable Toilet Facilities and \$118.00 per square foot for all other portable spaces. The amounts shown will be adjusted annually in the manner prescribed in Section 1859.71.

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

...
“Form SAB 57-75” means the 75 Years or Older Building Cost/Benefit Analysis, Form SAB 57-75, (New xx/25), which is incorporated by reference.

...
“Local Funding Adjustment Grant” means the additional funding provided to reduce the School District’s required matching share, pursuant to Education Code Sections 17072.30, 17074.16, and 17070.59 for Approved Applications received on or after October 31, 2024.

...
“Minimum Essential Facility” is defined as a gymnasium, multipurpose room, library and/or school kitchen pursuant to Education Code Section 17073.16, or a hybrid combination of any of the four, including, but not limited to, multipurpose/gymnasium hybrid, multipurpose/school kitchen hybrid, or multipurpose/gymnasium/school kitchen.

...
“Retrofit” means a construction project to retrofit an existing school facility to adequately house Transitional Kindergarten or kindergarten pupils, which shall only include the costs of design, engineering, testing, inspection, plan checking, construction management, demolition, construction, necessary utility costs, utility connection and other related fees, the purchase and installation of air-conditioning equipment and insulation materials and related costs, furniture and equipment, including telecommunication equipment to increase school security, fire safety improvements, playground safety improvements, the identification, assessment, or abatement of hazardous asbestos, seismic safety improvements, the upgrading of electrical systems, and the wiring or cabling of classrooms in order to accommodate educational technology.

...
“Transitional Kindergarten” means the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate, pursuant to EC Section 48000.

...

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Reference: Sections 8974, 17009.5, 17017.6, 17017.7, 17021, 17047, 17050, 17051, 17070.15, 17070.51(a), 17070.59, 17070.71, 17070.77, 17071.10, 17071.25, 17071.30, 17071.33, 17071.35, 17071.40, 17071.75, 17071.76, 17072.10, 17072.12, 17072.18, 17072.30, 17072.33, 17073.16, 17073.25, 17074.10, 17074.16, 17074.30, 17075.10, 17075.15, 17077.40, 17077.42, 17077.45, 17078.52, 17078.56, 17078.72(k), 17079, 17079.10, 17280, 56026 and 101012(a)(8), Education Code; Section 53311, Government Code; and Sections 1771.3 in effect on January 1, 2012 through June 19, 2014 and 1771.5, Labor Code.

SFP Regulation Section 1859.32. Adjustments to Gross Classroom Inventory

After the gross classroom inventory has been prepared pursuant to Section 1859.31, it will be reduced by the following. Any classrooms:

...

(n) built with funds provided by EC Section 17375.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17052, 17071.25, 17071.30, 17375 and 17077.40, Education Code.

SFP Regulation Section 1859.51. Adjustments to the New Construction Baseline Eligibility

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

...

(t) Reduced by the number of pupils housed in additional Transitional Kindergarten Classrooms constructed, pursuant to Education Code Section 17073.16(c) in an SFP modernization project.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17052, 17070.51, 17071.25, 17071.75, 17071.76, 17072.20, 17073.16, 17077.40, 17078.72, 17079.20, 17375, 42268, and 42270, Education Code.

SFP Regulation Section 1859.70.5 Points for Determining the Local Funding Adjustment Grant.

This Section shall apply to Approved Applications received on or after October 31, 2024 for funding of a New Construction Adjusted Grant, Modernization Adjusted Grant, and funding pursuant to Sections 1859.82.1 and 1859.82.2. For Approved Applications on the OPSC workload list or the Applications Received Beyond Bond Authority list, OPSC will notify the School District in writing that OPSC is scheduled to begin processing the School District's Form SAB 50-04. The School District must submit documentation to substantiate the information in (a) within 90 days of the OPSC notification. For Approved Applications submitted pursuant to Sections 1859.82.1 and 1859.82.2, the School District must report the information in (a) on the Form SAB 50-04 and shall be based on the OPSC received date of the Approved Application.

(a) To determine the Local Funding Adjustment Grant, the School District must submit the following information:

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(1) The School District's total assessed valuation in the form of a letter or report from the appropriate county auditor-controller(s) that certifies to the School District's total assessed valuation. The total assessed valuation means the amount provided in the last equalized county assessment roll reported pursuant to Revenue and Taxation Code Section 2052. The reporting year of the total assessed valuation shall be based upon the OPSC received date as determined in the chart below.

OPSC Received Date of Total Assessed Valuation Documentation	Reporting Year
July 1 through August 19	Submit Prior Fiscal Year
August 20 through June 30	Submit Current Fiscal Year

(2) The School District's gross bonding capacity which shall be the product of (A) or (B) as applicable:

(A) Multiply the total assessed valuation in (a) by 1.25 percent for non-unified School Districts, or

(B) Multiply the total assessed valuation in (a) by 2.5 percent for unified School Districts.

(3) The School District's total enrollment meaning the districtwide enrollment reported on a Form SAB 50-01 in Part A, the continuation high pupils reported in Part C, and the Special Day Class pupils reported in Part D. The enrollment year data is determined as follows:

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

(4) Unduplicated pupil percentage as determined for purposes of the local control funding formula pursuant to EC Section 42238.02. The enrollment year data is determined as in (2) above.

(b) The points used to compute the Local Funding Adjustment Grant are the sum of (1), (2), (3) and (4) below:

(1) Points for the School District's gross bonding capacity divided by the School District's total enrollment shall be one of the following:

(A) Four points for a School District determined to have a gross bonding capacity per enrollment of zero dollars (\$0) to nine thousand nine hundred ninety-nine dollars (\$9,999), inclusive.

(B) Three points for a School District determined to have a gross bonding capacity per enrollment of ten thousand dollars (\$10,000) to nineteen thousand nine hundred ninety-nine dollars (\$19,999), inclusive.

(C) Two points for a School District determined to have a gross bonding capacity per enrollment of twenty thousand dollars (\$20,000) to fifty-four thousand nine hundred ninety-nine dollars (\$54,999), inclusive.

(D) One point for a School District determined to have a gross bonding capacity per enrollment of fifty-five thousand dollars (\$55,000) or more.

(2) Points for the School District's unduplicated pupil percentage shall be one of the following:

(A) Eight points for a School District determined to have an unduplicated pupil percentage of between 75 percent and 100 percent, inclusive.

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(B) Six points for a School District determined to have an unduplicated pupil percentage of between 50 percent and 74.99 percent, inclusive.

(C) Four points for a School District determined to have an unduplicated pupil percentage of between 25 percent and 49.99 percent, inclusive.

(D) Two points for a School District determined to have an unduplicated pupil percentage that is 24.99 percent or less.

(3) Two points for a School District with a pupil enrollment of 200 pupils or fewer.

(4) Two points for a project that includes the use of a project labor agreement in the application being processed. Projects that indicate use of a project labor agreement will be verified as part of the audit process required in EC Section 41024. If it is determined that a project labor agreement was not used, the funding associated with the points assigned in (d) to determine the matching share percentage will be required to be returned, with interest (based on the interest rate earned in the Pooled Money Investment Account at the time of fund release) from the time of fund release until funds are returned.

(c) If the School District does not submit any of the necessary information in subsection (a), the funding application receives the lowest points possible in the corresponding subsections (b)(1), (2), (3) and/or (4)

Note: Authority cited: Sections 17070.59, Education Code.

Reference: Sections 17072.30 and 17074.16, Education Code. Section 2052, Revenue and Taxation Code.

Section 1859.77.5. Modernization Additional Grant for Minimum Essential Facilities.

In addition to any other funding authorized by these Regulations, the Board shall provide grant amounts identified in Subsections (b) or (c) for an application for modernization if the eligible project includes a Minimum Essential Facility pursuant to Education Code Section 17073.16. The School District must meet all requirements to qualify for Modernization funding, prior to the additional grant pursuant to this section.

(a) A School District may request a modernization supplemental grant to construct a new or expand an existing multipurpose, gymnasium, library, school kitchen, or a hybrid combination of any of these four facility types, including, but not limited to, multipurpose/gymnasium hybrid, multipurpose/school kitchen hybrid, or multipurpose/gymnasium/school kitchen, when all of the following are met:

(1) The site does not have an existing Minimum Essential Facility, or the existing Minimum Essential Facility is not adequate to serve the enrollment of the school. For the purposes of this Section, an existing Minimum Essential Facility is considered inadequate to serve the enrollment of the school if the existing Square Footage is 60 percent or less than the square footage necessary for the enrollment in the current CBEDS Report at the time of receipt of an Approved Application at the site, as calculated pursuant to the chart in Section 1859.82.1(b)(4)(B)(2.).

(2) The site has not previously received funding pursuant to this article to construct or expand a Minimum Essential Facility.

(3) An Approved Application for Modernization funding has been received by OPSC for a project wherein the DSA-approved plans contain the construction or expansion of a Minimum Essential Facility eligible for this grant.

