

## ATTACHMENT B1

### OFFICE OF PUBLIC SCHOOL CONSTRUCTION STAKEHOLDER MEETING October 9, 2025

#### PROPOSED REGULATORY AMENDMENTS FOR MANDATORY USE OF OPSC ONLINE

##### PURPOSE

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

##### AUTHORITY

See Attachment B1a

##### DESCRIPTION

This report continues discussion of the implementation plans for mandatory use of OPSC Online for all Board-administered programs, including the School Facility Program (SFP), the California Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program (FDK Program), and the School Sites: Nonuse Payments Program (Unused Sites Program). This report expands on the previously presented proposed regulations and form amendments, and summarizes and provides responses to stakeholder feedback received by the Office of Public School Construction (OPSC) since the prior meeting. A live demonstration of the basic functionalities of OPSC Online will be presented during this meeting.

The full text of the proposed regulatory amendments for each program is included as Attachments B1b, B1d, and B1f. Descriptions of the proposed form amendments for each program are included as Attachments B1c, B1e, and B1g.

##### *Proposed Regulation and Form Changes*

This item proposes changes to the regulations and forms in effect as of September 8, 2025. This item does not reflect regulatory amendments that were approved by the Board and are still proceeding through the formal rulemaking process. Future meeting items will reflect regulatory changes once they are in effect.

##### BACKGROUND

##### *July 24, 2025 Stakeholder Meeting*

OPSC held a public meeting on July 24, 2025, to discuss proposed regulatory amendments that would require all document submittals related to programs administered by the Board to be completed using OPSC Online.

The full text of the July 24, 2025, stakeholder meeting item can be found at the following link: [July 24, 2025 OPSC Stakeholder Meeting #14 - Item](#)

## BACKGROUND (cont.)

The recording of the July 24, 2025 meeting is available at the link below. It includes feedback that OPSC was able to respond to at the time of the meeting:

[July 24, 2025 OPSC Stakeholder Meeting #14 - Recording](#)

Attachment B1h includes the full text of the stakeholder feedback that was received from the July 24, 2025, meeting.

## STAFF ANALYSIS/DISCUSSION

### **Summary of Stakeholder Feedback Following the July 24 Meeting and OPSC Online User Guide**

Staff would like to thank stakeholders who were able to view, attend, or participate in this meeting, and those who provided valuable feedback. Overall, stakeholders that participated in the OPSC Online User Guide testing have reported positive feedback on the improved functionality of OPSC Online. They have expressed satisfaction with the User Guide as a resource to gain familiarity with and navigate through the OPSC Online system. Below is a summary of feedback for suggested improvements in the OPSC Online system.

<b>Stakeholder Feedback</b>	<b>OPSC Response</b>
<b>1. Modernization Baseline Adjustment Ledgers</b> – The stakeholder requests functionality to provide images of all Forms SAB 50-03 that are either approved by the SAB or pending action, viewable or downloadable through OPSC Online. This suggestion stems from difficulties in reconciling OPSC’s eligibility ledgers (like the Modernization Baseline Adjustment ledger) through OPSC Online.	<b>1.</b> OPSC is exploring the feasibility of implementing this functionality into OPSC Online.
<b>2. Implementation of Receipt Confirmation System</b> – The stakeholder recommends OPSC implement a receipt confirmation system that verifies timely submissions. OPSC Online, as it currently functions, does not provide confirmation of Day Letter Response submissions, which prevents districts from being able to confirm or verify that their submission was recorded in a timely manner.	<b>2.</b> While OPSC Online does not currently provide an applicant confirmation of a submittal, each school district’s Dashboard does show the current status of submitted forms.  OPSC is exploring the feasibility of implementing additional functionalities into OPSC Online.

STAFF ANALYSIS/DISCUSSION (CONT.)

Stakeholder Feedback	OPSC Response
<p><b>3. Upload Processes</b> – The stakeholder recommends OPSC add a dedicated “Day Letter Section” on the application page that allows districts to upload an entire day letter response packet as a single submission. This section would allow certification of a submission and generate a confirmation receipt. OPSC staff could then distribute the day letter response documents to different OPSC Online sections internally. Additionally, as currently structured, signatories would need to certify Forms SAB 50-04 and Forms SAB 50-03 in separate sections of OPSC Online without a mechanism to bundle the forms, supporting documentation, and other correspondence together under one day letter response. To aid in organization, establishing a dedicated “Day Letter Section” to manage all related functions is recommended.</p>	<p><b>3.</b> OPSC is exploring the feasibility of implementing such functionalities into OPSC Online.</p>
<p><b>4. Site Listings</b> – The stakeholder has noted instances of duplicate or confusing listings and requests OPSC review site listings in OPSC Online and eliminate redundant and/or incorrect entries. For example, three site listings for one school may lead districts to mistakenly create Forms SAB 50-03 and Forms SAB 50-04 for an inactive site. Additionally, districts might select the wrong site from the three options and retrieve inaccurate baseline eligibility information. Before mandating the use of OPSC Online, the stakeholder recommends OPSC consolidate site listings under a single and consistent site name or alternatively, include the CDS Code in site listings and allow site searches by CDS code.</p>	<p><b>4.</b> OPSC acknowledges the need to address possible duplicative site entries. Staff will work with the OPSC Online development team to explore a function for delegates to identify active and inactive sites in OPSC Online.</p> <p>School districts may work with their OPSC Project Manager on updates to the site listing in OPSC Online.</p>

STAFF ANALYSIS/DISCUSSION (cont.)

Stakeholder Feedback	OPSC Response
<p><b>5. OPSC Online Capacity</b> – The stakeholder inquired whether the OPSC IT team will conduct stress testing of the OPSC website to make sure it can handle the increased traffic due to a sudden increase in users accessing and submitting documents and applications through it.</p>	<p><b>5.</b> OPSC conferred with the OPSC Online development team and confirmed that the system is equipped to handle the anticipated high volume of traffic and usage.</p>
<p><b>6. Mobile Functionality</b> – The stakeholder reports limited ability to fully utilize the program on mobile devices. School districts are unable to access the Project Reporting Beta capabilities and cannot “search” their applications from the Dashboard. The limitation of capabilities makes the mandatory use of OPSC Online unfeasible for district staff and architects to use while traveling or away from their offices.</p>	<p><b>6.</b> OPSC Online is not currently designed for mobile use. However, staff have routine success in using tablets, such as an iPad, to access OPSC Online while traveling or away from their offices.</p>
<p><b>7. Architect and Design Staff Access</b> – The stakeholder reports that architects and design staff have routinely had difficulties accessing OPSC Online to complete required certifications, forcing districts to utilize PDF forms to successfully complete submittals and meet deadlines, such as 24-hour responses.</p>	<p><b>7.</b> The updated OPSC Online User Guide provides detailed instructions for school districts to access OPSC Online and to provide authorization for architects and design professionals. OPSC staff are also available to assist school districts in assigning access to district personnel or other delegates.</p>
<p><b>8.</b> Stakeholders noted that while entering data for a five-year modified projection in the enrollment projection calculator, the enrollment data entered does not carry over if a different projection format is selected, such as the ten-year projection. The previous enrollment projection calculator was able to carry over the data entered on the modified projection to the ten-year projection and to the standard projection without any loss of data.</p>	<p><b>8.</b> OPSC will work with the OPSC Online development team to bring back this functionality to the enrollment projection calculator. In the meantime, users can utilize the stand-alone enrollment projection calculator to determine their preferred projection method <a href="#">here</a>.</p> <p>This tool keeps all inputs, allowing users to try out all combinations of methodologies and birth augmentations</p>

STAFF ANALYSIS/DISCUSSION (cont.)

Stakeholder Feedback	OPSC Response
<p><b>8. (cont.)</b> Would it be possible to implement the same operation for the new calculator?</p> <p>Additionally, it was requested that when a user is doing multiple year projections at one time, enrollment figures should be kept with their years, so the data “shifts” and does not have to be reentered.</p>	<p><b>8. (cont.)</b> with minimal typing (and related potential for typos in the entered data).</p>
<p><b>9.</b> The stakeholder noted that once Grant Agreements (GA) were signed in OPSC Online, the corresponding Form SAB 50-05 was labeled as, "You may now complete and submit an SAB 50-05 form." The stakeholder requested that the system not reflect the message until the apportionment is approved.</p>	<p><b>9.</b> The “You may now complete and submit an SAB 50-05 form” message populates after the school district signs the Grant Agreement because a valid Grant Agreement must be submitted prior to or concurrently with a Form SAB 50-05 for a valid fund release. If a district were to submit a Form SAB 50-05 prior to apportionment, OPSC would simply return it unprocessed. Future updates will include the addition of Help Text to the wizard flow for clarification.</p>
<p><b>10.</b> The stakeholder requested that all uploads appear within all project links. They noticed that the contractor agreement and Notice To Proceed that were uploaded as part of the original application submittal did not appear when in the Form SAB 50-05 module for the project.</p>	<p><b>10.</b> The stakeholder is advised that there is a tab for “All Uploaded Documents” on the left-hand navigation of the application dashboard.</p>
<p><b>11.</b> OPSC Online currently allows the Project Information Worksheet (PIW) to be linked to the various phases of a project (i.e., fund release, first expenditure report, final expenditure report) even after a prior submittal has been accepted. When districts click on a project line in their dashboard and</p>	<p><b>11.</b> OPSC is exploring the feasibility of implementing this functionality into OPSC Online.</p>

STAFF ANALYSIS/DISCUSSION (cont.)

Stakeholder Feedback	OPSC Response
<b>11. (cont.)</b> inadvertently link a current PIW to an incorrect phase, it is not accepted by OPSC. Is it possible to “lock” each phase after a submittal is accepted so that this mistake doesn’t occur?	
<b>12.</b> The stakeholder expressed difficulty navigating the multiple line items for each application or to the correct project or page.	<b>12.</b> OPSC welcomes any suggestions or requests for enhancements to OPSC Online to make the application system more user-friendly.
<b>13.</b> The stakeholder requested the option to alphabetize districts by name and separate the district code from the district name. The stakeholder also suggested that an option to put more than 10 districts on a page would help navigate to the correct district.	<b>13.</b> OPSC is exploring the feasibility of implementing these functionalities into OPSC Online.
<b>14.</b> Under the Resources tab, the stakeholder requested the ability to be able to right-click and “save as” the various templates provided.	<b>14.</b> OPSC is exploring the feasibility of implementing this functionality into OPSC Online.
<b>15.</b> The stakeholder requested the order in the Form SAB 50-05 certification, to match the Form SAB 50-04 order. The stakeholder also noted that the Career and Technical Education Advisory Committee certification could be worded differently and that there is a typo at the bottom. The question could also use a “N/A” option for non-Charter School Facilities Program applications.	<b>15.</b> OPSC will work with the OPSC Online development team to ensure wizard flows are logical and correct any existing typos.
<b>16.</b> The stakeholder requested that the Grant Agreement be added as a document option under Fund Release when uploading files.	<b>16.</b> Grant Agreements have their own module/ wizard flow and therefore rarely need to be submitted as an uploaded document. If the necessity arises, OPSC staff will upload Grant Agreements that are created, signed and submitted outside of OPSC Online, such as for the FDK Program.

STAFF ANALYSIS/DISCUSSION (cont.)

Stakeholder Feedback	OPSC Response
<p><b>17.</b> The stakeholder reported that they could not complete the Form SAB 50-01 and move on to the Form SAB 50-02 as directed by the user guide, as they are not a district signatory. The stakeholder requested the ability to certify the document so they could access the next step of the process.</p>	<p><b>17.</b> The wizard flow works as intended, as the inputs for the Form SAB 50-01 need to be completed in order to move onto the Form SAB 50-02. Additionally, different local educational agency delegate types have different permissions in OPSC Online. Only authorized District Representatives may <i>submit</i> a completed form or an application on behalf of a school district. However, other delegates may complete drafts of all forms for the District Representative to later sign and submit in OPSC Online.</p>

OPSC staff appreciates having received a few additional comments from stakeholders regarding clarifications and improvements that can be made to the proposed User Guide. OPSC intends to update the User Guide on a regular basis to incorporate changes to OPSC Online functionality. OPSC Online Release Notes are also available on the OPSC website on the following page: [OPSC Online Application](#). The release notes identify dates of “major” application software updates and describe key functionality updates and software patches.

**Summary of Proposed Amendments to SFP Regulations**

Since the last stakeholder meeting on July 24, 2025, the proposed effective date of the required use of OPSC Online has been updated to January 1, 2027. Previously, the proposed effective date was July 1, 2026. Additionally, since the last stakeholder meeting, OPSC has added proposed amendments to remove references to forms requiring an “original signature.”

For consistency, the definitions to the Form SAB 57-75 and Form SAB 58-01 have also been updated to specify submittal through OPSC Online. Although these forms do not have designated wizard flows programed into OPSC Online, they should be uploaded as supporting documentation with a Form SAB 50-04, when applicable.

The full text of the proposed amendments is reflected on Attachment B1b.

**Proposed Amendments to SFP Regulatory Forms**

Amendments to the forms below mirror those presented at the previous stakeholder meeting as proposed amendments to the *Application for Funding* (Form SAB 50-04). These include instructions to submit all applications and supporting documents through OPSC Online, updated instructions for submitting Plans and Specifications



## STAFF ANALYSIS/DISCUSSION (cont.)

(P&S), and to replace outdated references to the Project Tracking Number Generator with the relevant location for the information in OPSC Online.

In addition, staff also propose amendments to the following SFP Forms:

- *Form SAB 50-01 (Enrollment Certification/Projection)*
- *Form SAB 50-02 (Existing School Building Capacity)*
- *Form SAB 50-03 (Eligibility Determination)*
- *Form SAB 50-05 (Fund Release Authorization)*
- *Form SAB 50-06 (Expenditure Report)*
- *Form SAB 50-09 (Application for Charter School Preliminary Apportionment)*
- *Form SAB 50-10 (Application for Career Technical Education Facilities Funding)*

A full description of the proposed amendments to SFP Regulatory Forms is reflected on Attachment B1c.

### **Summary of Proposed Amendments to FDK Program Regulations**

#### *Section 1860.2. Definitions*

The proposed amendment requires submittal of all FDK forms and supporting documentation electronically through OPSC Online beginning January 1, 2027. The proposed amendment defines “OPSC Online” as the online system that allows applicants to electronically submit requests for funding, and associated project documentation, for all California Preschool, Transitional Kindergarten, Full Day Kindergarten Facilities Grant Program projects. It also amends references to Forms SAB 70-01, SAB 70-02, and SAB 70-03 to include the requirement that all submissions must be done through the OPSC Online system.