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(A) An Approved Application received by the OPSC, on or after October 31, 2024, may be amended to request this supplemental grant provided the plans and specifications that contain the expansion or construction of a Minimum Essential Facility eligible for this supplemental grant were approved by the DSA prior to the receipt of the Approved Application.

(B) If the School District wishes to amend its Approved Application to include a request for this supplemental grant and the plans and specifications were approved by DSA after the receipt of the Approved Application, the School District must request in writing that the Approved Application be withdrawn and removed from OPSC's workload list. The resubmitted Approved Application will receive a new received date by OPSC.

(4) The construction contract(s) for the construction or expansion of the Minimum Essential Facility was executed on or after July 3, 2024.

(5) The Minimum Essential Facility must meet the requirements pursuant to the California Code of Regulations, Title 5.

(6) For purposes of this Section, a multipurpose/gymnasium hybrid is considered to be both a multipurpose room and a gymnasium. A school site with a middle school and/or high school pupils is eligible for one multipurpose room and one gymnasium; therefore, if a school site has an adequate multipurpose room and an adequate gymnasium, it is not eligible for a multipurpose/gymnasium hybrid under this Section.

(b) If all conditions in Subsection (a) are met, and the site is lacking one or more of the Minimum Essential Facilities, the application is eligible to receive a supplemental grant based on the Square Footage of the new Minimum Essential Facility justified by enrollment at the project site as follows:

(1) Determine the current enrollment at the site using the CBEDS Report at the time of receipt of an Approved Application.

(2) The eligible Square Footage for the Minimum Essential Facility shall be the lesser of the actual Square Footage constructed or the Square Footage justified by enrollment pursuant to the chart in Section 1859.82.1(b)(4)(B)(2.).

(3) If a School District submits documentation that demonstrates additional toilet space must be constructed to obtain plan approval from DSA, the eligible toilet Square Footage may be increased by the amount of Square Footage required to obtain plan approval.

(4) Beginning [insert the OAL effective date of this Section], the permanent Square Footage amount(s) determined in (b)(2) above shall be multiplied by \$312 per square foot for all non-Toilet Facilities and by \$559 for Toilet Facilities (includes shower/locker area and physical therapy area for individuals with Exceptional Needs). The amounts shown will be adjusted in the manner prescribed in Section 1859.71.

(5) Beginning [insert the OAL effective date of this Section], the portable Square Footage amount(s) determined in (b)(2) above shall be multiplied by \$69 per square foot for all non-Toilet Facilities and by \$181 for Toilet Facilities (includes shower/locker area and physical therapy area for individuals with Exceptional Needs). The amounts shown will be adjusted in the manner prescribed in Section 1859.71.

(6) In addition to the funding provided in Subsections (4) and (5), the application is eligible to receive an amount equal to 35 percent of the sum of Subsections (4) and (5) for costs associated with site development, demolition, landscaping and other costs

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incurred when adding a Minimum Essential Facility to a site, utility costs, utility connections and other related fees necessary for the Minimum Essential Facility.

(7) In lieu of 35 percent funding provided in (6) above, the School District has the option of requesting 60 percent of eligible costs pursuant to Section 1859.76 (a), (b), and (c) by submitting a detailed cost estimate for site development work for the eligible Square Footage in the qualifying Minimum Essential Facility and submitting any justification documents that will support the work with the Form SAB 50-04. The Board will approve reasonable and appropriate site development work that meets common engineering practices and industry standards that are consistent with the specific site conditions if the site development costs are consistent with the most current edition of the Current Construction Costs publication by the Sierra West Group. The design professional must certify to the district that the site development work does not exceed the minimum requirements to develop the site to meet educational needs and/or standards. This amount will be prorated for any excess Square Footage constructed beyond the eligible Square Footage determined in (b)(2) and (b)(3).

(c) If all conditions in Subsection (a) are met, and the site's existing Minimum Essential Facility is not adequate to serve the enrollment of the school, the application is eligible to receive a supplemental grant based on the square footage of the expanded Minimum Essential Facility justified by enrollment at the project site as follows:

(1) Determine the current enrollment at the site using the CBEDS Report at the time of receipt of an Approved Application.

(2) The eligible Square Footage for the Minimum Essential Facility shall be the lesser of the delta between the Square Footage of the existing Minimum Essential Facility and actual Square Footage constructed or the delta between the Square Footage of the existing Minimum Essential Facility and the Square Footage justified by enrollment pursuant to the chart in Section 1859.82.1(b)(4)(B)(2).

(3) If a School District submits documentation that demonstrates that additional toilet space must be constructed to obtain plan approval from DSA, the eligible toilet Square Footage may be increased by the amount of Square Footage required to obtain plan approval.

(4) Beginning [insert the OAL effective date of this Section], the permanent Square Footage amount(s) determined in (b)(2) above shall be multiplied by \$312 per square foot for all non-Toilet Facilities and by \$559 for Toilet Facilities (includes shower/locker area and physical therapy area for individuals with Exceptional Needs). The amounts shown will be adjusted in the manner prescribed in Section 1859.71.

(5) Beginning [insert the OAL effective date of this Section], the portable Square Footage amount(s) determined in (b)(2) above shall be multiplied by \$69 per square foot for all non-Toilet Facilities and by \$181 for Toilet Facilities (includes shower/locker area and physical therapy area for individuals with Exceptional Needs). The amounts shown will be adjusted in the manner prescribed in Section 1859.71.

(6) In addition to the funding provided in Subsections (4) and (5), an amount equal to 35 percent of the sum of Subsections (4) and (5) for costs associated with site development, demolition, landscaping and other costs incurred when adding a Minimum Essential Facility to a site, utility costs, utility connections and other related fees necessary for the Minimum Essential Facility.

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(7) In lieu of 35 percent funding provided in (6) above, the School District has the option of requesting 60 percent of eligible site development costs pursuant to Section 1859.76 (a), (b) and (c) by submitting a detailed cost estimate for site development work for the eligible Square Footage in the qualifying Minimum Essential Facility and submitting any justification documents that will support the work with the Form SAB 50-04. The Board will approve reasonable and appropriate site development work that meets common engineering practices and industry standards that are consistent with the specific site conditions if the site development costs are consistent with the most current edition of the Current Construction Costs publication by the Sierra West Group. The design professional must certify to the School District that the site development work does not exceed the minimum requirements to develop the site to meet educational needs and/or standards. This amount will be prorated for any excess Square Footage constructed beyond the eligible Square Footage determined in (c)(2) and (c)(3).

Note: Authority cited: Sections 17070.35 and 17073.16, Education Code.
Reference: Sections 17073.16 and 17074.25, Education Code

SFP Regulation Section 1859.77.1. New Construction District Matching Share Requirement.

For applications received before October 31, 2024, Any funding provided by these Regulations shall require a School dDistrict matching share contribution on a dollar-for-dollar basis with the exception of financial hardship provided by Section 1859.81 or any additional grant provided for a district-owned site acquisition cost pursuant to Sections 1859.74.5 or 1859.81.2.

For applications received on or after October 31, 2024, any funding provided by these Regulations shall require a School District matching share contribution pursuant to Education Code Sections 17070.59 and 17072.30 and adjusted for the Local Funding Adjustment Grant using the points determined in Section 1859.70.5, with the exception of Financial Hardship provided by Section 1859.81 or any additional grant provided for a district-owned site acquisition cost pursuant to Sections 1859.74.5 or 1859.81.2.

The School dDistrict may include as its School dDistrict matching share any amounts expended on the project for an energy audit made pursuant to Education Code Section 17077.10 and any amounts applied to the project for incentive grants or rebates received by the School dDistrict from a program funded pursuant to Public Utilities Code Section 381.

Note: Authority cited: Section 17070.35, Education Code.
Reference: Sections 17072.30, 17074.16 and 17077.10, Education Code.

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

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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 School District may replace the 75 Years or Older Building in the same location or an alternate location on the same site. Site development funding for the minimum work required to replace the qualifying building may be provided pursuant to subdivision (e).

(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 on the same site.

(5) The School District must complete and submit to OPSC a 75 Years or Older Building Cost/Benefit Analysis (Form SAB 57-75) that demonstrates the total cost to modernize a 75 years or older school building and comply with current Title 24 Building Code is at least 50 percent of the Current Replacement Cost for the applicable building type; permanent or portable. The cost/benefit analysis for each building proposed for replacement under this section must meet the following criteria:

(A) The Form SAB 57-75 must demonstrate the minimum work required to modernize and continue to occupy the 75 years or older school building is at least 50 percent of the Current Replacement Cost of the existing Square Footage of the school building.

(B) The work in the Form SAB 57-75 may only include work directly related to the modernization of the qualifying 75-year old school building, 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, 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, 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.

(D) The Form SAB 57-75 must be completed using the most current edition of the Current Construction Remodeling and Repair Cost publication by Sierra West Publishing. For all materials or items listed, the amounts entered on the Form SAB 57-75 must use the unit costs. For individual materials or items that are not contained in the most current edition of the Current Construction Remodeling and Repair

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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. 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.

(b) For each qualifying 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. Beginning [insert the OAL effective date of this Section], the Board shall provide the following grant amounts:

(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.

The amounts in (1), (2), (3), (4) and (5) above 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.

(c) For qualifying non-classroom space, funding provided shall be based on the eligible Square Footage. The eligible Square Footage shall be the lesser of the following:

(1) Non-classroom Square Footage that was on the site at the time modernization eligibility was established pursuant to Section 1859.60

(2) Non-classroom Square Footage constructed to replace the qualifying Square Footage, justified by enrollment pursuant to the chart in Section 1859.82.1(b)(4)(B)2. Excess Square Footage required as part of California Code of Regulations, Title 5 requirements needed to obtain plan approvals are permissible per Regulation Section 1859.79.2 and considered an eligible expenditure, not to exceed Square Footage allowances provided in the chart in Regulation Section 1859.82.1(b)(4)(B)(2.). Any excess Square Footage not due to California Code of Regulations, Title 5 requirements will not be eligible and must be locally funded by the School District.

(d) The funding for the replacement Square Footage is calculated as follows:

(1) Multiply the Square Footage determined in (c) by \$312. This amount 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.

(2) Divide the product by the per pupil allowance in (b) to determine the total allowable pupil grants for the Square Footage being constructed. For school sites serving multiple grade levels, select the amount for the highest grade level served by the building.

(e) An additional grant for site development may be provided 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 building Square Footage constructed. The Board shall provide 60 percent of the following approved site development and applicable design costs:

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(1) Service site development cost, within school property lines, attributable only to the replacement of the qualifying building(s) for:

(A) Site clearance including the removal of trees, brush, and debris within footprint of the replacement building(s).

(B) Demolition and removal of the qualifying building(s) and existing buildings and site improvements which lie in the footprint of a proposed replacement building(s).

(C) Removal and rerouting of existing utility service which lie in the footprint of a proposed replacement building(s).

(D) Rough grading including cut and fill and leveling and terracing operations required in the design.

(E) Soil compaction adhering to common engineering practices and engineered fill that is required by a soils report that is available for review by OPSC.

(F) On-site drainage facilities including inlets below grade drainage facilities and retention basins.

(G) 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.

(H) 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.

(I) Fire code requirements on site that are not a part of the replacement building.

(2) Utility service costs that are necessary to serve the replacement building:

(A) Water: Replacement or repair of main water service line(s) between the utility company connection and to five feet of the qualifying 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.

(B) Sewage: Replacement or repair of main sewer line between the utility company connection and to five feet of the qualifying 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 qualifying building(s) on the site.

(C) Gas: Replacement or repair of main gas service line between the utility company connection and to five feet of the qualifying 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 qualifying building(s) on the site.

(D) Electric: Replacement or repair of electrical service between the utility company connection and the qualifying 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.

(E) Communication systems: Replacement or repair of service between the utility company connection and the nearest distribution center.

(3) The School District must submit a detailed cost estimate for eligible site development work in (A) and (B) and any justification documents that will support the work with the Form SAB 50-04 using the most current edition of the Current Construction Cost publication by Sierra West Publishing. The Board will approve

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reasonable and appropriate site development work which meets common engineering practices and industry standards that are consistent with the specific site conditions if the site development costs are consistent with the most current edition of the Current Construction Cost publication by the Sierra West Group. The design professional must certify to the School District that the site development work does not exceed the minimum requirements to develop the site to meet educational needs and/or standards.

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

(g) The qualifying 75 Years or Older Building(s) 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.

Section 1859.78.9.1. Modernization Additional Grant for Minimum Essential Facilities.

In addition to any other funding authorized by these Regulations, the Board shall provide grant amounts identified in Subsections (b) or (c) for an application for modernization if the eligible project includes a Minimum Essential Facility pursuant to Education Code Section 17073.16. The School District must meet all requirements to qualify for Modernization funding, prior to the additional grant pursuant to this section.

(a) A School District may request a modernization supplemental grant to construct a new or expand an existing multipurpose, gymnasium, library, school kitchen, or a hybrid combination of any of these four facility types, including, but not limited to, multipurpose/gymnasium hybrid, multipurpose/school kitchen hybrid, or multipurpose/gymnasium/school kitchen, when all of the following are met:

(1) The site does not have an existing Minimum Essential Facility, or the existing Minimum Essential Facility is not adequate to serve the enrollment of the school. For the purposes of this Section, to determine if an existing Minimum Essential Facility is inadequate, the existing Square Footage is 60 percent or less than the square footage necessary for the enrollment in the current CBEDS Report at the time of receipt of an Approved Application at the site as calculated pursuant to the chart in Section 1859.82.1(b)(4)(B)2.

(2) The site has not previously received funding pursuant to this article to construct or expand a Minimum Essential Facility.

(3) An Approved Application for Modernization funding has been received by OPSC for a project wherein the DSA-approved plans contain the construction or expansion of a Minimum Essential Facility eligible for this grant.

(A) An Approved Application received by the OPSC, on or after October 31, 2024, may be amended to request this supplemental grant provided the plans and specifications that contain the expansion or construction of a Minimum Essential Facility eligible for this supplemental grant were approved by the DSA prior to the receipt of the Approved Application.

(B) If the School District wishes to amend its Approved Application to include a request for this supplemental grant and the plans and specifications were approved by DSA

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after the receipt of the Approved Application, the School District must request in writing that the Approved Application be withdrawn and removed from OPSC's workload list. The resubmitted Approved Application will receive a new received date by OPSC.

(4) The construction contract(s) for the construction or expansion of the Minimum Essential Facility was executed on or after July 3, 2024.

(5) The Minimum Essential Facility must meet the requirements pursuant to the California Code of Regulations, Title 5.

(6) For purposes of this Section, a multipurpose/gymnasium Hybrid is considered to be both a multipurpose and a gymnasium. A school site with a middle school and/or high school pupils is eligible for one multipurpose and one gymnasium; therefore, if a school site has an adequate multipurpose and an adequate gymnasium, it is not eligible for a Multipurpose/Gymnasium Hybrid under this Section.

(b) If all conditions in Subsection (a) are met, and the site is lacking one or more of the Minimum Essential Facilities, the application is eligible to receive a supplemental grant based on the Square Footage of the new Minimum Essential Facility constructed justified by enrollment at the project site as follows:

(1) Determine the current enrollment at the site using the CBEDS Report at the time of receipt of an Approved Application.

(2) The eligible Square Footage for the Minimum Essential Facility shall be the lesser of the actual Square Footage constructed or the Square Footage justified by enrollment pursuant to the chart in Section 1859.82.1(b)(4)(B)2.

(3) If a School District submits documentation that demonstrates additional toilet space must be constructed to obtain plan approval from DSA, the eligible toilet Square Footage may be increased by the amount of Square Footage required to obtain plan approval.

(4) Beginning [insert the OAL effective date of this Section], the permanent Square Footage amount(s) determined in (b)(2) above shall be multiplied by \$312 per square foot for all non-Toilet Facilities and by \$559 for Toilet Facilities (includes shower/locker area and physical therapy area for individuals with Exceptional Needs). The amounts shown will be adjusted in the manner prescribed in Section 1859.71.

(5) Beginning [insert the OAL effective date of this Section], the portable Square Footage amount(s) determined in (b)(2) above shall be multiplied by \$69 per square foot for all non-Toilet Facilities and by \$181 for Toilet Facilities (includes shower/locker area and physical therapy area for individuals with Exceptional Needs). The amounts shown will be adjusted in the manner prescribed in Section 1859.71.

(6) In addition to the funding provided in Subsections (4) and (5), an amount equal to 35 percent of the sum of Subsections (4) and (5) for costs associated with site development, demolition, landscaping and other costs incurred when adding a Minimum Essential Facility to a site, utility costs, utility connections and other related fees necessary for the Minimum Essential Facility.

(7) In lieu of 35 percent funding provided in (6) above, the School District has the option of requesting 60 percent of eligible costs pursuant to Section 1859.76 (a), (b), and (c) by submitting a detailed cost estimate for requests related to site development work for the eligible Square Footage in the qualifying Minimum Essential Facility and any justification documents that will support the work must be submitted with the Form SAB 50-04. The Board will approve reasonable and appropriate site development work

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that meets common engineering practices and industry standards that are consistent with the specific site conditions if the site development costs are consistent with the most current edition of the Current Construction Costs publication by the Sierra West Group. The design professional must certify to the district that the site development work does not exceed the minimum requirements to develop the site to meet educational needs and/or standards. This amount will be prorated for any excess Square Footage constructed beyond the eligible Square Footage determined in (b)(2) and (b)(3).

(c) If all conditions in Subsection (a) are met, and the site's existing Minimum Essential Facility is not adequate to serve the enrollment of the school, the application is eligible to receive a supplemental grant based on the square footage of the expanded Minimum Essential Facility constructed justified by enrollment at the project site as follows:

(1) Determine the current enrollment at the site using the CBEDS Report at the time of receipt of an Approved Application.