#### *Section 1860.3. General*

The proposed amendment specifies that the Form SAB 70-01 and all necessary documents, as defined by Approved Applications, shall be filed through OPSC Online.

#### *Section 1860.3.1. Program Forms and Supporting Documentation Submittal*

A new FDK Program Regulation Section 1860.3.1 is proposed to address the submittal of applications through OPSC Online. The section provides guidance for which application documents and formal correspondence would be subject to this requirement, as well as submittal processes for when OPSC Online is inaccessible.

The full text of the proposed FDK Program amendments is reflected on Attachment B1d.



## STAFF ANALYSIS/DISCUSSION (cont.)

### **Proposed Amendments to FDK Program Regulatory Forms**

Amendments to the forms below mirror those presented at the previous stakeholder meeting as proposed amendments to the SFP Form SAB 50-04. These include instructions to submit all applications and supporting documents through OPSC Online, updated instructions for submitting Plans and Specifications (P&S), and to replace outdated references to the Project Tracking Number Generator with the relevant location for the information in OPSC Online.

- *Form SAB 70-01 (Application for Funding)*
- *Form SAB 70-02 (Fund Release Authorization)*
- *Form SAB 70-03 (Expenditure Report)*

A full description of the proposed amendments to SFP Regulatory Forms is reflected on Attachment B1e.

### **Summary of Proposed Amendments to Unused Site Program Regulations**

#### *Section 1864.2.1 Forms and Supporting Documentation Submittal*

A new Unused Site Program Regulation Section 1864.2.1 is proposed to address the submittal of applications through OPSC Online. The section provides guidance for which application documents and formal correspondence would be subject to this requirement, as well as submittal processes for when OPSC Online is inaccessible.

Additionally, OPSC proposes technical cleanup to align with the Unused Site Program's relocation in statute as Education Code Sections 17219 through 17223, and to amend gender-specific pronouns referring to the OPSC Executive Officer.

The full text of the proposed Unused Site Program Regulation amendments is reflected on Attachment B1f.

### **Proposed Amendments to Unused Sites Program Regulatory Forms**

Amendments to the forms below mirror those presented at the previous stakeholder meeting as proposed amendments to the SFP Form SAB 50-04. These include instructions to submit all applications and supporting documents through OPSC Online, updated instructions for submitting Plans and Specifications (P&S), and to replace outdated references to the Project Tracking Number Generator with the relevant location for the information in OPSC Online.

- *Form SAB 423 (Certification of Unused Sites)*
- *Form SAB 424 (Modification of Unused Sites)*

A full description of the proposed amendments to SFP Regulatory Forms is reflected on Attachment B1g.

## NEXT STEPS

OPSC's goal is to maximize the usability of OPSC Online for all program applicants. Stakeholder insights are invaluable in this process, and we would greatly appreciate further comments and recommendations to facilitate its full implementation.

Staff will review any feedback obtained in today's meeting and anything received through close of business on Friday, October 24, 2025 and will address those suggestions in the next public meeting on the corresponding topic.

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

AUTHORITY**Education Code (EC) 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. 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.

...

**EC Section 17219 states:**

(a) Whenever a school district acquires or has acquired a site for school purposes, as determined by the State Allocation Board, and does not use the site within (1) five years of the date of acquisition for the kindergarten, if any, and any of grades 1 to 8, inclusive, maintained by an elementary school district or a unified school district, or, (2) seven years of the date of acquisition for any of grades 7 to 12, inclusive, maintained by a high school district or a unified school district, or if a school district has a site at any grade level that has previously been used but has not been used for school purposes within the preceding five years, the school district shall be subject to nonuse payments, unless the State Allocation Board, from time to time, makes a determination that the school district will utilize the property for the purpose for which it was intended within a reasonable period of time, in a specific amount for each additional year in which the site is retained and not used by the district beyond the foregoing specified periods, except the first additional year shall be deemed to end not earlier than April 30, 1973.

(b) Payment shall not be required under this section as to any site having a value of twenty thousand dollars (\$20,000) or less. Commencing on January 1, 1988, and annually thereafter, the State Allocation Board shall increase this exemption figure by the amount of the current fiscal year inflation adjustment specified in Section 42238.1, if any.

(c) The payments required shall be computed by the Executive Officer of the State Allocation Board and certified to the Controller, and payments shall be equal to one one-hundredth (1/100) of the original purchase price of the site modified by either a factor reflecting the change in assessed value of all lands in the state from the date of purchase of the site to the current date or any other factor that in the determination of the State Allocation Board is applicable to the site under consideration.

(d) Whenever the State Allocation Board has determined that a school district in good faith has, within the preceding year, advertised the schoolsite for sale to the highest bidder pursuant to the provisions of Article 4 (commencing with Section 17455) of Chapter 4 of Part 10.5 and has received no bids that in the judgment of the State Allocation Board reflect the fair market value of the property, the Executive Officer of the State Allocation Board shall not compute any nonuse payments for the site for a period of one year beyond the date of the determination.

(e) Nonuse payments shall not be required for any year with respect to a schoolsite that for one-half or more of the number of days of that year has been utilized for any of the following purposes:

(1) By the school district, or by any other governmental entity pursuant to agreement with the school district, for school purposes, for use as a civic center, or for community playground, playing field, or other outdoor recreational purposes. For purposes of this paragraph, "civic center" means a site used for one or more of the purposes described in Section 40041.

(2) By the State Allocation Board, pursuant to agreement with the school district, for the storage of emergency portable classrooms.

(3) By the school district, or by any other public or private entity pursuant to agreement with the school district, for the operation of a child care program.

(f) Nonuse payments shall not be required for any year with respect to a schoolsite that was leased at least one-half of the days in that year in a manner that subjected the site to property taxes equal to the taxes that would have been paid if the site had been sold.

**EC Section 17375 states in part:**

...

(h) The State Allocation Board may adopt regulations to implement this section. Any regulations adopted pursuant to this section may be adopted as emergency regulations in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of the Title 2 of the Government Code). The adoption of these regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare.

...

**Government Code Section 15503 states:**

Whenever the board is required to make allocations or apportionments under this part, it shall prescribe rules and regulations for the administration of, and not inconsistent with, the act making the appropriation of funds to be allocated or apportioned. The board shall require the procedure, forms, and the submission of any information it may deem necessary or appropriate.