(2) The eligible Square Footage for the Minimum Essential Facility shall be the lesser of the delta between the Square Footage of the existing Minimum Essential Facility and actual Square Footage constructed or the delta between the Square Footage of the existing Minimum Essential Facility and the Square Footage justified by enrollment pursuant to the chart in Section 1859.82.1(b)(4)(B)(2).

(3) If a School District submits documentation that demonstrates that additional toilet space must be constructed to obtain plan approval from DSA, the eligible toilet Square Footage may be increased by the amount of Square Footage required to obtain plan approval.

(4) Beginning [insert the OAL effective date of this Section], the permanent Square Footage amount(s) determined in (b)(2) above shall be multiplied by \$312 per square foot for all non-Toilet Facilities and by \$559 for Toilet Facilities (includes shower/locker area and physical therapy area for individuals with Exceptional Needs). The amounts shown will be adjusted in the manner prescribed in Section 1859.71.

(5) Beginning [insert the OAL effective date of this Section], the portable Square Footage amount(s) determined in (b)(2) above shall be multiplied by \$69 per square foot for all non-Toilet Facilities and by \$181 for Toilet Facilities (includes shower/locker area and physical therapy area for individuals with Exceptional Needs). The amounts shown will be adjusted in the manner prescribed in Section 1859.71.

(6) In addition to the funding provided in Subsections (4) and (5), an amount equal to 35 percent of the sum of Subsections (4) and (5) for costs associated with site development, demolition, landscaping and other costs incurred when adding a Minimum Essential Facility to a site, utility costs, utility connections and other related fees necessary for the Minimum Essential Facility.

(7) In lieu of 35 percent funding provided in (6) above, the School District has the option of requesting 60 percent of eligible site development costs pursuant to Section 1859.76 (a), (b) and (c) by submitting a detailed cost estimate for requests related to site development work for the eligible Square Footage in the qualifying Minimum Essential Facility and any justification documents that will support the work must be submitted with the Form SAB 50-04. The Board will approve reasonable and appropriate site development work that meets common engineering practices and

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industry standards that are consistent with the specific site conditions if the site development costs are consistent with the most current edition of the Current Construction Costs publication by the Sierra West Group. The design professional must certify to the School District that the site development work does not exceed the minimum requirements to develop the site to meet educational needs and/or standards. This amount will be prorated for any excess Square Footage constructed beyond the eligible Square Footage determined in (c)(2) and (c)(3).

Note: Authority cited: Sections 17070.35 and 17073.16, Education Code.

Reference: Sections 17073.16 and 17074.25, Education Code

Section 1859.78.9.2 Modernization Additional Grant for Transitional Kindergarten Classrooms

(a) In addition to any other funding authorized by these Regulations, the Board shall provide the funding determined in (c) for each eligible Transitional Kindergarten Classroom, up to a maximum of four Classrooms, in an Approved Application for Modernization funding if the School District demonstrates a need to adequately house Transitional Kindergarten pupils as described in Education Code Section 17073.16, and the following conditions are met:

(1) The Approved Application was received on or after October 31, 2024.

(2) Construction contracts for the construction or Retrofit of Transitional Kindergarten Classrooms were signed on or after July 3, 2024.

(3) Final DSA and CDE plan approvals for the eligible Transitional Kindergarten Classrooms were obtained prior to the receipt date of the Approved Application.

(4) The funding must construct or Retrofit facilities that result in Classroom(s) that meets the design requirements required for new kindergarten Classrooms as specified in paragraph (2) of subdivision (h) of Section 14030 of Title 5 of the California Code of Regulations.

(5) For new construction projects, Classrooms must be not less than 1,350 square feet, including restrooms, storage, teacher preparation, wet and dry areas.

(6) For Retrofit projects, Classrooms shall not be less than 1,350 square feet, including restrooms, storage, teacher preparation, wet and dry areas unless both of the following conditions are met:

(A) The project qualifies for an exemption through CDE pursuant to Title 5, Section 14030(r) of the California Code of Regulations to Retrofit a Classroom that will be less than 1,350 square feet.

(B) The Classroom shall not be less than 1,250 square feet.

(7) The School District shall not use funds to purchase, or install, a Portable Classroom(s).

(8) The School District lacks the facilities to provide Transitional Kindergarten instruction at the project school site. A project school site is considered lacking Transitional Kindergarten facilities if the calculated enrollment exceeds the current kindergarten Classroom capacity at the site. Classrooms constructed as kindergarten or Transitional Kindergarten classrooms or altered to house kindergarten or Transitional Kindergarten students, regardless of current use, will be included when determining the existing kindergarten and Transitional Kindergarten classroom capacity, as determined by CDE. For purposes of determining Classroom capacity, a loading standard of 25 kindergarten

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pupils per Classroom will be used and all Transitional Kindergarten Classrooms will be loaded for full-day instruction unless the School District indicates that an existing Classroom(s) will continue to be used for non-full-day instruction at the completion of the project. The maximum calculated Transitional Kindergarten Classroom need shall be determined by one of the following:

(A) Calculate the mean of first grade, second grade, and third grade enrollment at the time of receipt of an Approved Application. The mean shall be rounded up to the nearest whole number.

(B) Calculate the mean of the Transitional Kindergarten enrollment at the time of receipt of an Approved Application, plus two prior enrollment years. The mean shall be rounded up to the nearest whole number.

(b) Applicants requesting the additional grant for Transitional Kindergarten shall include the following documentation:

(1) A description of the proposed project, including, but not limited to, the following information:

(A) The total number of Transitional Kindergarten and kindergarten Classrooms on the site prior to the construction of the proposed Transitional Kindergarten Classrooms in the project.

(B) The current CBEDS Report, at the time of receipt of an Approved Application, including Transitional Kindergarten students pursuant to EC Section 48000. To determine the appropriate enrollment reporting year, refer to the following:

<u>OPSC 90 Day Notification of Processing</u>	<u>Enrollment Reporting Year</u>
<u>July 1 through October 31</u>	<u>Submit Prior Fiscal Year Enrollment Data</u>
<u>November 1 through June 30</u>	<u>Submit Current Fiscal Year Enrollment Data</u>

(C) The enrollment at the site for the three years immediately preceding the enrollment reporting year determined in (7)(B) above.

(D) The total number of Transitional Kindergarten and kindergarten Classrooms on the site after the completion of the project.

(E) Site map that includes labelling of all facilities and their current use, identifies all Classrooms constructed or previously retrofitted to house preschool, Transitional Kindergarten, and kindergarten students, and identifies any facilities that will be retrofitted in the project.

(c) Beginning [insert the OAL effective date of this Section], the additional grant for the construction of a new Transitional Kindergarten Classroom(s) shall be equal to the sum of (1) through (6):

(1) \$19,016 for each pupil housed multiplied by 25 for each Transitional Kindergarten Classroom in the DSA-approved plans.

(2) \$23 for each pupil housed multiplied by 25 if the Classroom(s) in the DSA-approved plans if the project includes an automatic fire detection and alarm system.

(3) \$318 for each pupil housed multiplied by 25 if the DSA-approved plans if the project includes an automatic sprinkler system.

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(4) An amount equal to 35 percent of the amount determined in (1) for costs associated with site development, demolition, landscaping, utility costs, utility connections and other related fees necessary to add a Transitional Kindergarten Classroom(s) to the site.

(5) In lieu of 35 percent funding provided in (4) above, the School District has the option of requesting 60 percent of eligible site development costs pursuant to Section 1859.76 (a), (b) and (c) by submitting a detailed cost estimate for requests related to site development work for the qualifying Classrooms, and any justification documents that will support the work with the Form SAB 50-04. The Board will approve reasonable and appropriate site development work that meets common engineering practices and industry standards that are consistent with the specific site conditions, if the site development costs are consistent with the most current edition of the Current Construction Costs publication by the Sierra West Group. The design professional must certify to the School District that the site development work does not exceed the minimum requirements to develop the site to meet educational needs and/or standards.

(6) An amount equal to 12 percent of the amount determined in (a) for each pupil housed in a multilevel building that will house pupils in all levels of the building if the usable site acreage is less than 75 percent of the site size recommended by CDE, pursuant to California Code of Regulations, Title 5, Section 14010(a), for the master-planned project capacity.

(7) The grant amounts in (1), (2), and (3) above 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(b).

(d) Beginning [insert the OAL effective date of this Section], the additional grant for the Retrofit of an existing school facility to be a Transitional Kindergarten Classroom(s) shall be equal to the sum of (1) through (5) below:

(1) \$6,034 for each pupil housed multiplied by 25 for each Transitional Kindergarten Classroom in the DSA-approved plans.

(2) \$196 for each pupil housed multiplied by 25 for each Classroom(s) in the DSA-approved plans if the project includes an automatic fire detection and alarm system.

(3) An amount equal to 35 percent of the amount determined in (a) for costs associated with demolition, landscaping, playground safety improvements and other costs incurred when adding a preschool, transitional kindergarten or kindergarten Classroom(s) to a site, utility costs, utility connections and other related fees necessary for the project.

(4) An amount equal to 15 percent of the amount determined in (a) for upgrading existing site development (utilities) work as necessary if the project includes the Retrofit of a 50-year-old or older permanent building.

(5) In lieu of funding provided in (3) and (4) above, the School District has the option of requesting 60 percent of eligible site development costs pursuant to Section 1859.76 (a), (b) and (c) by submitting a detailed cost estimate for requests related to site development work for the qualifying Classrooms, and any justification documents that will support the work with the Form SAB 50-04. The Board will approve reasonable and appropriate site development work that meets common engineering practices and industry standards that are consistent with the specific site conditions, if the site development costs are consistent with the most current edition of the Current Construction Costs publication by the Sierra West Group. The design professional must certify to the School District that the site development work does not exceed the minimum requirements to develop the site to meet educational needs and/or standards.

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(6) The grant amounts in (1) and (2) above 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 17074.10(b).

Note: Authority cited: Section 17070.35, Education Code.
Reference: Sections 17375 and 17073.16, Education Code.

Section 1859.79. Modernization District Matching Share Requirement.

Except in the case of financial hardship as provided in Section 1859.81 a School dDistrict matching share for a modernization project shall be required as follows:

(a) If the Approved Application is received on or before April 29, 2002, any Modernization Grant plus any other funding provided by these Regulations shall require a School dDistrict matching share equal to at least 20 percent of those amounts which, combined with the State's Modernization Adjusted Grant, shall represent 100 percent of the total project cost.

(b) If the Approved Application is received after April 29, 2002 and before October 31, 2024, any Modernization Grant, plus any other funding authorized by these Regulations shall require a School dDistrict matching share equal to at least 40 percent of those amounts which, combined with the State's Modernization Adjusted Grant, shall represent 100 percent of the total project cost.

(c) If the Approved Application is received on or after October 31, 2024, any Modernization Grant, plus any other funding authorized by these Regulations shall require a School District matching share contribution pursuant to Education Code Sections 17070.59 and 17074.16 and adjusted for the Local Funding Adjustment Grant using the points determined in Section 1859.70.5.

The School dDistrict may include as its School dDistrict matching share any amounts expended on the project for an energy audit made pursuant to Education Code Section 17077.10 and any amounts applied to the project for incentive grants or rebates received by the School dDistrict from a program funded pursuant to Public Utilities Code Section 381.

Note: Authority cited: Section 17070.35, Education Code.
Reference: Sections 17074.15, 17074.16, 17074.16 and 17077.10, Education Code.

Section 1859.79.2. Use of Modernization Grant Funds.

The Modernization Grant plus any other funds provided by these Regulations shall be expended as set forth in Education Code Sections 17073.16, 17074.25, 17074.10(f) and 17070.15(i) and may also be utilized for other purposes as set forth in Education Code Section 100420(c), and Labor Code Section 1771.3(a) in effect on January 1, 2012 through June 19, 2014. Modernization funding may also be used for the costs incurred by the district directly or through a contract with a third party provider for the initiation and enforcement of a LCP. Modernization funding, with the exception of savings, is limited to expenditure on the specific site where the modernization grant eligibility was generated. The grant may not be used for the following:

(a) New building area with the exception of the following:

(1) Replacement building area of like kind. Additional Classrooms constructed within the replacement area will reduce the new construction baseline eligibility for the School District.

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(2) Building area required by the federal Americans with Disabilities Act (ADA) or by the Division of the State Architect's (DSA) handicapped access requirements.

(3) Additional Square Footage constructed with funding provided by Sections 1859.78.7.1, 1859.78.9.1 or 1859.78.9.2.

(4) Additional Square Footage constructed to meet the minimum requirements of California Code of Regulations, Title 5.

(b) New site development items with the exception of:

(1) Replacement, repair or additions to existing site development.

(2) Site development items required by the federal ADA Act or by the DSA's handicapped access requirements.

(3) Site development work for facilities in (a)(3) or (a)(4) above.

(c) The evaluation and removal of hazardous or solid waste and/or hazardous substances when the Department of Toxic Substance Control has determined that the site contains dangerous levels of a hazardous substance, hazardous waste, or both that exceed ten percent of the combined adjusted grant and the district matching share for the project.

(d) Leased facilities not owned by another School District or a county superintendent. Modernization Grant funds may be used on any school facilities on the site, with the exception of portable classroom facilities eligible for an additional apportionment pursuant to Education Code Sections 17073.15 and 17074.10(f) and as defined in Section 1859.78.8. If the classroom facilities on the site include areas that are currently ineligible for modernization, it will not disqualify those facilities from future modernization funding.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17070.15, 17073.16, 17074.25 and 100420(c), Education Code, and Section 1771.3 in effect on January 1, 2012 through June 19, 2014, Labor Code.

Section 1859.82.1. Facility Hardship Program.

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Facility	Elementary School Pupils	Middle School Pupils	High School Pupils
Multi-Purpose (includes food service)	5.3 sq. ft. per pupil minimum 4,000 sq. ft.	5.3 sq. ft. per pupil minimum 5,000 sq. ft.	6.3 sq. ft. per pupil minimum 8,200 sq. ft.
<u>Multi-Purpose Only (excludes food service)</u>	<u>3.3 sq. ft. per pupil</u> <u>minimum 3,600 sq. ft.</u>	<u>3.3 sq. ft. per pupil</u> <u>minimum 4,600 sq. ft.</u>	<u>3.3 sq. ft. per pupil</u> <u>minimum 7,600 sq. ft.</u>
<u>School Kitchen</u>	<u>2 sq. ft. per pupil</u> <u>minimum 400 sq. ft.</u> <u>maximum 1,480 sq. ft.</u>	<u>2 sq. ft. per pupil</u> <u>minimum 400 sq. ft.</u> <u>maximum 1,880 sq. ft.</u>	<u>3 sq. ft. per pupil</u> <u>minimum 600 sq. ft.</u> <u>maximum 3,975 sq. ft.</u>
Toilet	3 sq. ft. per pupil minimum 300 sq. ft.	4 sq. ft. per pupil minimum 300 sq. ft.	5 sq. ft. per pupil minimum 300 sq. ft.
Gymnasium (includes shower/locker area)	N/A	12.9 sq. ft. per pupil minimum 6,828 sq. ft. maximum 16,000 sq. ft.	15.3 sq. ft. per pupil minimum 8,380 sq. ft. maximum 18,000 sq. ft.
School Administration	3 sq. ft. per pupil minimum 600 sq. ft.	3 sq. ft. per pupil minimum 600 sq. ft.	4 sq. ft. per pupil minimum 800 sq. ft.
Library/Media Center	2.3 sq. ft. per pupil plus 600 sq. ft., minimum 960 sq. ft.	3.3 sq. ft. per pupil plus 600 sq. ft. minimum 960 sq. ft.	4.3 sq. ft. per pupil plus 600 sq. ft. minimum 960 sq. ft.

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Kindergarten Classrooms (including Transitional Kindergarten)	1,350 sq. ft. for each replacement classroom.	NA	NA
Classrooms (1 st -12 th grade)	960 sq. ft. for each replacement classroom	960 sq. ft. for each replacement classroom	960 sq. ft. for each replacement classroom
Computer instructional support area, Industrial and Technology/Education Laboratory	960 sq. ft. for each replacement classroom.	960 sq. ft. for each replacement classroom.	960 sq. ft. for each replacement classroom.
Laboratory Classrooms (including science and consumer home economics. (Does not include Industrial and Technology/Education Laboratory)	1,300 sq. ft. for each replacement classroom.	1,300 sq. ft. for each replacement classroom.	1,300 sq. ft. for each replacement classroom.