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

## ATTACHMENT B1b

Includes Office of Administrative Law approvals and Secretary of State filings of 10/08/1999, 10/13, 12/22, 01/07/2000, 03/13, 04/12, 06/26, 07/17, 09/12, 12/27, 01/02/2001, 04/05, 07/25, 08/13, 12/21, 04/10/2002, 06/01, 08/12, 09/09, 09/16, 10/04, 11/04, 01/16/2003, 02/06, 02/13, 02/27, 05/01, 07/07, 05/21/2004, 06/01, 07/02, 07/22, 11/02, 11/04, 11/10, 12/06, 12/20, 01/31/2005, 02/03, 02/15, 02/23, 02/28, 03/02, 04/26, 05/24, 05/26, 10/27, 10/31, 03/14/2006, 05/15, 08/21, 09/05, 11/03, 01/08/2007, 02/16, 04/25, 04/30, 05/17, 06/20, 07/13, 07/18, 08/31, 10/01, 10/03, 02/06/2008 03/03, 04/29, 04/30, 07/10, 08/14, 10/21, 01/21/2009, 01/26, 04/09, 04/22, 04/30, 09/18, 11/24, 12/22, 02/24/2010, 04/08, 06/23, 06/24, 10/04, 10/05, 10/29, 11/22, 01/25/2011, 04/05, 04/27, 04/28, 05/12, 07/27, 09/08, 10/18, 12/28, 03/26/2012, 05/15, 08/16, 10/23, 11/01, 12/06, 12/31, 03/25/2013, 06/25, 07/01, 10/30, 11/04, 08/19/2014, 11/20, 12/18, 02/09/2015, 08/13, 11/03, 12/21, 12/23, 07/13/2016, 12/12, 06/19/2017, 9/20, 9/22, 11/27, 12/20, 04/16/2018, 09/11, 12/18, 01/22/2019, 01/24, 06/11/2020, 08/31, 06/16/2021, 07/01, 10/28, 11/22, 04/14/2022, 07/01, 11/07, 06/13/2023, 12/18, 02/01/2024, 11/01, 06/03/2025, 06/20 and 09/08.

Title 2. Administration  
Division 2. Financial Operations  
Chapter 3. Department of General Services  
Subchapter 4. Office of Public School Construction  
Group 1. State Allocation Board  
Subgroup 5.5. Regulations Relating to the Leroy F. Greene School Facilities Act of 1998:  
(School Facility Program)

### Article 1. General Provisions and Definitions

#### Section 1859. Purpose.

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

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17070.10 and 17070.35, Education Code.

#### ...Section 1859.2. Definitions.

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

...

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

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

...

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

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

“Form SAB 50-03” means the *Eligibility Determination*, Form SAB 50-03 (Revised ~~12/10~~ XX/XX), which is incorporated by reference-, and shall be submitted through OPSC Online.

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"Form SAB 50-04" means the *Application For Funding*, Form SAB 50-04 (Revised ~~08/25~~ XX/XX), which is incorporated by reference-, and shall be submitted through OPSC Online.

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

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

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

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

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

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

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

"Form SAB 57-75" means the *75 Years of Older Building Cost/Benefit Analysis*, Form SAB 57-75, (New 09/25), which is incorporated by reference-, and shall be submitted through OPSC Online.

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

...

"OPSC Online" means the online system that allows School Districts and applicants to electronically submit requests for funding and associated project documentation for all School Facility Program projects. Beginning January 1, 2027, School Districts shall submit all required forms and supporting documentation electronically through OPSC Online.

...

### Article 3. SFP Application Procedure

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

Beginning January 1, 2027, all forms and supporting documentation required for participation in the SFP shall be submitted electronically using the OPSC Online system. Supporting documentation may include, but is not limited to, enrollment information, approval letters, cost estimates, substantial progress checklists, formal correspondence, Financial Hardship Checklists, and Detailed Listings of Project Expenditures.

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

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

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

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

## ATTACHMENT B1b

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

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

Note: Authority cited: Section 17070.35, Education Code.

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

### Section 1859.21. SFP Application for Funding.

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

Note: Authority cited: Section 17070.35, Education Code.

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

....

### Section 1859.90.2. Priority Funding Process.

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

- (a) In order to be considered for an Apportionment, approved advance release of design funds from a Preliminary Charter School Apportionment, or approved advance release of environmental hardship site acquisition funds from a Preliminary Apportionment, the district or charter school must provide a priority funding request in the form of a written statement signed by an authorized representative that includes each of the project Application numbers, and the type of Apportionment request (e.g., Apportionment, separate Apportionment for design or site acquisition), within the 30-calendar day filing period, and shall contain the following:
  - (1) Statement that the request is to convert the unfunded approval to an Apportionment or to receive an approved advance release of funds; and
  - (2) Acknowledgement that a valid, ~~original signature~~ Form SAB 50-05 must be submitted and ~~physically received~~ by the OPSC within 90 calendar days of Apportionment or approved advance release of funds request, except for a Career Technical Education Facilities Project in (a)(5), and that failure to do so will result in the rescission of the Apportionment or approved advance release of funds request without further Board action; and
  - (3) Acknowledgement that a Grant Agreement must be submitted pursuant to Section 1859.90.4 and ~~physically received~~ by the OPSC prior to, or concurrently with, the Form SAB 50-05 referenced in (a)(2); and



## ATTACHMENT B1b

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

...

Note: Authority cited: Section 17070.35, Education Code.

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

***Enrollment Certification/Projection (Form SAB 50-01)***

**Page 1 of 5; General Information:**

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

To determine a School District'sdistrict's initial eligibility for new construction funding under the School Facility Program (SFP), the School Districtdistrict must provide enrollment information for the current and previous three or seven years, as appropriate, on this form. After the initial submittal, this form need only be resubmitted when the School Districtdistrict requests additional new construction funding in a new enrollment year, as a result of a reorganization election that affects either the School District'sdistrict's enrollment or Eexisting Sschool Building Ceapacity, or as a result of a special education program transfer.

***Existing School Building Capacity (Form SAB 50-02)***

**Page 1 of 4; General Information:**

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

As part of the School District's~~district's~~ request for new construction funding under the School Facility Program (SFP), a determination of the School District's~~district's~~ Eexisting School Building Capacity must be made. This one-time~~one-time~~ report and the Form SAB 50-01 are used to calculate the School District's~~district's~~ eligibility for SFP new construction funding. Once the School District's~~district's~~ Eexisting School Building Capacity has been determined on this form, a determination of the School District's~~district's~~ baseline eligibility may be made, by completion of the Form SAB 50-03.

The following documentation is necessary and must be submitted through OPSC Online, with this form:

ATTACHMENT B1c

Proposed Amendments to SFP Forms

Page 3 of 9

***Eligibility Determination (Form SAB 50-03)***

**Page 1 of 4; General Information:**

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

This form is used by the School District to calculate the district's eligibility for new construction and modernization funding under the School Facility Program (SFP). The email business address entered on the application should be for the designee ~~the~~ location that the school district wishes the Office of Public School Construction (OPSC) to send mail all correspondence regarding this application.

***Application for Funding (Form SAB 50-04)*****Page 1 of 12; General Information:**

Pursuant to Regulation Section 1859.17, the School District must submit all Board required forms and supporting documentation for a valid and complete Application using the OPSC Online System. If this application is submitted when there is Insufficient Bond Authority, as defined in Regulation Section 1859.2, the School District must adopt and submit a school board resolution, pursuant to Regulation Section 1859.95.1. For information regarding remaining bond authority, contact the Office of Public School Construction (OPSC) prior to submittal of this application.

...

**Page 1 of 12; Section 5**

~~• 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. At the request of OPSC, plans and specifications (P&S) for the project that were approved by DSA. Submittal of plans may be via email, or on a "Flash Drive," or through a cloud-based service. Plans should be in a file format viewable in Autodesk Design Review, such as a DWF, DWFx, DWG, DFX, or PDF file format.~~

...

**Page 1 of 12; Section 7**

~~• P&S for the project that were approved by the DSA. At the request of OPSC, plans and specifications (P&S) for the project that were approved by DSA. Submittal of plans may be via email, or on a "Flash Drive," or through a cloud-based service. Plans should be in a file format viewable in Autodesk Design Review such as a DWF, DWFx, DWG, DFX, or PDF file format.~~

...

**Page 2 of 12; Section 8**

~~• P&S for the project that were approved by the DSA. At the request of OPSC, plans and specifications (P&S) for the project that were approved by DSA. Submittal of plans may be via email, or on a "Flash Drive," or through a cloud-based service. Plans should be in a file format viewable in Autodesk Design Review such as a DWF, DWFx, DWG, DFX, or PDF file format.~~

...

**Page 2 of 12; Specific Instructions**

The School District must assign a Project Tracking Number (PTN) to this project. The same PTN is used by OPSC, DSA and CDE for all project applications submitted to those agencies to track a particular project through the entire state application review process. If the School District has already assigned a PTN to this project by prior submittal of the P&S to either DSA or CDE for approval, use that PTN for this

## ATTACHMENT B1c

### Proposed Amendments to SFP Forms

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application submittal. If no PTN has been previously assigned for this project, a PTN may be obtained from the District tab on OPSC Online. ~~OPSC Web site at [www.dgs.ca.gov/opsc](http://www.dgs.ca.gov/opsc)~~ “PT Number Generator.”

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

**Page 1 of 3; General Information:**

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

After a School Facility Program (SFP) grant has been funded by the Board, the Office of Public School Construction (OPSC) will release the apportioned funds with the exception of design funds, to the appropriate county treasury once the School District~~district~~ has completed and submitted this form to the OPSC. Design funds apportioned pursuant to Section 1859.81(e) will automatically be released to the School District~~district~~ within 30 days of the following, whichever occurs last: an Apportionment or submittal by the School District~~district~~ of a Grant Agreement pursuant to Section 1859.90.4, with the exception of Preliminary Apportionments.

The following documents must be submitted through OPSC Online, with this form (as appropriate):



ATTACHMENT B1c

Proposed Amendments to SFP Forms

Page 7 of 9

***Expenditure Report (Form SAB 50-06)***

**Page 1 of 2; Instructions:**

Pursuant to Regulation Section 1859.17, the School District must submit all Board required forms and supporting documentation for a valid and complete Application using the OPSC Online System. For purposes of completing this form enter the total amount spent for the project, including expenditures that may exceed the State and School District district shares authorized by the State Allocation Board.

...

~~Submit completed form to: Department of General Services  
Office of Public School Construction  
Attn: SFP Audit  
707 Third Street  
West Sacramento, CA 95605~~

***Application for Charter School Preliminary Apportionment (Form SAB 50-09)*****Page 1 of 6; General Instructions:**

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

This form is used to request a preliminary apportionment for the new construction or rehabilitation of charter school facilities. This form may be submitted by either a Charter School directly or by a ~~School District~~~~school district~~ on behalf of a Charter School, provided the school is within the geographical boundaries of the ~~School District~~~~district~~. The apportionment will be a reservation of funds for the project to allow time to receive the necessary approvals from other State entities and shall be converted to a Final Charter School Apportionment based on Sections 1859.165 through 1859.166.1.

The applicant must assign a Project Tracking Number (PTN) to this project. The same PTN is used by ~~the~~ OPSC, the Division of the State Architect (DSA) and the California Department of Education (CDE) for all project applications submitted to those agencies, which assist those agencies to track a particular project ~~throughout~~~~through-out~~ the entire state application review process. If a PTN has already been assigned to this project by prior submittal of the plans and specifications to either ~~the~~ DSA or ~~the~~ CDE for approval, use that PTN for this application submittal. If no PTN has been previously assigned for this project, a PTN may be obtained from the District tab on OPSC Online. ~~Office of Public School Construction (OPSC) Web site at [www.dgs.ca.gov/opsc](http://www.dgs.ca.gov/opsc) "P.T. Number Generator."~~ (Obtain from school district.)

Prior to submitting this form, the Board must determine or adjust the appropriate School District~~district~~'s eligibility for new construction funding on the Form SAB 50-03. If the ~~School District~~~~district~~ has a pending reorganization election that will result in the loss of eligibility for the proposed project, the ~~School District~~~~district~~ may not file this application until the Board has adjusted the district's new construction baseline eligibility as required in Section 1859.51. This may be accomplished by completion of Form SAB 50-01, Form SAB 50-02, and Form SAB 50-03. The following documents must be submitted through OPSC Online with this form (as appropriate):

...

***Application for Career Technical Education Facilities Funding (Form SAB 50-10)*****Page 1 of 4; General Information:**

Pursuant to Regulation Section 1859.17, the School District must submit all Board required forms and supporting documentation for a valid and complete Application using the OPSC Online System. This form is to be used by a School District or a school district/joint powers authority (JPA) to request a Career Technical Education Facilities Program (CTEFP) grant. Requests for funding may be made as follows:

New Construction or Modernization project pursuant to Regulation Section 1859.190. The following documents must be submitted with this form through OPSC Online for purposes of this apportionment:

- California Department of Education's (CDE) Career Technical Education (CTE) score letter.
- A copy of the submitted CTEFP application that complies with the requirements of Education Code Section 17078.72.
- If applicable, Plan Approval letter from the CDE School Facilities Planning Division.
- If applicable, ~~Plans and Specifications (P&S) for the project that were approved by the Division of the State Architect (DSA) and the DSA Approval letter. 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.~~ Plans and Specifications (P&S) for the project that were approved by the Division of the State Architect (DSA) and the DSA Approval letter. Submittal of plans may be via email, or on a "Flash Drive," or through a cloud-based service. Plans should be in a file format viewable in Autodesk Design Review such as a DWF, DWFx, DWG, DFX, or PDF file format.
- Detailed cost estimate of proposed site development, if requesting site development funding.
- Detailed construction cost estimate, if requesting construction funding.
- Itemized list of equipment including cost, if requesting equipment funding.
- If requesting a loan, the applicant must attach the completed CTEFP Funding Availability Worksheet.

...

**Page 1 of 4; Specific Instructions:**

A Project Tracking Number must be assigned by the applicant for all applications submitted to ~~the OPSC, the DSA, or the CDE.~~ This number may be obtained from the District tab on OPSC Online. OPSC Web site at [www.dgs.ca.gov/opsc](http://www.dgs.ca.gov/opsc) or the DSA or the CDE Web sites under "Project Tracking Number Generator." The locale must be entered for all CTE applications submitted to ~~the OPSC.~~ If the district is amending its High Performance Incentive (HPI) grant request, complete sections 1 and 14 only.

## ATTACHMENT B1d

Includes Office of Administrative Law approvals and Secretary of State filings of 12/04/2018, 02/18/2020, 09/24, 01/19/2021, 03/21/2022, 10/27, 11/16 and 06/03/2024 (effective date 10/01/2024).

Title 2. Administration  
Division 2. Financial Operations  
Chapter 3. Department of General Services  
Subchapter 4. Office of Public School Construction  
Group 1. State Allocation Board  
Subgroup 5.8. Regulations Relating to the California Preschool, Transitional Kindergarten and Full-Day Kindergarten  
Facilities Grant Program  
Article 1. California Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program

### Section 1860.2. Definitions.

...

"Form SAB 70-01" means the *Application for Funding*, Form SAB 70-01 (Rev. ~~09/23~~XX/XX), which is incorporated by reference, and shall be submitted through OPSC Online.

"Form SAB 70-02" means the *Fund Release Authorization*, Form SAB 70-02 (Rev. ~~09/23~~XX/XX), which is incorporated by reference, and shall be submitted through OPSC Online.