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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 Form SAB 50-03 must accompany this form (if not previously submitted).
 5. A New Construction Adjusted Grant pursuant to Section 1859.70 or 1859.180. If the funding request includes site acquisition, the proposed site must either be owned by the district, in escrow, or the district has filed condemnation proceedings and received an order of possession of the site. For purposes of this apportionment, the following documents must be submitted with this form (as appropriate):
 - Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03.
 - Site/plan approval letter from the CDE.
 - Appraisal of property if requesting site acquisition funds.
 - Plans and specifications (P&S) for the project that were approved by the DSA. Submittal of plans may be on CD-ROM or "Zip Drive" readable in AutoCAD 14. The specifications may be provided on a diskette that is IBM compatible.
 - Cost estimate of proposed site development, if requesting site development funding.
 - If this request is pursuant to Section 1859.77.2 and the district's housing plan is other than those listed in the certification section of this form, a copy of the school board resolution and the approved housing plan.
 - If the site apportionment is requested pursuant to Regulation Section 1859.74.5, a cost benefit analysis as prescribed in Regulation Section 1859.74.6 or a copy of the Board finding that the non-school function on the district-owned site must be relocated.
 - If this request is fully or partially based on eligibility derived from an Alternative Enrollment Projection, a justification of how the project relieves overcrowding, including but not limited to, the elimination of the use of Concept 6 calendars, four track year-round calendars, or bussing in excess of 40 minutes.
 - Written confirmation from the district's career technical advisory committee indicating that the need for vocational and career technical facilities is being adequately met within the district consistent with Education Code Sections 51224, 51225.3(b), 51228(b), and 52336.1.
 6. For purposes of the Overcrowding Relief Grant (ORG), districts must submit the Overcrowding Relief Grant District-Wide Eligibility Determination (Form SAB 50-11) prior to the submittal of this funding application. In addition, districts must have had the CDE deem the site eligible for the ORG (pursuant to Section 1859.181) prior to the submittal of this application. For purposes of this apportionment, the following documents must be submitted with this form as well as the documents listed in section 5 above:
 - Overcrowding Relief Grant Eligibility Determination Form approved by the CDE.
 - Copies of the supporting documentation provided to the CDE when determining the density of the site, including the site diagram.
- The district is not required to submit its current CBEDS enrollment data.
7. Modernization Adjusted Grant pursuant to Section 1859.70. For purposes of this apportionment, the following documents must be submitted with this form (as appropriate):
 - Form SAB 50-03 (if not previously submitted).
 - P&S for the project that were approved by the DSA.
 - If the request includes funding for accessibility and fire code requirement pursuant to Section 1859.83(f), the DSA approved list of the minimum accessibility work required and a detailed cost estimate for the work in the plans.

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- DSA approval letter for elevator to meet ~~handicapped~~ access 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.
 - For requests to replace 75 Years or Older Building(s) per Section 1859.78.7.1, the district must submit the following:
 - A completed 75 Years or Older Building Cost Estimate and Cost/Benefit Analysis (Form SAB 57-75).
 - A copy of the demolition plans, or other supporting documentation, that demonstrate the demolition of the qualifying 75 Years or Older Building(s).
 - A detailed cost estimate that delineates the cost associated with the work to demolish and replace the qualifying 75 Years or Older Building(s), inclusive of the allowable site development costs per 1859.78.7.1, apart from the other Modernization work in the DSA-approved plans.
 - If the request includes funding for the construction of a Minimum Essential Facility (MEF) per Section 1859.78.9.1, or a Transitional Kindergarten classroom(s) per Section 1859.78.9.2, the district must submit a detailed cost estimate that delineates the cost associated with the work for the qualifying facility(s) in the DSA-approved plans apart from the other Modernization work in the DSA-approved plans.
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 required and a detailed cost estimate for the work in the plans.
 - DSA approval letter for elevator to meet ~~handicapped~~ access 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 1859.161.

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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 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. Check the box if the project is eligible for funding for 75 Years or Older Buildings and report the following, if applicable:
- The total number of eligible classrooms and/or the total eligible square footage building area being demolished. Refer to Section 1859.78.7.1.
 - The total number of eligible classrooms and/or the total eligible square footage building area being constructed. Refer to Section 1859.78.7.1.
 - Enter the appropriate number assigned to the project for each grade group. The number of pupils entered cannot exceed the cumulative number of pupil grants requested in Section 2a. and determined by using the percentage

factor above.

e.d. Indicate if this request is for funding of a 6–8 school and/or an Alternative Education School.

f.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.

g.f. Enter the square footage of the non-toilet area and toilet area contained in the Charter School Facilities Program Rehabilitation project.

h.g. Indicate the site scenario that best represents the project request.

i.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 and 1859.74.4, respectively. The limitation of 50 percent may be exceeded when

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unforeseen circumstances exist, the CDE determines that the site is the best available site, and substantiation that the costs are the minimum required to complete the evaluation and RA.

Enter 50 percent of the actual cost.

- 1) 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.
- 2) Enter 50 percent of the allowable relocation cost.
- 3) Enter two percent of the lesser of the actual cost or appraised value of the site (minimum \$25,000).
- 4) 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.

- 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 if the district requests an additional grant for site development utility cost necessary for the replacement of a 75 Years or Older Building, if not

already provided under the provisions pursuant to Section 1859.78.7(a). Enter 60 percent of the eligible costs allowable.

e.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.

f.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.
g. Check the box if the district is requesting an Additional Grant for a Minimum Essential Facility pursuant to Regulation Section 1859.78.9.1. Check the box for the type of facility being requested (if the facility is a hybrid facility, select 'Hybrid' and indicate the type of facility on the line provided) and indicate the amount of eligible Toilet and Other square footage being built in the project. Check the appropriate box depending on whether the Minimum Essential Facility is permanent or portable construction. Check the box if the district is requesting an additional grant for Site Development pursuant to Regulation Section 1859.78.9.1. At the district's option, the district may request 35 percent of the Minimum Essential Facility supplemental grant or enter 60 percent of the amount calculated pursuant to Regulation Section 1859.78.9.1 (b)(7) or 1859.78.9.1 (c)(7).

h. 1) Check the box if the district is requesting an Additional Grant for Transitional Kindergarten classrooms for the construction of a new transitional kindergarten classroom(s) and/or retrofit of an existing school facility to be a transitional kindergarten classroom(s). Check the appropriate boxes if the district is augmenting the grant with additional supplemental grants respective of the transitional kindergarten classroom project scope. Check the box if the district is requesting an additional grant for Site Development pursuant to Regulation Section 1859.78.9.2. The district may choose to request 35 percent of the Transitional Kindergarten supplemental grant, or enter 60 percent of minimum work amount, pursuant to Regulation Section 1859.78.9.2(c)(4) or 1859.78.9.2(c)(5)(A).

h. 2) The information needed to complete this section is based on the latest California Longitudinal Pupil Achievement Data System (CALPADS) that is available approximately October 15th of each year. Applications filed on or after November 1st must include the current school year enrollment. Report the current year and the three prior years' K-3 enrollment, as appropriate. Enter the CALPADS enrollment at the school site for the current year and the three prior years' K-3 enrollment, as appropriate.

Requests for funding shall include the documents as follows:

- Site map that includes labelling of all facilities and their current use, and identifies all classrooms constructed or previously retrofitted to house kindergarten students.
- Narrative that explains the current classroom and facility usage at the site, what the School District plans to do with the project, and the resulting usage at the completion of the project.

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.

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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

- 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.

- 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).
- 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).
- 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).
- 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 Apportion-

ment, enter the application number of the Preliminary Apportionment. Failure to report this information may delay the processing of the application by the OPSC.

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.

- 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

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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. Local Funding Adjustment Grant

Enter the following:

- a. The district's total assessed valuation, pursuant to Section 1859.70.5(a)(1). The district must provide a letter from the county auditor-controller that certifies the school district's total assessed valuation.
- b. The district's gross bonding capacity, rounded to the nearest whole dollar. To calculate this, take the total assessed valuation and multiply that by 1.25%

for non-unified school districts or 2.5% for unified school districts, rounded to two decimal places.

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

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

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

22, 23. Architect of Record or Licensed Architect Certification

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

23, 24. Architect of Record or Design Professional Certification

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

24, 25. 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.

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NAME OF ELIGIBLE SCHOOL SITE(S)	NUMBER OF PORTABLES BEING REPLACED	NUMBER OF SITE SPECIFIC ELIGIBLE PUPILS BEING REQUESTED
Total		166
		130

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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. ☐ Site Development—75 Years or Older: \$ _____
- e. ☐ Automatic Fire Detection/Alarm System
- f. ☐ High Performance Incentive (Indicate Points): _____
- g. ☐ Minimum Essential Facility
- ☐ Multipurpose
- ☐ Gymnasium
- ☐ Library
- ☐ Kitchen
- ☐ Hybrid: _____
- Toilet (sq. ft.): _____
- Other (sq. ft.): _____
- Construction Type
- ☐ Permanent
- ☐ Portable
- ☐ Site Development pursuant to Section 1859.78.9.1
- ☐ 35 percent of supplemental grant; or,
- ☐ 60 percent of minimum work \$ _____

h. 1) Transitional Kindergarten Classroom(s)

- ☐ New Construction
- Number of Classroom(s): _____
- ☐ Automatic Fire Detection/Alarm System
- ☐ Automatic Sprinkler System
- ☐ Multilevel Classrooms(s) Construction: _____
- ☐ Retrofit
- Number of Classroom(s): _____
- ☐ Automatic Fire Detection/Alarm System
- ☐ 50-year-old utilities
- ☐ Site Development pursuant to Section 1859.78.9.2
- ☐ 35 percent of supplemental grant; or,
- ☐ 60 percent of minimum work \$ _____

h. 2) Enrollment Data for Site

	3rd Prev.	2nd Prev.	Previous	Current
Grade	/	/	/	/
TK				
K				
1				
2				
3				
TOTAL	0	0	0	0

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: _____

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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: \$ _____

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. Local Funding Adjustment Grant

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

22. 23. 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 ~~handi-~~ capped 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. 24. 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

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mated 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.
- If the request is for a Modernization Grant and includes replacement of a 75 Years or Older Building(s), the cost estimate must delineate the costs associated with the work for the qualifying facility(s) pursuant to Sections 1859.78.7.1. in the DSA-approved plans apart from the other Modernization work in the DSA-approved plans and indicate 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 that portion of the grant amount provided by the State and the district's matching share.
- If the request is for a Modernization Grant and includes a Minimum Essential Facility or new or retrofitted Transitional Kindergarten classroom(s), the cost estimate must delineate the costs associated with the work for the qualifying facility(s) pursuant to Sections 1859.78.9.1, or 1859.78.9.2 in the DSA-approved plans apart from the other Modernization work in the DSA-approved plans and indicate 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 that portion of the grant amount provided by the State and the district's matching share.