"Form SAB 70-03" means the *Expenditure Report*, Form SAB 70-03 (Rev. ~~09/23~~XX/XX), which is incorporated by reference, and shall be submitted through OPSC Online.

...

"OPSC Online" means the online system that allows School Districts and applicants to electronically submit requests for funding and associated project documentation for all Program projects. Beginning January 1, 2027, School Districts shall submit all required forms and supporting documentation electronically through OPSC Online.

...

"Program" means the California Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program.

...

Note: Authority cited: Sections 17280 and 17375, Education Code.

Reference: Sections 17280 and 17375, Education Code; and Section 1771.5, Labor Code.

### Section 1860.3. General.

A School District seeking funding for a new construction or retrofit project pursuant to the provisions of Education Code Section 17375 shall complete and file ~~with~~ through OPSC Online, the Form SAB 70-01 and all necessary documents, as defined by Approved Applications.

...

#### Section 1860.3.1 Program Forms and Supporting Documentation Submittal

Beginning January 1, 2027, all forms and supporting documentation required for participation in the Program shall be submitted electronically using the OPSC Online system. Supporting documentation may include, but is not limited to, enrollment information, approval letters, cost estimates, substantial progress checklists, formal correspondence, Financial Hardship Checklists, and Detailed Listings of Project Expenditures.

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

Note: Authority cited: Section 17375(h), Education Code.

Reference: Section 17375(h), Education Code.

***Application for Funding (Form SAB 70-01)***

**Page 1 of 6; General Instructions:**

Pursuant to Regulation Section 1860.3.1, the School District must submit all Board required forms and supporting documentation for a valid and complete Application using the OPSC Online System. A School District may file an application for new construction and/or retrofit funding for the California Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program (Program) by use of this form for projects that have awarded construction contracts on or after July 1, 2018 for full day kindergarten projects, or on or after July 1, 2021 for preschool or transitional kindergarten projects.

...

**Page 1 of 6; Specific Instructions**

The School District must assign a Project Tracking Number (PTN) to this project. The same PTN is used by the Office of Public School Construction (OPSC), the Division of the State Architect (DSA), the California Department of Education (CDE), and the California Department of Social Services (CDSS) for all project applications submitted to those agencies to track a particular project through the entire state application review process. If the School District has already assigned a PTN to this project by prior submittal of the Plans and Specifications (P&S) to either DSA or 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 ~~OPSC's website~~ the District tab on OPSC Online.

***Fund Release Authorization (Form SAB 70-02)***

**Page 1 of 2; General Information:**

Pursuant to Regulation Section 1860.3.1, the School District must submit all Board required forms and supporting documentation for a valid and complete Application using the OPSC Online System.

After a California State Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program (Program) grant has been funded by the Board, the Office of Public School Construction (OPSC) will release the apportioned funds with the exception of design funds, to the appropriate county treasury once the School District has completed and submitted this form to OPSC. Design funds will automatically be released to the School District following, whichever occurs last: an Apportionment or submittal by the School District of a Grant Agreement pursuant to Section 1860.17, with the exception of advance funding Apportionments.

The following documents must be submitted with this form through OPSC Online (as appropriate):

1. A copy of the construction contract pages that include project description, contract parties, date of contract, contract amount, and signature page.
2. A Grant Agreement for the project signed by an authorized District Representative.
3. An updated Form SAB 70-01, if the School District previously received advanced funding for design and/or site.

ATTACHMENT B1e

Proposed Amendments to FDK Forms

Page 3 of 3

***Expenditure Report (Form SAB 70-03)***

**Page 1 of 2; Instructions:**

Pursuant to Regulation Section 1860.3.1, the School District must submit all Board required forms and supporting documentation for a valid and complete Application using the OPSC Online System. A School District receiving funds in accordance with the Program shall submit an expenditure report from the district on the Form SAB 70-03 at the completion of the project. A project shall be deemed complete when either of the following occur:

...

Submit completed form to:

Department of General Services

Office of Public School Construction

Attn: California Preschool, Transitional Kindergarten and Full-Day Kindergarten

Facilities Grant Audit

707 Third Street, 4th floor

West Sacramento, CA 95605

Completed forms may also be submitted electronically through OPSC Online or to [OPSCApplicationReviewTeam@dgs.ca.gov](mailto:OPSCApplicationReviewTeam@dgs.ca.gov).



ATTACHMENT B1f

Title 2. Administration Division  
2. Financial Operations  
Chapter 3. Department of General Services  
Subchapter 4. Office of Public School Construction  
Group 1. State Allocation Board  
Subgroup 10. School Sites: Nonuse Payments (Unused Sites Program)

Article 1. Definitions.

Section 1864.1. Definitions.

(a) In connection with the administration of the provisions of Sections ~~3904517219~~ to ~~3904817223~~, inclusive, of Article 1, Chapter 1, Part ~~2310.5~~, Division ~~31~~, Title ~~21~~, Education Code and for the purposes of these regulations, the terms set forth below shall have the following meanings:

(1) The Act. Sections ~~3904517219~~ through ~~1722339048~~, above.

(2) This Regulation. Shall be deemed to refer to Sections ~~3904517219~~ through ~~3904817223~~ thereof.

(3) Subject Sections. Shall be deemed to refer to Sections ~~3904517219~~ through ~~3904817223~~ of the Education Code.

(4) "Use" Within Five or Seven Year Period Specified by Section ~~3904517219~~.

(A) Use Prior to Effective Date of This Act Within 5 or 7 Year Period from Date of Acquisition. A district shall not be deemed to have used a site prior to the effective date of the act (January 1, 1974), within the 5 or 7 year period from the date of acquisition specified by Section ~~3904517219~~, unless it has within such 5 or 7 year period either:

1. entered into a lease in accordance with law which at any time in the future will result in improvements of a substantial nature on the site, or

2. made any other use thereof which either:

a. included the use of substantial improvements on the site at the time of acquisition, or

b. resulted at any time in such improvements on the site. For the purposes of this paragraph:

(i) bleachers or backstops regularly used for Little League play shall be deemed to be a substantial improvement to the site, and

(ii) the growing of agricultural or other plants shall not be deemed to be a substantial improvement to the site unless done as part of a regular school program for the benefit of the pupils of the district.

3. Use Subsequent to the Effective Date of the Act. A site shall not be deemed to be used within the meaning of the five or seven year period of the date of acquisition specified by Section ~~3904517219~~ subsequent to the effective date of the act unless the use made thereof is for the specific purpose for which acquired, or for a purpose of similar dignity, as for example: used to house students for all Department of Education programs authorized by the Legislature and operated by public school districts for which the district is receiving ADA apportionments. This would include Adult Education if ADA apportionments are being received,

4. used to house Special Education students,

5. used for District Administration including such support facilities as warehousing and maintenance facilities,

6. used for preschool or child care centers when operated by or under contract with public school districts or county superintendents of schools.

(5) "Purpose for Which It Was Intended" in Section ~~3904517219~~. The phrase "Purpose for which it was intended" in Section ~~3904517219~~ shall be deemed to mean the specific purpose for which the site was acquired or a purpose of similar dignity, for example:

(A) the substitution of a school of one grade level for a school of a different grade level, or

(B) used for the following reasons:

1. to house students for all Department of Education programs authorized by the Legislature and operated by public school districts for which the district is receiving ADA apportionments. This would include Adult Education if ADA apportionments are being received,

2. to house Special Education students,

3. for District Administration including such support facilities as warehousing and maintenance

## ATTACHMENT B1f

facilities,

4. for preschool or child care centers when operated by or under contract with public school districts or county superintendents of schools.

(6) "Will Utilize the Property . . . Within a Reasonable Period of Time" in Section ~~39045-39048~~17219. The term "utilize" in the heading of this subparagraph shall refer to the same type of use as specified in (4) B above. A "reasonable period of time" shall be deemed to be a fixed period of time specified by the Board or a period of time dependent upon one or more contingent or indefinite occurrences, with or without a cutoff date, which the Board deems reasonable under the circumstances of the case. Generally, a reasonable period of time shall not exceed three years, unless the Board determines a longer period is warranted by the facts.

(7) Evidence. "Evidence" shall include information or documentation bearing upon the matter sought to be shown.

(8) Future Use. "Future Use" shall be deemed to mean "use," as defined in (4)B above within a "reasonable period of time," as defined in (6) above.

Note: Authority cited: Sections ~~39045-39048~~17219-17223, Education Code.  
Reference: Section ~~39045~~17219, Education Code.

### Article 2. Procedures.

#### Section 1864.2. Cooperation by School Districts

Every school district shall furnish the Executive Officer within a reasonable period of time specified by the Executive Officer ~~him~~ and on forms prescribed thereby, with such attachments as may be desirable such information as may be requested by the Executive Officer ~~him~~ in order for the Executive Officer or the Board to perform their functions under this regulation.

Note: Authority cited: Section 17219, Education Code.  
Reference: Section 17219, Education Code.

#### Section 1864.2.1 Forms and Supporting Documentation Submittal

Beginning January 1, 2027, all forms and supporting documentation required for participation in the Unused Sites Program shall be submitted electronically using the OPSC Online system. Supporting documentation may include, but is not limited to, Purchase Agreements, Appraisals, County Assessor Parcel information, and District Board Resolution.

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

Note: Authority cited: Section 17219, Education Code.  
Reference: Section 17219, Education Code.

#### Section 1864.3. Evidence of Use – Determination by Executive Officer If Favorable; Otherwise by Board.

The Executive Officer may determine that the site has been so used if he determines the evidence warrants the same, for the following:

(A) Where the district furnishes evidence of use within the meaning of Section 1864.1(4) A or B above,

(B) Where the district furnishes evidence that a school site has been utilized for one-half or more of the number of days in a year by a school district or by any other governmental entity pursuant to agreement with the school district for school or community playground, playing field, or other

## ATTACHMENT B1f

outdoor recreational purposes.

Otherwise, he shall submit the question of use or non-use to the Board for its determination.

Note: Authority cited: Sections ~~39015-39018~~ 17219-17223, Education Code.

Reference: Section ~~39015~~ 17219, Education Code.

### Section 1864.4. No Evidence of Past Use.

Where a district fails to furnish to the Executive Officer evidence of past use within the meaning of Section 1864.1(4)A above, within a reasonable time prescribed by such officer, the Executive Officer shall make a determination of non-use, which shall constitute the Board's determination referred to in ~~39017~~ 17219.

Note: Authority cited: Sections ~~39015-39018~~ 17219, Education Code.

Reference: Section ~~39015~~ 17219, Education Code.

### Section 1864.5. Non-Use Determination by the Board.

Where the Executive Officer, pursuant to Section 1864.3, has not made a favorable determination that the site has been used, the Board shall consider the evidence submitted and shall make such determination of use or non-use.

Note: Authority cited: Section 17219, Education Code.

Reference: Section 17219, Education Code.

### Section 1864.6. Board's Determination of Future Use.

When any finding of non-use has been made pursuant to Section 1864.4 or 1864.5, the district shall be given a reasonable time, as determined by the Executive Officer, to furnish evidence of future use to the Board for its determination as to whether the same will occur, together with the recommendation by the Executive Officer as to the Board's action with respect thereto.

Note: Authority cited: Section 17219, Education Code.

Reference: Section 17219, Education Code.

### Section 1864.7. Determination That Reasonable Time Has Elapsed Prior to the Expiration of Maximum Period Specified.

When the Board has made a determination that a district will use the site within a reasonable period of time, it may subsequently determine that such reasonable period has elapsed, though less than the time specified, where the Board receives information that satisfies it, that such site will not be used during such period for the purpose for which it was intended within the meaning of Section 1864.1(a)(5). Any affected district shall, if it desires, be given an opportunity to be heard by the Board prior to such determination. Any such determination shall be deemed a determination of non-use at the time it is made for the purposes of Section ~~39017~~ 17219. For the purpose of this paragraph, the term "period" as used herein may include either a fixed period or an open-ended period.

Note: Authority cited: Sections ~~39015-39018~~ 17219, Education Code.

Reference: Section ~~39015~~ 17219, Education Code.

### Section 1864.8. Purchase Price Modification Factor.

Any school district subject to non-use payments pursuant to Section ~~39015~~ 17219, Education Code may furnish the Board with a copy of a current appraisal of the fair market value of the site under consideration made either by a qualified independent appraiser or the county assessor. The Executive Officer may use such appraised value as the modified purchase price for determination of non-use payments pursuant to Section ~~39015~~ 17219.

Note: Authority cited: Sections ~~39015-39018~~ 17219, Education Code.

## ATTACHMENT B1f

Reference: Section ~~39015~~17219, Education Code.

### Section 1864.9. No Certification Where Acquisition for Nominal Consideration.

Where a district has acquired the property for a nominal consideration, no certification shall be made by the Executive Officer to the State Controller with respect to each fiscal year prescribed by Section ~~39016~~17219. A consideration shall be deemed to be nominal with respect to any fiscal year during which a certification would otherwise be made by the Executive Officer, where it appears likely to the Executive Officer ~~him~~ that it would result in a deduction by the Controller during the next succeeding fiscal year of less than \$5 for any of the installments specified in Section ~~39016~~17222.

Note: Authority cited: Sections ~~39015-39018~~17219, 17222, Education Code.

Reference: Section ~~39015~~17219, Education Code.

### Section 1864.10. Lease-Purchase Same As Sale.

When a district has entered into a lease-purchase agreement with another public agency which will result in the transfer of title for the site to such public agency upon completion of the purchase, such lease-purchase shall be considered to be a sale within the meaning of Section ~~39017~~17219, Education Code.

Note: Authority cited: Sections ~~39015-39018~~17219, Education Code.

Reference: Section ~~39015~~17219, Education Code.

ATTACHMENT B1g  
Proposed Amendments to Unused Sites Program Forms

Page 1 of 2

***Certification of Unused Sites (Form SAB 423)***

**Page 1 of 1:**

Pursuant to Regulation Section 1864.2.1, the School District must submit all Board required forms and supporting documentation using the OPSC Online System.

This report lists all of the School District's previously reported unused sites, including sites that have received a waiver in previous years. **All School Districts and County Offices of Education are required to report all unused sites to the State Allocation Board, pursuant to California Education Code Sections 17219 - 17224.** An unused site is deemed to be any site owned by the District that is not being used for school purposes.

ATTACHMENT B1g  
Proposed Amendments to Unused Sites Program Forms

Page 2 of 2

***Modification of Unused Sites (Form SAB 424)***

**Page 1 of 2; Instructions:**

Pursuant to Regulation Section 1864.2.1, the School District must submit all Board required forms and supporting documentation using the OPSC Online System. This form is used for each site requiring attention and must be returned by July 1, of each year. Complete only those sections that are relevant to the School District's district's needs. Refer to Education Code (EC) Sections 17219 and 17224.