ARCHITECT OF RECORD OR LICENSED ARCHITECT (PRINT NAME)

SIGNATURE	DATE
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24. 25. 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

ATTACHMENT B ATTACHMENT C

STATE OF CALIFORNIA

APPLICATION FOR FUNDING SCHOOL FACILITY PROGRAM

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

STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION

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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(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 1859.73(a) and (b)]
 - ☐ 3. The pupils requested from a different grade level will be housed in classrooms at an existing school in the district which will have its grade level changed, to the grade level requested, at the completion of the proposed SFP project. [Applicable for Sections 1859.77.2(b) and 1859.77.3(b)].
- If the district requested additional funding for fire code requirements pursuant to Sections 1859.71.2 or 1859.78.4, the district will include the automatic fire detection/alarm system and/or automatic sprinkler system in the project prior to completion of the project; and,
- The district has consulted with the career technical advisory committee established pursuant to Education Code Section 8070 and the need for vocational and career technical facilities is being adequately met in accordance with Education Code Sections 51224, 51225.3(b), 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 marked the box for 'Yes' in Section 22 e. of this application that it has or will include a project labor agreement, the use of a project labor agreement will be verified as part of the audit required in EC Section 41024. If it is determined that a project labor agreement was not used, the additional Local Share Adjustment Grant funding provided as a result of the points assigned to the project to determine the matching share percentage will be required to be returned, with interest (based on the interest rate earned in Pooled Money Investment Account at the time of fund release) until funds are returned.
- If the district is requesting the modernization supplemental grant for Minimum Essential Facilities pursuant to Section 1859.78.9.1 as part of this application, the district certifies that any classrooms displaced as a result of reconfiguration are replaced in the same plan set, or the district certifies that the classrooms are not being replaced due to a demonstrated lack of need and the district acknowledges that no adjustment to the district's new construction eligibility will be made for the removal of these classrooms; and,
- If this funding request is for the retrofit of kindergarten classrooms, the School District certifies that the classrooms did not meet design requirements for a kindergarten classroom at the time they were built or previously retrofitted to meet kindergarten standards; and,
- If funding for new or retrofitted Transitional Kindergarten classrooms is being requested, the School District certifies that _____ classrooms were constructed or previously altered to meet the requirements for a kindergarten classroom; and,
- With regards to providing Transitional Kindergarten instruction as pursuant to Section 1859.78.9.2, the School District certifies that the School District is currently or will provide Transitional Kindergarten at the project site.

NAME OF DISTRICT REPRESENTATIVE (PRINT)	PHONE NUMBER
	171
	135

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STATE OF CALIFORNIA

STATE ALLOCATION BOARD

OFFICE OF PUBLIC SCHOOL CONSTRUCTION

75 YEARS OR OLDER BUILDING COST ESTIMATE AND COST/BENEFIT ANALYSIS (CBA)

SCHOOL FACILITY PROGRAM

SAB 57-75 (New xx/25)

INSTRUCTIONS

The 75 Years or Older Building Cost Estimate and Cost/Benefit Analysis (CBA) (Form SAB 57-75) is to be used for the purposes of generating and submitting the cost estimate required to determine eligibility of 75 Years or Older Buildings pursuant to School Facility Program (SFP) Regulation Section 1859.78.7.1.

Refer to the most current published edition of the Current Construction Remodeling Costs publication by Sierra West Publishing, F2 unit costs, for data needed to complete this form. Throughout these instructions, all references to "Sierra West" indicate this publication. All lines in Part I must be broken out to individual items or materials. Do not enter line item requests in a lump sum format. Line item requests in lump sum format may not be eligible.

PART I - Line Item Requests

For each line item request, complete the following:

1. **CSI #** - Enter the Construction Specifications Institute number (CSI #) corresponding to the item or material included in the project as it appears in Sierra West.
2. **Description** - Enter the description corresponding to the item or material as it appears in Sierra West.
3. **Quantity** - Enter the numeric quantity of the item or material used as indicated in the project plans approved by the Division of the State Architect (DSA). For projects that do not require DSA plan approval, enter the quantity as indicated in the supporting documentation submitted with the application.
4. **Unit** - Enter the unit of measure for the specified material or item as it appears in Sierra West.
5. **Cost/Unit** - Enter the total unit cost, or cost per unit, as it is listed in the F2 column in Sierra West. Do not add installation cost as this has been included in the total unit cost amount.
6. **District's Request** - Enter the product of the Quantity (3.) and Cost/Unit (5.) column.
7. **OPSC's Allowance** - Leave blank. This section will be completed by OPSC upon review of the application.

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8. School District Comments - The School District may optionally indicate any relevant plan page numbers or reference information to assist the plan reviewer in the Comments column.

9. OPSC Review Comments - Leave blank. This section will be completed by OPSC upon review of the application.

10. Title 24 Max Requirement - In lieu of requesting individual line items for Access Compliance, the school district may request a 20 percent allowance to cover the costs of the maximum Access Compliance work required by DSA. This allowance is reflective of the maximum requirements in Title 24, Section 11B-202.4, Exemptions, 8.

PART II - Contractor Burden

For the purposes of Part II of this form, refer to the table below to determine the applicable construction classification to use when referencing the most current published edition of Sierra West.

OPSC Project Type: Modernization Rehabilitation of Historical Structures

Sierra West Construction Classification: Unique Structures

General Conditions - Using the total project cost as reported to DSA and the applicable OPSC project type listed above, enter the percentage as indicated in the General Conditions table in Sierra West (CSI# 01.1000 000).

Calculation Detail:

The multiplier is the percentage allowed based on the total project cost reported to DSA and the chart in the Current Construction Remodeling Costs Publication, in Section 01.1000 000. That percentage is representative of the economies of scale for the overall scope of the project and is then applied to the OPSC Allowance Subtotal to arrive at the **General Conditions** allowance.

Overhead, Profit & Bonds - Using the total project cost as reported to DSA, enter the applicable percentage as indicated in the "Bonds" section in Sierra West (CSI# 01.2000 000).

Calculation Detail:

The multiplier is the percentage allowed based on the project's Construction Subtotal and the chart in the Current Construction Remodeling Costs Publication, Section 01.2000 000. That percentage is representative of the economies of scale of the overall scope of the project

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which is then applied to the sum of the OPSC Allowance Subtotal plus the General Conditions allowance, to arrive at the **Overhead, Profit & Bonds** allowance.

Escalation - If the project has not been completed at the time of application submittal, enter the percentage listed for the current year, as indicated in the "Escalation" section of Sierra West (CSI# 01.3000 000).

Calculation Detail:

If the project has not been completed at the time of application submittal, the multiplier is the percentage listed for the current year, as indicated in the "Escalation" section of Sierra West (CSI# 01.3000 000). That percentage is then applied to the sum of the OPSC Allowance subtotal, plus the General Conditions Allowance, and the Overhead Profit & Bond Allowance. If the project is already complete, enter "\$0".

Contingencies - Based on OPSC's Allowance Subtotal and based upon CSI# 01.4000 000 Schematic Plans in Sierra West. Sierra West provides an allowance of "0 percent" when funding is based on work with full DSA approved plans.

Calculation Detail:

The multiplier is the percentage based on the Construction Classification and the Stage of Design outlined in the chart in the Current Construction Remodeling Costs Publication, in Section 1.4000 000. That percentage is then applied to the sum of the OPSC Allowance subtotal plus the allowance for General Conditions, Overhead Profit & Bond, and Escalation. Note: Applications with funding based on plans with final DSA approval are ineligible for contingencies.

Part III - Design Costs & Fees

Project Inspection Allowance – 1.00 percent

Calculation Detail: Allowance provided for the services of a DSA certified inspector for the duration of the project. The allowance provided is 1.00 percent, based on Construction Subtotal.

Construction Testing Allowance – 1.00 percent

Calculation Detail: For rehabilitation projects that require specialized testing and inspection of

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materials during construction such as soil tests, foundation tests, exploratory borings, and similar testing prior to construction, enter 1 percent. The District must submit written verification of the specialized testing required for the scope of work. For all other projects, enter '0'. The allowance is the applicable percentage multiplied by the Construction Subtotal.