August 8, 2025

Communications Team  
Office of Public School Construction (OPSC)  
707 Third Street  
West Sacramento, CA 95605

**RE: FEEDBACK ON TOPICS PRESENTED DURING THE JULY 24, 2025 STAKEHOLDER MEETING FOR IMPLEMENTATION OF PROPOSITION 2 FOR THE SCHOOL FACILITY PROGRAM**

To Whom it May Concern:

Hancock Park & DeLong, Inc. appreciates the opportunity to continue providing feedback regarding the topics presented during the fourteenth Proposition 2 Stakeholder meeting held on July 24, 2025. Below is a summary of our comments and concerns:

- **Natural Disaster Assistance**

- We have no comments or concerns with the proposals presented on this subject.

- **Mandatory Use of OPSC Online**

- We appreciate the improvements that have been made to the OPSC Online platform; however, the ability to fully utilize the program on mobile devices has been limited. School districts are unable to access the Project Reporting Beta capabilities and cannot “search” their applications from the Dashboard. The limitation of capabilities makes the mandatory use of OPSC Online unfeasible for district staff and architects to use while traveling or away from their offices.
- Architects and design staff have routinely had difficulties accessing OPSC Online to complete required certifications, forcing districts to utilize PDF forms to successfully complete submittals and meet deadlines, such as 24-hour responses.

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

Sincerely,

Jessica Love  
Hancock Park & DeLong





**Alberto M. Carvalho**  
Superintendent

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

Sacramento Office: 1201 K St., Suite 1040  
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**Board of Education**

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

August 8, 2025

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

**Re: Proposition 2 Implementation Stakeholder Meeting #14**

Dear Ms. Kirk,

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

The comments and recommendations provided below correspond to the topics raised and materials provided for the July 24, 2025, Implementation Stakeholder Meeting #14.

**Interim Housing/Natural Disaster**

*Stakeholder Feedback #4* – Los Angeles Unified requests OPSC provide an example of how a proposed apportionment that had insurance proceeds and/or other adjustments would be calculated under *Proposed 2 CCR Section 1859.84.2(d)*.

*Proposed 2 CCR Section 1859.48.1(c)* - OPSC states Interim Housing Assistance may not be requested in place of (1) An Approved Application pursuant to Section 1859.70 [or] (2) An Approved Application pursuant to Section 1859.82.1. These sections refer to New Construction and Modernization and Facility Hardship, respectively. Los Angeles Unified requests clarification on the intended purpose of this proposed regulation.

*Proposed 2 CCR Section 1859.93 and 1859.93.1* – Los Angeles Unified is requesting clarification on the reasoning used for determining the order in which Interim Housing Assistance and Natural Disaster Assistance would be funded. Specifically, under proposed 2 CCR Section 1859.93, the reasoning for funding Form SAB 195 pursuant to 1859.84.1 over Facility Hardship applications.

*Proposed Form SAB 195*

- *Section 3 - Prior Apportionment(s) for Impacted Site* (p. 31) - Applicants are instructed to check the appropriate boxes, however on page 4 of Form SAB 195 (p. 34) there are no checkboxes. Los Angeles Unified suggests a revision be made to either section for clarity.
- *Section 8 - Interim Housing Assistance Narrative* (p. 32) – This section suggests that a district would be eligible for Interim Housing Assistance under *SFP Section 1859.84.1* only if none of the costs were covered by insurance or any other government disaster assistance. Los Angeles Unified requests clarification on the outcome of a scenario where insurance and/or other government assistance costs are available but insufficiently cover costs. Additionally, Los Angeles Unified suggests that this section include language about what information the narrative should include if the status of receipt of any insurance and/or other government assistance is unknown at the time of requesting assistance. This language could be similar to what is stated in the Insurance Proceeds section of the Natural Disaster Checklist (p. 40) allowing a school district to provide an estimate of the insurance proceeds or any other government disaster assistance.
- *Section 10 – Certification* (p. 37) – Bullet point 10 requires in part, certification of the receipt of the necessary approvals from the Division of the State Architect (DSA). Los Angeles Unified suggests this point be revised to allow flexibility for circumstances where DSA approval is pending.
- *Natural Disaster Assistance Checklist* (pp. 39 - 41) – Los Angeles Unified recommends integrating the checklist into Form SAB 195 instructions so that the guidance and instructions are officially part of an approved form.

*Proposed Grant Agreement(s)* (pp. 43 & 51) –The bold section (“Grant funds are to be used in accordance...”) states that changes to the scope of work must be approved by OPSC. This contradicts the language of current grant agreements and the preceding section (“The Grantee shall not make any change to the Project...”) that states a change in the scope must be approved by the State Allocation Board. Los Angeles Unified requests clarification on this proposed change.

## **Mandatory OPSC Online Usage**

*Modernization Baseline Adjustment Ledgers* - Los Angeles Unified recommends OPSC explore adding functionality to provide images of all Forms SAB 50-03 that are either approved by the SAB or pending action viewable or downloadable through OPSC Online. This suggestion stems from

difficulties in reconciling OPSC's eligibility ledgers (like the Modernization Baseline Adjustment ledger) through OPSC Online.

*Implementation of Receipt Confirmation System* – Should OPSC require all “formal correspondence” including day letter responses, be submitted via OPSC Online, Los Angeles Unified strongly advocates for OPSC to implement a receipt confirmation system that verifies timely submissions. OPSC Online, as it currently functions, does not provide confirmation of Day Letter Response submissions which prevents districts from being able to confirm or verify that their submission was recorded in a timely manner.

*Upload Processes* – Los Angeles Unified recommends OPSC add a dedicated “Day Letter Section” on the application page that allows districts to upload an entire day letter response packet as a single submission. This section would allow certification of a submission and generate a confirmation receipt. OPSC staff could then distribute the day letter response documents to different OPSC Online sections internally. Additionally, as currently structured, signatories would need to certify FORM SAB 50-04s and 50-03s in separate sections of OPSC Online without a mechanism to bundle the forms, supporting documentation, and other correspondence together under one day-letter response. To aid in organization, establishing a dedicated 'Day Letter Section' to manage all related functions is recommended.

*Site Listings* – Los Angeles Unified has noted instances of duplicate or confusing listings and requests OPSC review site listings in OPSC online and eliminate redundant and/or incorrect entries. For example, South Gate Junior High (HSAA: 16 Southgate) has three site listings: South Gate Junior High (CDS 6058309), South Gate Junior High (CDS 9702017), and South Gate Middle (CDS 9706219). In this example, three site listings for South Gate Junior High may lead Districts to mistakenly create 50-03s and 50-04s for an inactive site. Additionally, Districts might select the wrong site from the three options and retrieve inaccurate baseline eligibility information. Before mandating the use of OPSC Online, Los Angeles Unified recommends OPSC consolidate site listings under a single and consistent site name or alternatively, include the CDS Code in site listings and allow site searches by CDS code.

Los Angeles Unified would like to thank OPSC in advance for the upcoming OPSC Online User Guide and would like to request to be included in testing the draft guide prior to official release.

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

Sincerely,



Sasha Horwitz  
Legislative Advocate  
Los Angeles Unified School District