Design Specialist Cost Allowance – Based on the Construction Subtotal in Part II.

Calculation Detail: The allowance for the Design Specialist is calculated using the Design Specialist Cost Allowance sliding scale below Part III. Alternatively, the user may manually enter the cost allowance based on this scale.

CDE Plan Review Fee – 0.07 percent

Calculation Detail: Allowance is for the proportionate amount of fees charged by the California Department of Education, as required by law, for the project. The allowance provided will be 0.0007 multiplied by the OPSC Allowed Construction Subtotal.

DSA Plan Review Fee – DSA Project Fee Calculator

Calculation Detail: Allowance is for the proportionate amount of fees charged by DSA, as required by law, for the project. Based on the product of the OPSC Allowed Construction Subtotal applied to the DSA Project Fee Calculator:

<https://www.apps2.dgs.ca.gov/dsa/tracker/FeeCalculator.aspx>

Part III- OPSC Approved Total Project Cost is the Sum of Part II and Part III.

Part IV - Cost Benefit Analysis Calculation for the Existing Building

Square Footage of Qualifying 75 Year Old Building - Insert the square footage of the existing building into the applicable cell depending on its type. The categories are either Permanent or Portable and Toilet or Other.

Current Replacement Cost (Per Square Foot) - Enter the value for each category as approved by the State Allocation Board for the current year pursuant to SFP Regulation Section 1859.2.

Total Current Replacement Cost is the product of the qualifying square footage multiplied by the Current Replacement Cost. The sum of each category is the **Total** for the building.

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To determine whether the Cost to Modernize exceeds the Cost to Replace the Building by more than 50 percent, divide the OPSC Approved Total Project Cost from Part III by the Total Replacement Cost. Then multiply by 100 to calculate the percentage.

If the percentage is equal to or greater than 50 percent, the building is eligible.

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75 YEARS OR OLDER BUILDING COST ESTIMATE AND COST/BENEFIT ANALYSIS (CBA)
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STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION

<u>School District:</u>	<u>Application Number:</u>
<u>School Name:</u>	<u>DSA Number:</u>
<u>County:</u>	

PART I - Line Item Request

[illegible]

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STATE OF CALIFORNIA
75 YEARS OR OLDER BUILDING COST ESTIMATE AND COST/BENEFIT ANALYSIS (CBA)
SCHOOL FACILITY PROGRAM
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STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION

School District:	Application Number:
School Name:	DSA Number:
County:	

PART II - Contractor Burden

1. CSI #	2. Description	Multiplier	Allowance	Calculation Detail
1.100 000	General Conditions (insert percentage) Broad categories covered by General Conditions include: • Mobilization. • Non-distributable labor and supervision. • Permits, licenses & fees. • Temporary utilities, structures, and fencing • Material handling equipment, trucks, safety, fuel, scaffolding. • Non-manual labor, benefits, payroll tax, workers compensation insurance • Insurances, comprehensive, builders risk.	0.00%	\$ -	The multiplier is the percentage allowed based on the total project cost reported to DSA and the chart in the Current Construction Remodeling Costs Publication, in Section 01.1000 000. That percentage is representative of the economies of scale for the overall scope of the project, and is then applied to the OPSC Allowance Subtotal to arrive at the General Conditions allowance. The following application types should use the corresponding Sierra West allowance category: • Modernization (historical structures) – “Unique Structures”
1.200 000	Overhead, Profit, and Bonds (insert percentage) Broad categories covered by overhead include: rent, utilities, legal, accounting, estimating, travel, general insurance, taxes, marketing, advertising, computers, etc. and are distinctly not related to the physical construction of the project.	0.00%	\$ -	The multiplier is the percentage allowed based on the project's Construction Subtotal and the chart in the Current Construction Remodeling Costs Publication, Section 01.2000 000. That percentage is representative of the economies of scale of the overall scope of the project which is then applied to the sum of the OPSC Allowance Subtotal plus the General Conditions allowance, to arrive at the Overhead, Profit and Bonds allowance.
1.300 000	Escalation (insert current year percentage) This allowance provides for the general adjustment in construction costs over the duration of an estimating year.	0.00%	\$ -	If the project has not been completed at the time of application submittal, the multiplier is the percentage listed for the current year, as indicated in the "Escalation" section of Sierra West (CSI# 01.3000 000). That percentage is then applied to the sum of the OPSC Allowance subtotal, plus the General Conditions Allowance, and the Overhead Profit & Bond Allowance. If the project is already complete, enter "0%".
1.400 000	Contingencies (insert percentage or "0") Contingencies are provided for projects when the work in this form is represented in schematic drawings rather than DSA approved plans. Typically, this only applies to Cost Benefit Analysis completed for Modernization for 75 or Older Facilities replacement applications or requests for Conceptual Approval. Note: Sierra West Current Construction Cost publication provides an allowance of "0%" when funding is based on work with full DSA approved plans.	0.00%	\$ -	The multiplier is the percentage based on the Construction Classification and the Stage of Design outlined in the chart in the Current Construction Remodeling Costs Publication, in Section 1.4000 000. That percentage is then applied to the sum of the OPSC Allowance subtotal plus the allowance for General Conditions, Overhead Profit & Bond, and Escalation. Note: Applications with funding based on plans with final DSA approval are ineligible for contingencies.
Part II- Construction Subtotal			\$ -	Sum of Part I and Part II.

PART III- Design Costs & Fees

Design Costs	Multiplier	Allowance	Calculation Detail
Project Inspection Allowance	1.00%	-	Allowance provided for the services of a DSA certified inspector for the duration of the project. The allowance provided is 1.00%, based on Construction Subtotal. Only allowed if project required DSA approval.
Construction Testing Allowance	1.00%	-	For rehabilitation projects that require specialized testing and inspection of materials during construction such as soil tests, foundation tests, exploratory borings, and similar testing prior to construction, enter 1%. The District must submit written verification of the specialized testing required for the scope of work. For all other projects, enter 0%. The allowance is the applicable percentage multiplied by the Construction Subtotal.
Design Specialist Cost Allowance *See Sliding Scale, below.	Sliding Scale	-	Based on Construction Subtotal in Part II, using the Design Specialist Cost Allowance chart below.
CDE Plan Review Fee	0.07%	-	Allowance is for the proportionate amount of fees charged by the California Department of Education, as required by law, for the project. The allowance provided will be 0.0007 multiplied by the OPSC Allowed Construction Subtotal.
DSA Plan Review Fee	DSA Project Fee Calculator	-	Allowance is for the proportionate amount of fees charged by the DSA, as required by law, for the project. Based on the product of the Construction Subtotal applied to the DSA Project Fee Calculator: https://www.apps2.dgs.ca.gov/dsa/tracker/FeeCalculator.aspx .
Part III- OPSC Approved Total Project Cost:			Sum of Part II and Part III

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STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION

School District:	Application Number:
School Name:	DSA Number:
County:	

For Reference:

Design Specialist Cost Allowance Sliding Scale	Multiplier	Allowance
Construction Subtotal (from above):		\$ -
First \$500,000	12.00%	\$ -
next \$500,000	11.50%	\$ -
next \$1 million	11.00%	\$ -
next \$4 million	10.00%	\$ -
next \$4 million	9.00%	\$ -
Beyond	8.00%	\$ -
Design Cost Allowance:		\$ -

PART IV- Cost Benefit Analysis Calculation

Existing Building Determination of Qualification			
Square Footage of Qualifying 75 Year Old Building		Current Replacement Cost Pursuant to SFP Regulation Section 1859.2	Total Current Replacement Cost
Permanent Toilet	0.00	\$ -	\$ -
Permanent Other	0.00	\$ -	\$ -
Portable Toilet	0.00	\$ -	\$ -
Portable Other	0.00	\$ -	\$ -
Total	0.00		\$ -

Total Project Cost to Modernize the Building (from Part III)	\$ -
Comparison of Cost to Modernize verses Cost to Current Replacement Cost (Divide Total Current Replacement Cost by Total Project Cost to Modernize)	#DIV/0!
Percentage above Exceeds 50% - If 'Yes', Building qualifies	\$ -

*If the cost to repair the building is above 50 percent of the Current Replacement Cost then the building qualifies for Replacement funding. If the cost of repair is below 50 percent, it does not qualify for 75 Year Old replacement grant funding.

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STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION

School District:	Application Number:
School Name:	DSA Number:
County:	

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

- I am designated as an authorized District Representative by the governing board of the School District; and,
- under penalty of perjury, under the laws of the State of California, the foregoing statements are true and correct to the best of my knowledge and belief; and,
- this form is an exact duplicate (verbatim) of the form provided by Office of Public School Construction. No variations of this form may be used.

Name of District Representative (Print):	Phone Number:
Signature of District Representative:	Date: