

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, December 3, 2025

PROPOSED REGULATORY AMENDMENTS FOR THE SCHOOL FACILITY PROGRAM

PURPOSE OF REPORT

To present the State Allocation Board (Board) with clarifying language changes related to factors the Board may consider in determining whether to approve New Construction eligibility adjustments for school districts impacted by a natural disaster.

DESCRIPTION

On August 19, 2025, the Board approved proposed regulatory amendments, on an emergency basis, that implement Proposition 2 provisions authorizing the Board to provide natural disaster assistance to school districts and county offices of education impacted by a natural disaster for which the Governor declared a state of emergency. The Office of Administrative Law (OAL) approved the regulatory amendments on an emergency basis with an effective date of October 20, 2025.

This item seeks Board approval of clarifying language changes that specify factors for the Board's consideration in cases where a school district elected not to replace classrooms that were destroyed or rendered unsafe to occupy due to a natural disaster that occurred prior to July 3, 2024.

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

After the emergency regulations were approved by the OAL [OAL File Number 2025-1010-03E], the Office of Public School Construction (OPSC) identified the need to address a clarity issue relating to the "case-by-case" language in Regulation Section 1859.51(v) by specifying factors for the Board's consideration. OPSC acknowledges that these factors are not inclusive of every situation. In addition, there is a minor edit proposed to subsection (u)(2) as shown in bold that corrects a cross-reference and is a non-substantive change.

STAFF ANALYSIS/STATEMENTS (cont.)

Below, please find a comparison of the Board's previously approved regulatory amendments from the August 19, 2025 Board meeting and the proposed clarifying language:

Previously Approved Language from August 19, 2025 (single underline):

...

(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.

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

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

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

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

Proposed Clarifying Language for December 3, 2025 (in bold):

...

(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.

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

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

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

STAFF ANALYSIS/STATEMENTS (cont.)

Proposed Clarifying Language for December 3, 2025 (in bold) (cont.):

(v) Increased by the capacity of Classrooms that were destroyed or rendered unsafe to occupy due to a natural disaster for which the Governor declared a state of emergency on or after July 3, 2024, that the School District elected not to replace. The Board may consider adjustments for Classrooms that were destroyed or rendered unsafe to occupy due to a natural disaster that occurred prior to July 3, 2024, that the School District elected not to replace, ~~on a case-by-case basis.~~ **For a School District that elected not to replace Classrooms that were destroyed or rendered unsafe to occupy due to a natural disaster, the Board will consider relevant factors, including, but not limited to, funding from insurance, governmental assistance and/or other sources; enrollment patterns in the School District; site conditions such as soil; school site consolidations; and all information submitted on the Form SAB 195.**

With Board approval, OPSC will combine this regulatory action with the emergency regulatory action into one rulemaking file as part of the Administrative Procedure Act process to make the regulations permanent.

Attachment 1 is the previously approved Board item from the August 19, 2025 Board meeting.

RECOMMENDATIONS

1. Adopt the proposed regulatory amendments as shown under *Proposed Clarifying Language for December 3, 2025*, above.
2. Authorize the Executive Officer to combine both the proposed regulatory amendments in this Board item along with the emergency regulations previously approved by the OAL [OAL File Number 2025-1010-03E], into one rulemaking file and file the regulations with the OAL to make the regulations permanent.

This Item was approved by the State Allocation Board on December 3, 2025.

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, August 19, 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 funding assistance following a natural disaster for which the Governor has declared a state of emergency.

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 Natural Disaster Assistance.

Based upon staff proposals at these stakeholder meetings and the feedback received, OPSC determined that the proposed regulatory amendments related to this topic are able to move forward for Board consideration after some minor adjustments to the version presented in the most recent stakeholder meeting, which are summarized in the Staff Analysis/Statements 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 new *Application for Natural Disaster Assistance* (Form SAB 195).

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 held four stakeholder meetings for the proposed regulatory amendments presented in this item, on February 13, April 10, June 12, and July 24, 2025. This item includes the third set of proposed regulatory amendments for the Board's consideration to

BACKGROUND (cont.)

implement Proposition 2 provisions for applications received on or after October 31, 2024. Additional proposed amendments will be presented at future Board meetings.

Below is an overview of the relevant Proposition 2 statute.

Natural Disaster Assistance

EC Section 17075.20 was added to statute, and is summarized as follows:

- Subdivision (a), notwithstanding any other law, allows the Board to provide assistance for purposes of procuring interim housing, including, but not limited to, the lease or acquisition of Portable Classrooms and any work associated with placing them on a site, to school districts and County Offices of Education (COE) impacted by a natural disaster for which the Governor has declared a state of emergency. In addition, funds provided shall supplement funding from insurance or any other local, state, or federal government disaster assistance.
- Subdivision (b) qualifies school districts and COEs that are impacted by a natural disaster as described in (a) to have met the requirements set forth in EC Section 17075.10, known as the Facility Hardship Program in SFP Regulation Section 1859.82. Under this program, districts and COEs may receive funding to replace lost or damaged necessary school facilities.
- Subdivision (c) allows school districts and COEs to retain savings from a project that received funds under this section and to use those savings for other high-priority capital outlay purposes consistent with the requirements of EC Section 17070.63(c).
- Subdivision (d)(1) indicates that a grant pursuant to this section will not affect the applicant's eligibility for the SFP, except as specified in subdivision (d)(2).
- Subdivision (d)(2) specifies that Portable Classrooms purchased pursuant to (a) shall be included in the determination of eligibility for new construction funding, pursuant to EC Section 17071.75. This means that any such Portable Classrooms must be included in a district's classroom inventory during establishment of new construction eligibility or added to a district's existing inventory via an adjustment to new construction eligibility if already established.
- Subdivision (e) indicates that the Board may provide any other assistance to a school district or COE determined by the Board to be impacted by a natural disaster described in (a).

STAFF ANALYSIS/STATEMENTS**Stakeholder Meetings**

At the February 13 stakeholder meeting, staff introduced EC Section 17075.20 and discussed broader components of implementing the statute.

STAFF ANALYSIS/STATEMENTS (cont.)

At the April 10 stakeholder meeting, staff responded to stakeholder feedback and continued the discussion of implementation. Staff also presented proposed amendments to the SFP regulations, as well as concepts for a new form and checklist with the goal of providing guidance and support to school districts requesting natural disaster assistance. This stakeholder meeting item also discussed the statutory language of EC Section 17075.20(e) and several applications approved by the Board prior to the passage of Proposition 2, which staff provided as examples illustrating that in the future, districts may request accelerated processing and funding of applications under the “any other assistance” provision.

At the June 12 stakeholder meeting, staff continued to respond to stakeholder feedback and presented additional proposed regulatory amendments, a new *Application for Natural Disaster Assistance* (Form SAB 195), and a new checklist. Staff also clarified impacts to New Construction eligibility.

Finally, at the July 24 stakeholder meeting, staff responded to stakeholder feedback, proposed additional regulatory amendments to clarify reporting requirements and build in a mechanism for school districts who qualify for Financial Hardship assistance to request advance design funding, presented two grant agreement templates for Interim Housing and Other Assistance Following a Natural Disaster, and refined the proposed Form SAB 195 and companion checklist to conform to the proposed regulations.

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 H, alongside the items as previously presented. A summary of stakeholder feedback received since the last stakeholder meeting and staff’s response is provided on Attachment I. Collectively, staff’s recommendations presented in this item were informed by stakeholder feedback and represent staff’s final recommendations for implementation of the natural disaster assistance provisions in Proposition 2.

Proposed SFP Regulations

Below is a summary of the proposed SFP Regulation amendments, which are included as Attachment B:

SFP Regulation Section 1859.2 – Definitions

- The new “Form SAB 195,” which means the *Application for Natural Disaster Assistance* (Form SAB 195), is proposed to be incorporated by reference.
- The existing definition for the term “Interim Housing” is amended to mean the rental or lease of classrooms used to house pupils temporarily displaced as a result of the modernization or construction of classroom facilities; or the lease or purchase of classrooms or ancillary facilities including but not limited to, restrooms, administrative space,

STAFF ANALYSIS/STATEMENTS (cont.)

or minimum essential facilities obtained due to a natural disaster for which the Governor has declared a state of emergency, pursuant to EC Section 17075.20.

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

Since the most recent stakeholder meeting, a minor amendment was made to the proposed amended definition of Interim Housing to indicate “school administration” rather than “administrative space” when referring to ancillary facilities.

SFP Regulation Section 1859.31 – Gross Classroom Inventory

Amendments to this section include minor technical language adjustments to capitalize defined terms such as “School District,” “Classroom,” and “Interim Housing,” as well as the removal of the phrase “for a modernization project” from subsection (i) to conform to the amended definition of Interim Housing.

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

Amendments to this section include minor technical language adjustments to capitalize and conform to defined terms within SFP Regulations.

Amendments are proposed for Subsection (i)(5) to clarify that the exemption from baseline New Construction eligibility adjustments for leased Portable Classrooms used for purposes of Interim Housing is not limited to a maximum eight-year period if the Portable Classroom was funded with a grant provided pursuant to Education Code Section 17075.20(a).

Subsection (i)(13) is proposed to be added to specify that classrooms constructed with a grant provided pursuant to Education Code Section 17075.20 are exempt from baseline New Construction eligibility adjustments, unless the classroom is a Portable Classroom purchased pursuant to subdivision (a) of Education Code Section 17075.20.

Additionally, subsections (t)(1), (t)(2), and (u) are proposed to be added, reflecting the following baseline eligibility adjustments:

- Subsection (t)(1) is included to function as a placeholder adjustment, specifically for Portable Classrooms purchased for purposes of Interim Housing following a natural disaster.
- Subsection (t)(2) is added to function as a reversal of the placeholder adjustment once the school district permanently removes the purchased Portable Classrooms within eight years of occupancy as Interim Housing.

STAFF ANALYSIS/STATEMENTS (cont.)

- Subsection (u) is added to allow an adjustment to a district's New Construction eligibility for any classrooms destroyed or rendered unsafe to occupy due to a natural disaster declared on or after July 3, 2024, that will not be replaced. This subsection also would permit the Board to consider adjustments for classrooms destroyed or rendered unsafe to occupy due to a natural disaster that occurred prior to July 3, 2024, that the district elected not to replace, on a case-by-case basis.

Modifications Since the Last Stakeholder Meeting

Since the most recent stakeholder meeting, staff added the proposed amendments to subsection (i)(5) and added proposed subsection (i)(13) to clarify which classrooms constructed with a grant provided pursuant to Education Code Section 17075.20 are exempt from baseline New Construction eligibility adjustments.

SFP Regulation Section 1859.80 – General

In addition to minor language amendments to conform with defined terms, subsection (d) has been added to specify that school districts shall qualify for hardship assistance provided they qualify for natural disaster assistance pursuant to Sections 1859.84.1 or 1859.84.2.

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

In addition to minor amendments to conform with defined terms, subsection (f) has been added, which permits the Board to apportion an amount not to exceed 25 percent of the state share of the grant less any school district funds available for the project pursuant to Section 1859.81(a) for applications for other assistance following a natural disaster. This amount shall be offset from the full grant amount the school district would be eligible for pursuant to Section 1859.84.2 when the school district submits an additional Form SAB 195 to request additional funding.

SFP Regulation Section 1859.84 – Natural Disaster Assistance Program

This section provides the circumstances under which a school district may apply for interim housing and any other assistance pursuant to EC Section 17075.20. This section states that the state of emergency must be open at the time of application submittal, further defines what a natural disaster may include for purposes of this section, and indicates that applications received on or after October 31, 2024 are subject to matching share requirements in accordance with Sections 1859.77.1 or 1859.79, as applicable.

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

Since the most recent stakeholder meeting, a minor amendment was made to clarify that natural disaster assistance applications are subject to matching

STAFF ANALYSIS/STATEMENTS (cont.)

share requirements applicable to SFP New Construction or Modernization projects, as applicable.

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

This section provides the eligibility criteria and process for a school district to request interim housing assistance following a natural disaster, as follows:

- Introductory text for this Section specifies that interim housing assistance is subject to the availability of New Construction bond authority and shall supplement insurance, local, state, and federal disaster funding. Additionally, introductory text specifies that eligibility to request interim housing assistance is contingent upon facilities lost or damaged by a natural disaster for which the Governor declared a state of emergency, and the state of emergency must be “open” on the date the district submits the Form SAB 195.
- Subsection (a) requires a school district to submit a Form SAB 195 signed by an Authorized District Representative to request funding for interim housing.
- Subsection (b) indicates that the school district must submit specified documentation to demonstrate that interim housing assistance will supplement funding from insurance or any other government disaster assistance. Specifically, subsection (b) requires districts to provide documentation demonstrating that the costs associated with interim housing have not been covered by insurance proceeds or any other local, state or federal government disaster assistance, if the district will not receive insurance proceeds or other government disaster assistance for interim housing. If the school district expects to receive future insurance proceeds or other government disaster assistance attributable to the costs of interim housing, the district must provide: 1) an estimate of expected insurance proceeds or any other government disaster assistance for interim housing expenses; 2) a narrative statement indicating the necessity for interim housing assistance prior to receipt of insurance proceeds or any other government disaster assistance for this purpose; and 3) acknowledgement of the reporting requirement and potential future adjustment to any apportionment, pursuant to subsection (c).
- Subsection (c) indicates that any apportionment provided in accordance with this section shall be adjusted for funding received from insurance proceeds or government disaster assistance for interim housing. The apportionment shall be reduced by 50 percent of the funding received from insurance proceeds and/or government disaster assistance for interim housing, or a commensurate amount adjusted for the district matching share pursuant to Section 1859.77.1. This subsection also requires school districts to report insurance proceeds and/or government disaster assistance collected to OPSC by means of an annual narrative from the date the application was

STAFF ANALYSIS/STATEMENTS (cont.)

submitted to OPSC until all claims for insurance proceeds and requests for government disaster assistance are closed.

- Subsection (d) specifies that apportionments provided pursuant to this section are subject to the fund release and priority funding requirements in Sections 1859.90 or 1859.90.2.
- Subsection (e) states that a Grant Agreement pursuant to Section 1859.90.4 is required as a condition of receiving interim housing funding.
- Subsection (f) states that the school district is subject to the program reporting and audit requirements of Sections 1859.104 and 1859.105.

Modifications Since the Last Stakeholder Meeting

- Since the most recent stakeholder meeting, staff removed previously presented subdivision (c), which indicated that Interim Housing assistance may not be requested in place of an Approved Application pursuant to Section 1859.70 or 1859.82.1.

Since the most recent stakeholder meeting, staff modified the point in time when the reporting requirement begins. In the most recent stakeholder meeting, the proposed regulations indicated districts receiving an apportionment under this Section must report receipt of any insurance proceeds and/or government disaster assistance collected after the apportionment in the form of an annual narrative from the date of the apportionment until all claims for insurance proceeds and requests for government disaster assistance are closed. Subsequently, staff determined the reporting requirement should apply to receipt of any insurance proceeds and/or government disaster assistance collected from the date the district submitted the application to OPSC until all claims for insurance proceeds and requests for government disaster assistance are closed, to better ensure that apportionments provided for this purpose supplement funding from insurance proceeds and other government disaster assistance.

- Additionally, staff made non-substantive, clarifying language amendments to this section.

SFP Regulation Section 1859.84.2. – Other Assistance Following a Natural Disaster
This section provides the eligibility criteria and process for a school district to request other assistance following a natural disaster, as follows:

- Introductory text specifies that funding provided by this Section is subject to the availability of New Construction or Modernization bond authority, as applicable to the scope of work in the request, and shall supplement insurance, local, state, and federal disaster funding. Additionally, introductory text specifies that eligibility for this funding is at the Board's discretion if the district is determined to be impacted by a natural disaster for which the Governor declared a state of emergency, and the state of emergency was "open" on the date the district submitted the Form SAB 195.

STAFF ANALYSIS/STATEMENTS (cont.)

- Subsection (a) indicates that in determining whether to provide other assistance following a natural disaster, the Board may consider any previous SFP Approved Applications that received an apportionment for the impacted site as it relates to the natural disaster, and all information required on the Form SAB 195.
- Subsection (b) requires a school district to submit a Form SAB 195 signed by an Authorized District Representative to request other assistance funding following a natural disaster.
- Subsection (c) indicates that the school district must submit specified documentation to demonstrate that any funding provided by this Section will supplement funding from insurance or any other government disaster assistance. Specifically, subsection (c) requires districts to provide documentation demonstrating that the costs associated with the scope of work in the Form SAB 195 have not been covered by insurance proceeds or any other local, state or federal government disaster assistance, if the district will not receive insurance proceeds or other government disaster assistance for this purpose. If the school district expects to receive future insurance proceeds or other government disaster assistance attributable to the costs associated with the scope of work in the Form SAB 195, the district must provide: 1) an estimate of expected insurance proceeds or any other government disaster assistance for this purpose; 2) a narrative statement indicating the necessity for other assistance following a natural disaster prior to receipt of insurance proceeds or other government assistance for this purpose; and 3) acknowledgement of the reporting requirement and potential future adjustment to any apportionment, pursuant to subsection (f).
- ~~Subsection (d) specifies that the district's New Construction baseline eligibility will be adjusted for any net increase in classroom capacity in the project, pursuant to Section 1859.51.~~
- ~~Subsection (e) indicates that the baseline eligibility for Modernization as provided in Section 1859.60 shall be adjusted for any funding received, and the age of the applicable classroom(s) and square footage in the project shall be reset to the date of the apportionment for the project.~~
- Subsection (fd) specifies that an apportionment provided pursuant to this Section will be adjusted for funds received from insurance proceeds or government disaster assistance for the same purpose or scope of work funded by the apportionment, as follows:
 - Reduced by 50 percent of the funding received from insurance or government disaster assistance, or a commensurate amount adjusted for the New Construction district matching share pursuant to Section 1859.77.1, or
 - Reduced by 60 percent of the funding received from insurance or government disaster assistance, or a commensurate amount adjusted for the Modernization district matching share pursuant to Section 1859.79.

STAFF ANALYSIS/STATEMENTS (cont.)

- Subsection (ge) states that any insurance proceeds and/or government disaster assistance collected shall be reported to OPSC in the form of an annual narrative from the date the application was submitted to OPSC until all claims for insurance proceeds and requests for government disaster assistance are closed.
- Subsection (hf) specifies that apportionments provided pursuant to this section are subject to the fund release and priority funding requirements in Sections 1859.90 or 1859.90.2.
- Subsection (ig) states that a Grant Agreement pursuant to Section 1859.90.4 is required as a condition of receiving funding pursuant to this Section.
- Subsection (jh) indicates that the school district is subject to the program reporting and audit requirements of Sections 1859.104 and 1859.105.

Modifications Since the Last Stakeholder Meeting

Since the most recent stakeholder meeting, staff removed previously proposed subsections (d) and (e) from this Section, which referred to eligibility adjustments to a district's New Construction and Modernization baseline eligibility due to receipt of other assistance following a natural disaster. Upon further review, staff removed these proposed subsections and added proposed amendments to Section 1859.51(i) to clarify which classrooms constructed with a grant pursuant to Education Code Section 17075.20 are exempt from eligibility adjustments. With removal of these subsections, conforming and non-substantive changes were made to subsequent subsections and cross-references in the proposed regulations (Attachment B) and the Application for Natural Disaster Assistance Checklist (Attachment D).

Since the most recent stakeholder meeting, staff also modified the point in time when the reporting requirement begins. In the most recent stakeholder meeting, the proposed regulations indicated districts receiving an apportionment under this Section must report receipt of any insurance proceeds and/or government disaster assistance collected after the apportionment in the form of an annual narrative from the date of the apportionment until all claims for insurance proceeds and requests for government disaster assistance are closed. Subsequently, staff determined the reporting requirement should apply to receipt of any insurance proceeds and/or government disaster assistance collected from the date the district submitted the application to OPSC until all claims for insurance proceeds and requests for government disaster assistance are closed, to better ensure that apportionments provided for this purpose supplement funding from insurance proceeds and other government disaster assistance. Additionally, staff made non-substantive, clarifying language amendments to this section.

STAFF ANALYSIS/STATEMENTS (cont.)

SFP Regulation Section 1859.90 – Fund Release Process

In addition to minor technical amendments to conform with defined terms within the SFP regulations, subsections (a) and (d) reference timelines and requirements for fund release of apportionments made pursuant to the proposed Section 1859.81.1(f).

SFP Regulation Section 1859.93 – Modernization Project Funding Order

This section is proposed to be amended to incorporate reference to the funding order of applications requesting funding pursuant to Section 1859.84.2.

- Subsection (b) includes reference to applications for other assistance following a natural disaster pursuant to Section 1859.84.2 in order of receipt of a Form SAB 195.
- Subsection (c), formerly (b), adds a reference to the new subsection (b).

SFP Regulation Section 1859.93.1 – New Construction Project Funding Order

This section is proposed to be amended to incorporate references to the funding order of applications requesting funding pursuant to Sections 1859.84.1 and 1859.84.2.

- Subsection (a) is amended to give priority to applications pursuant to Section 1859.84.1, in order of receipt of a Form SAB 195.
- Subsection (b) is amended to give second priority to applications for Facility Hardship pursuant to Sections 1859.82.1(b) and 1859.82.2(b) in order of receipt of an approved application for funding.
- Subsection (c) is amended to give third priority to applications pursuant to Section 1859.84.2 in order of receipt of a Form SAB 195.
- Subsection (d), formerly (b), has a conforming amendment to add reference to subsection (c).
- The remaining subsections are renumbered as a result of the new additions.

SFP Regulation Section 1859.104 – Program Reporting Requirements

In addition to minor technical amendments to conform language with defined terms within the SFP regulations, the following additions are included within the proposed regulations:

- Subsection (a)(1)(C) is added to specify that notwithstanding subsection (a)(1)(B), a project shall be deemed complete eight years from the date of the final fund release for projects receiving funding pursuant to Section 1859.84.1 or Section 1859.84.2. Existing regulations require annual submittal of expenditure reports using the Form SAB 50-06 following the release of funds.
- Subsection (h) has been added, indicating that if an apportionment was made under Section 1859.84.1, the school district must provide a certification that:

STAFF ANALYSIS/STATEMENTS (cont.)

- (h)(1) - Upon either project completion or no later than 60 months from the date the lease was signed for purposes of interim housing, leased Portable Classrooms have either been removed or remain in use within the school district. For leased Portable Classrooms that have a qualifying project and receive an extension by the Board pursuant to Section 1859.51(i)(5), the school district shall provide an additional certification no later than three years from the approval date of the extension.
- (h)(2) - Upon either project completion or no later than 96 months from the date of the apportionment, purchased Portable Classrooms for interim housing have either been removed or remain in use within the school district.

SFP Regulation Section 1859.106 – Program Accountability Expenditure Audit

In addition to minor technical amendments to conform language with defined terms within the SFP regulations, the following amendments are proposed:

- Subsection (c) states that an adjustment will be made to the SFP grant for insurance proceeds or other government disaster assistance collected by the school district for any project that received funding pursuant to Sections 1859.84.1(c), or 1859.84.2(fd).
- References to Sections 1859.84, 1859.84.1, and 1859.84.2 were added to specify that if an audit finding determines that some or all school district expenditures were not made in accordance with these provisions for projects following a natural disaster, OPSC shall recommend to the Board that the apportionment be adjusted based on the audit findings.
- A paragraph is added to specify that for any project that received funding pursuant to Sections 1859.84.1 or 1859.84.2, the school district must report to OPSC the receipt of any insurance or other government disaster assistance proceeds received after the completion of the expenditure audit within 60 days.

Modifications Since the Last Stakeholder Meeting

Since the most recent stakeholder meeting, staff added a 60-day timeframe associated with the requirement for the district to report to OPSC the receipt of any insurance proceeds or government disaster assistance received after the completion of the expenditure audit. Additionally, staff made non-substantive, clarifying language amendments to this section.

Proposed Form SAB 195

The proposed Form SAB 195 on Attachment C functions as a means for a school district to apply for funding for either interim housing or other assistance following a natural disaster, pursuant to EC Section 17075.20. This form incorporates all of the proposed regulatory requirements and provides sections wherein a district may provide a narrative for each respective interim housing or other assistance request.

STAFF ANALYSIS/STATEMENTS (cont.)Modifications Since the Last Stakeholder Meeting

- Section 1 of the instructions and the Form were amended to add a subsection for applicants to specify the type of request, and to add subsection numbering for purposes of clarity, organization, and ease of reference for applicants.
- Sections 1e. and 1f. of the instructions were amended to add the terms “Portable Classrooms” and “ancillary facilities.”
- Section 3 of the instructions was amended to remove an erroneous reference to check boxes and to broaden the header to “Prior SFP Approval(s)” rather than “Prior SFP Apportionments” to be inclusive of unfunded approvals.
- Section 8 of the instructions was amended to add California Department of Education and Division of the State Architect plan approvals, as applicable, to the documentation required as part of a request for interim housing assistance.
- Section 10 Certifications were updated to align with the latest corresponding regulations.
- Various additional changes were made to align the Form with the proposed regulations and clarify the Form instructions.

Proposed Checklist

The proposed checklist on Attachment D is an optional document that functions as a tool for school districts to use when applying for natural disaster assistance. Its purpose is to guide applicants through the process and documentation required to apply for either type of Natural Disaster Assistance.

Modifications Since the Last Stakeholder Meeting

- References to the subsections in Section 1 of the Form SAB 195 were added for clarity.
- A section was added for districts to indicate whether they have applied for any other government disaster assistance and to indicate the estimated amount they may receive that is attributable to the same purpose or scope of work in the request.
- Under the Other Assistance Following a Natural Disaster Requests component of the checklist, additional checkboxes have been added under Section 1 that delineate when a “New” application or “Amended” application should be selected, relative to the type of request.
- Section 7 was amended to clarify that if the school district is requesting a separate design apportionment under Section 1g of the Form SAB 195 and has selected “New application under Section 1a, this section can be left blank.
- Various additional changes were made to align the checklist with the proposed regulations and the proposed Form SAB 195.

STAFF ANALYSIS/STATEMENTS (cont.)**Proposed Grant Agreements – Interim Housing and Other Assistance Following a Natural Disaster**

A proposed Grant Agreement for interim housing assistance following a natural disaster may be found on Attachment E, and a proposed Grant Agreement for other assistance following a natural disaster may be found on Attachment F. New grant agreements are needed expeditiously if the Board approves one or both of the two Natural Disaster Assistance projects requesting approval at the August 19, 2025 Board meeting.

These proposed grant agreements are streamlined and briefer than the existing grant agreements for other SFP projects, and are intended to outline the scope of the project alongside annual reporting requirements.

Modifications Since the Last Stakeholder Meeting

- The proposed grant agreements were amended for purposes of specificity in describing the project scope of work and aligning with requested information on the Form SAB 195.
- Outdated certifications were removed.
- On page 2 of each of the proposed grant agreements, the phrase “The Grantee shall not make any changes to the scope of work without the prior written approval of the OPSC” has been amended to indicate “...without the prior written approval of the State Allocation Board” for consistency with existing grant agreements for SFP projects.

Proposed Fund Release Authorization (Form SAB 50-05)

Staff proposes to amend the Form SAB 50-05 to include applications for Natural Disaster Assistance to request a fund release.

This amendment includes the addition of instructions and entry boxes for Natural Disaster Assistance Projects under Part X of the Form SAB 50-05. This amendment shifts previous sections Parts X and XI to be re-numbered to Parts XI and XII.

For purposes of clarification, the Form SAB 50-05 is not required for purposes of Fund Release for advance design applicants, who only need to submit a signed grant agreement for purposes of fund release. This is similar to the process for SFP Modernization and New Construction design applicants.

Modifications Since the Last Stakeholder Meeting

The body of the Form SAB 50-05 is amended to remove a previously presented certification that requests the district certify that it currently has financial hardship status under the provisions of Section 1859.81. This certification is not necessary for purposes of a fund release, and would have been determined prior to approval by the Board.

STAFF ANALYSIS/STATEMENTS (cont.)**Five-Year School Facilities Master Plans**

Proposition 2 requires that, as a condition of participating in the SFP, school districts must submit to OPSC a five-year school facilities master plan, or an updated five-year school facilities master plan, approved by the governing board of the school district.

At the December 3, 2024 meeting, the Board adopted timelines and policies related to the five-year school facilities master plan. The adopted policies at the December 3, 2024 meeting did not include timelines associated with funding for Natural Disaster Assistance projects.

OPSC recommends that the Board consider establishing expectations around timelines for school districts to submit the required five-year school facilities master plan so that school districts have a clear understanding of how to fulfill the new statutory requirement while minimizing impact to timelines for current and upcoming Natural Disaster Assistance projects. OPSC recommends that the timelines consider the unique and expedited nature of the Natural Disaster Assistance Program applications requesting funding to procure interim housing and other assistance following a natural disaster. Specifically, OPSC recommends that the Board adopt the following timelines and policies for Natural Disaster Assistance Program Applications:

- Under the proposed SFP regulations, Natural Disaster Assistance Program applications receive higher priority for processing and presentation to the Board than most New Construction and Modernization applications, pursuant to the proposed project funding order in Sections 1859.93 and 1859.93.1. Natural Disaster Assistance Program applications submitted on or after October 31, 2024 are subject to the Proposition 2 requirement to submit a five-year school facilities master plan. Accordingly, to allow submittal, processing, and approval of these applications without delay, submittal of the master plan would be required by the time of submittal of the 100 percent complete *Expenditure Report* (Form SAB 50-06).
- Applications submitted on or after December 4, 2024 would be required to include a governing board resolution acknowledging the requirement to submit the master plan by the previously mentioned deadline. The governing board resolution must also acknowledge the project may be rescinded for failure to submit a master plan with the required components. OPSC will provide applicants who submit an application without the resolution a corrective “24-hour letter” to request submittal of the resolution to OPSC within 24 hours or the application will be returned to the applicant.

RECOMMENDATIONS

1. Adopt the proposed amendments to the SFP Regulations as shown on Attachment B.
2. Adopt the proposed Form SAB 195 as shown on Attachment C.
3. Adopt the proposed Grant Agreements on Attachments E and F.
4. Adopt the proposed amendments to the Form SAB 50-05 on Attachment G.
5. 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.
6. Adopt the policy for the five-year school facilities master plan requirement for Natural Disaster Assistance Program applications for applications received on or after December 4, 2024.

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

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 17075.20 – Hardship Application

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

ATTACHMENT 1
ATTACHMENT A

emergency. The allocated funds shall supplement funding from insurance or any other local, state, or federal government disaster assistance.

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

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

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

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

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

Section 1859.2. Definitions.

...

"Form SAB 195" means the *Application for Natural Disaster Assistance* (Form SAB 195) (New 08/25), which is incorporated by reference.

...

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

...

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

Section 1859.31. Gross Classroom Inventory.

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

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

Note: Authority cited: Section 17070.35, Education Code.

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

Section 1859.51. Adjustments to the New Construction Baseline Eligibility.

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

- (a) Reduced by the number of pupils provided grants in a new construction SFP project and by the number of pupils that received a Preliminary Apportionment pursuant to

Section 1859.140 or a Preliminary Charter School Apportionment pursuant to Section 1859.162.2.

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

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

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

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

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

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

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

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

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

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

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

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

(2) Of less than 700 interior square feet.

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

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

(5) That is a Pportable eClassroom that needs to be leased beyond five years to provide ~~interim h~~Housing in a modernization or new construction project provided the cumulative lease term does not exceed a specified time period as determined by the Board not to exceed three years on each qualifying project, and the Portable Classroom was not funded with a grant provided pursuant to Education Code Section 17075.20(a).

For this purpose, a project means all work contained in a single set of construction plans.

- (6) Where the contract for the lease, lease-purchase, purchase, or construction of the eClassroom was made prior to January 1, 2000.
- (7) That is included in a SFP project where the School dDistrict has funded a portion of the project beyond its required district contribution and the pupil capacity of the eClassroom does not exceed 150 percent of the number of pupils receiving a new construction grant (rounded up) for the SFP project.
- (8) That was acquired with joint-use funds specifically available for that purpose.
- (9) That was acquired with career technical education funds specifically available pursuant to Education Code Section 17078.72.
- (10) That was built or acquired exclusively for regional occupational centers, regional occupational programs, child care, preschool and/or Adult Education Programs, and with funds specifically available for those purposes.
- (11) That replaces a eClassroom, previously included in the determination of the School dDistrict's new construction eligibility pursuant to Education Code Section 17071.75, in a project funded by the School dDistrict without participation from the State and the School dDistrict permanently removes the replaced facility from classroom use immediately after the replacement classroom is occupied.
- (12) That was constructed with Overcrowding Relief Grant funds specifically available for that purpose.
- (13) That was constructed with a grant provided pursuant to Education Code Section 17075.20, unless the classroom is a Portable Classroom purchased pursuant to subdivision (a) of Education Code Section 17075.20.
- (j) For Small School Districts:
 - (1) Decreased by any reduction in projected enrollment that follows a five-year period after the district's eligibility was approved by the Board, and either (A) or (B), as applicable:
 - (A) Increased/decreased by changes in projected enrollment in the 2016/2017 enrollment year using a fifth-year projection or a tenth-year projection if the Form SAB 50-01 was received at OPSC by October 31, 2017.
 - (B) Increased/decreased by changes in projected enrollment in subsequent enrollment reporting years following 2016/2017 using a fifth-year projection or a tenth-year projection.
 - (2) If the Small School District does not submit an adjustment under (A) or (B) prior to OPSC notification of its schedule to begin processing the School District's request for new construction funding that was received by OPSC on or after November 1, 2012, then the requirements of (e) shall apply.
- (k) Adjusted for any change in classroom inventory as a result of a reorganization election.
- (l) For classroom loading standards adopted by the Board for non-severely disabled individuals with exceptional needs and severely disabled individuals with exceptional needs.
- (m) As directed by the Board due to a finding of a Material Inaccuracy pursuant to Regulation Section 1859.104.1.
- (n) Increased by the number of pupils that received a Preliminary Apportionment that was rescinded pursuant to Section 1859.148 or a Preliminary Charter School Apportionment that was rescinded pursuant to Section 1859.166.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

due to a natural disaster that occurred prior to July 3, 2024, that the School District elected not to replace, on a case-by-case basis.

Note: Authority cited: Section 17070.35, Education Code.

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

Section 1859.80. General.

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

- (a) A financial hardship, as provided in Section 1859.81, which prevents the School dDistrict from funding all or a portion of the matching share requirement for a SFP grant.
- (b) Qualification for facility hardship as provided in Sections 1859.82.1 or 1859.82.2.
- (c) An Excessive Cost Hardship Grant as a result of added construction costs due to unusual circumstances as provided in Section 1859.83.
- (d) Qualification for natural disaster assistance pursuant to Sections 1859.84.1 or 1859.84.2 as a result of a natural disaster for which the Governor has declared a state of emergency.

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

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

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

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

- (1) The School District has eligibility for grants that equal at least 50 percent of the CDE master plan capacity of the site.
- (2) The School District has received a contingent site approval letter from the CDE indicating that the proposed site is the best available.
- (3) The School District has obtained a preliminary appraisal of the property by a qualified appraiser utilizing criteria outlined in Section 1859.74.1. This report may be made without access to the site.

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

- (1) An amount not to exceed 100 percent of the lesser of the preliminary appraised value of the site as determined by Section 1859.74.1 or the amount the district reasonably expects to pay for the site including any hazardous material clean-up.
- (2) The estimated relocation expenses that will conform to Title 25, California Code of Regulations, Section 6000, et seq. The reasonable and necessary relocation costs for

purchasing fixtures and equipment, personal property, new machinery/equipment, and the installation of any improvements at the replacement residence or business location may be included as relocation assistance.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

When the Board is accepting applications pursuant to Section 1859.95, the funding of the new construction or modernization grant may be made from funds set aside by the Board for financial hardship. The amount provided as a separate Apportionment shall

be adjusted at a future date to assure that hardship funding for the project does not exceed the amount the district was otherwise eligible to receive.

Note: Authority cited: Sections 17070.35, 17072.13, ~~and~~ 17075.15, and 17075.20, Education Code.
Reference: Sections 17072.12, 17072.20, 17072.33, 17074.15, 17074.16, 17075.20, and 17079.20, Education Code.

Section 1859.84. Natural Disaster Assistance Program

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

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

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

Note: Authority cited: Section 17070.35, Education Code.
Reference: Section 17075.20, Education Code.

Section 1859.84.1. Interim Housing Assistance Following a Natural Disaster

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

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

(a) To request funding to lease or purchase facilities, the School District must submit a completed, valid Form SAB 195 signed by an Authorized District Representative.
(b) The School District must submit one of the following to demonstrate that any funding provided by this Section will supplement funding from insurance or any other government disaster assistance:

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

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

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

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

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

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

(d) The Board shall provide an Apportionment subject to the requirements of Section 1859.90 or Section 1859.90.2.

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

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

Note: Authority cited: Section 17070.35, Education Code.

Reference: Section 17075.20, Education Code.

Section 1859.84.2. Other Assistance Following a Natural Disaster

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(hf) The Board shall provide an Apportionment subject to the requirements of Section 1859.90 or Section 1859.90.2.

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

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

Note: Authority cited: Section 17070.35, Education Code.
Reference: Section 17075.20, Education Code.

Section 1859.90. Fund Release Process.

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

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

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

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

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

Note: Authority cited: Section 17070.35, Education Code.

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

Section 1859.93. Modernization Project Funding Order.

Applications shall be funded as follows:

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

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

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

Note: Authority cited: Section 17070.35, Education Code.

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

Section 1859.93.1. New Construction Project Funding Order.

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

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

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

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

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

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

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

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

Note: Authority cited: Section 17070.35, Education Code.

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

Section 1859.104. Program Reporting Requirements.

A School dDistrict receiving funds in accordance with the Act shall submit the following:

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

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

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

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

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

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

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

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

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

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

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

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

(f) A School District receiving an Apportionment for high performance incentive grants pursuant to Section 1859.71.6 or 1859.77.4 shall submit a completed Project Information Worksheet to the OPSC for all expenditures related to the additional design and construction costs of the high performance building components. In addition, the School District shall provide information related to resulting energy savings and efficiency, as well as other resulting benefits. The Project Information Worksheet shall

be submitted with the Form SAB 50-05 and the School District's first and final Forms SAB 50-06 pursuant to (a)(1) and (2) above.

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

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

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

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

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

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

Section 1859.106. Program Accountability Expenditure Audit.

The projects will be audited to assure that the expenditures incurred by the School district were made in accordance with the provisions of Education Code Section 17072.35 for new construction projects, Section 1859.120 for Joint-Use Projects, Section 1859.140 for Critically Overcrowded School projects, Section 1859.160 for Charter School projects, and Education Code Section 17074.25 and Section 1859.79.2 for modernization projects. The audit will also assure that the School district complied with all site acquisition guidelines as provided in Education Code Sections 17072.13 and 17072.14 and Sections 1859.74, 1859.74.1, 1859.74.2, 1859.74.3, 1859.74.4, 1859.75 and 1859.75.1.

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

(a) The difference in the value of the site, relocation costs, DTSC fees, and hazardous waste/materials removal costs that were used to determine the New Construction Additional Grant and the actual amount paid by the School district for the site, relocation costs, DTSC fees, and hazardous waste/materials removal costs. For applications received on or after January 1, 2004, the adjustment may be made regardless of whether the hazardous waste/materials removal costs were requested on the application for funding.

(b) For any insurance proceeds collectable by the School district for displaced facilities and net proceeds available from the disposition of displaced facilities pursuant to Sections 1859.82.1(d) and 1859.82.2(d).

(c) For any insurance proceeds or other government disaster assistance collected by the School District for any project that received funding pursuant to 1859.84.1(c), or 1859.84.2(fd).

(ed) For any project that received funding pursuant to 1859.71.4(c) or 1859.78.1(b), 50 percent of one-fourth of one percent of the difference between the original Total Projected Bond Apportionment and the newly calculated amount.

(de) Any adjustments made pursuant to this Section will be made only if sufficient bond authority is available for the adjustment. If an Unfunded List has been created by the Board, then any adjustments made pursuant to this Section will be placed on the Unfunded List.

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

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

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

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

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

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

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

For any project that received funding pursuant to Sections 1859.84.1 or 1859.84.2, the School District must report the receipt of any insurance proceeds or other government disaster assistance received after the completion of the expenditure audit to OPSC within 60 days.

Note: Authority cited: Section 17070.35, Education Code.

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

APPLICATION FOR NATURAL DISASTER ASSISTANCE

SAB 195 (New xx/25)

Page 1 of 9

GENERAL INFORMATION

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

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

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

SPECIFIC INSTRUCTIONS

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

1. Type of Application

- Check the appropriate box that indicates whether this application is a new or an amended Natural Disaster Assistance request.
- Check the appropriate box that indicates the type of grant the School District is requesting. If the School District meets the Financial Hardship criteria in Section 1859.81 and the School District is requesting a separate design apportionment pursuant to Section 1859.81.1, check the appropriate Design Only box.
- If the School District is requesting Interim Housing assistance, indicate the number of Portable Classrooms that are requested to be leased or purchased by grade level, as well as the number and type of all other ancillary facilities that are requested to be leased or purchased.
- If the School District is requesting Interim Housing assistance for purchased or leased portables and/or ancillary facilities, indicate whether the portables and/or ancillary facilities existed on the impacted site at the time of the application submittal, and if so, the dates the facilities were leased or purchased, placed on site, and/or removed, as applicable.
- If the School District is requesting Interim Housing assistance

for Portable Classrooms, indicate the total number of Classrooms destroyed or rendered unsafe to occupy by the natural disaster, by grade level. If the School District is requesting Interim Housing assistance for ancillary facilities, indicate the type of any ancillary facilities destroyed or rendered unsafe to occupy by the natural disaster.

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

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

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

3. Prior SFP Approval(s) for Impacted Site

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

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

4. Natural Disaster – State of Emergency Proclamation

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

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

5. Financial Hardship Request

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

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

6. Local Funding Adjustment Grant

Enter the following:

- The School District's total assessed valuation, pursuant to Section 1859.70.5(a)(1). The School District must provide a

APPLICATION FOR NATURAL DISASTER ASSISTANCE

letter or report from the county auditor-controller that certifies the School District's total assessed valuation.

- b. The School District's gross bonding capacity, rounded to the nearest whole dollar. To calculate this, multiply the total assessed valuation by 1.25 percent for non-unified School Districts or 2.5 percent for unified School Districts, rounded to two decimal places.
- c. The School District's unduplicated pupil percentage as determined for purposes of the local control funding formula pursuant to Education Code Section 42238.02, rounded to two decimal places.
- d. The School District's total enrollment, pursuant to Section 1859.70.5(a)(3), meaning the districtwide enrollment reported on a Form SAB 50-01 in Part A, Part C and Part D. Applications filed on or after November 1 must include the current school year enrollment.
- e. Check Yes or No to indicate whether the project includes the use of a Project Labor Agreement for this application. If the School District indicates it intends to have a Project Labor Agreement, but does not yet, it will be audited for compliance and the funding will be adjusted accordingly if the project does not include use of a Project Labor Agreement, pursuant to Section 1859.70.5(b)(4).

7. Division of the State Architect (DSA) Plan Approval

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

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

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

8. Interim Housing Assistance Narrative

For purposes of requests for assistance to lease or purchase Portable Classroom(s) and/or ancillary facilities as a result of a natural disaster for which the Governor has declared a state of emergency, the School District must provide documentation pursuant to SFP Regulation Section 1859.84.1 demonstrating that any funding provided for Interim Housing will supplement funding from insurance or any other local, state, or federal government disaster assistance.

Additionally, the School District must include the following

information in the narrative:

1. The background and circumstances which prompted the School District's request.
2. Information relevant to the request, such as the amount requested, the anticipated duration of the lease if the School District is requesting assistance to lease facilities, and whether the request includes the design, placement, site development, and/or equipment costs associated with the leased or purchased facilities.
3. A statement explaining why the SAB should grant the School District's request based on law, regulation, or another basis.

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

1. Documentation which includes actual costs of the facilities, including but not limited to, invoices, lease agreements, or purchase agreements.
2. Documentation, such as invoices or contracts, which includes, but is not limited to, any work associated with placing the facilities on a site.
3. In lieu of actual costs, School Districts may provide bid proposals, quotes, or other documentation that supports the amount of funding requested.
4. California Department of Education (CDE) Plan Approval(s) (as applicable).
5. DSA Plan Approval(s) (as applicable).

9. Other Assistance Following a Natural Disaster Narrative

For purposes of requesting other natural disaster assistance, the School District must provide documentation pursuant to SFP Regulation Section 1859.84.2 demonstrating that any funding provided for the scope of work in the request will supplement funding from insurance or any other local, state, or federal government disaster assistance.

Additionally, the School District must include the following information in the narrative:

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

APPLICATION FOR NATURAL DISASTER ASSISTANCE

7. DSA Plan Approval(s) (as applicable).

10. Certification

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

ATTACHMENTS

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

APPLICATION FOR NATURAL DISASTER ASSISTANCE

SAB 195 (New xx/25)

Page 4 of 9

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

1. Type of Application – Check Only One

a. Is this application New or Amended?

- ☐ New
☐ Amended

b. ☐ Interim Housing

☐ Other assistance following a natural disaster pursuant to Section 1859.84.2 (specify)

☐ Design Only—Other Assistance Following a Natural Disaster

c. ☐ Interim Housing (portable classrooms):

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

K-6: _____

7-8: _____

9-12: _____

Non-Severe: _____

Severe: _____

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

K-6: _____

7-8: _____

9-12: _____

Non-Severe: _____

Severe: _____

☐ Interim Housing (ancillary facilities):

☐ Leasing

☐ Restroom(s)

☐ Kitchen

☐ Administrative Space

☐ Minimum Essential Facilities (list the type): _____

☐ Other: _____

☐ Purchasing

☐ Restroom(s)

☐ Kitchen

☐ Administrative Space

☐ Minimum Essential Facilities (list the type): _____

☐ Other: _____

d. Do these portable classrooms exist on site at the time of application submittal? ☐ Yes ☐ No

Date(s) portable classrooms were leased/purchased (if applicable): _____

Date(s) portable classrooms were placed on site (if applicable): _____

Date(s) portables were removed (if applicable): _____

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

Date(s) portable classrooms were leased/purchased (if applicable): _____

Date(s) ancillary facilities were placed on site (if applicable): _____

Date(s) ancillary facilities were removed (if applicable): _____

APPLICATION FOR NATURAL DISASTER ASSISTANCE

SAB 195 (New xx/25)

Page 5 of 9

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

K-6: _____
 7-8: _____
 9-12: _____
 Non-Severe: _____
 Severe: _____

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

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

2. SFP Application(s) Submitted for Impacted Site

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

3. Prior SFP Approval(s) for Impacted Site:

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

4. Natural Disaster - State of Emergency Proclamation

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

5. Type of Financial Hardship Request

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

6. Local Funding Adjustment Grant

Complete the following:

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

7. DSA Plan Approval

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

If so, enter the DSA approval date(s): _____

If not, indicate in the narrative in Section 8 or 9 if the P&S have an exception for demolition, site work, and/or specific construction delivery methods, or if the School District is still in the process of obtaining DSA approval.

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

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

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

8. Narrative - Interim Housing Assistance Following a Natural Disaster:

9. Narrative - Other Assistance Following a Natural Disaster:

10. Certification

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

- I am an authorized representative of the School District as authorized by the governing board of the School District; and,
- A resolution or other appropriate documentation supporting this application under Chapter 12.5, Part 10, Division 1, commencing with Section 17070.10, et. seq., of the Education Code was adopted by the School District's governing board or the designee of the Superintendent of Public Instruction on, _____; and,

- The School District has established a "Restricted Maintenance Account" for exclusive purpose of providing ongoing and major maintenance of school buildings and has developed an ongoing and major maintenance plan that complies with and is implemented under the provisions of Education Code Section 17070.75 and 17070.77 (refer to Sections 1859.100 through 1859.102); and,

- The School District has considered the feasibility of the joint use of land and facilities with other governmental agencies in order to minimize school facility costs; and,

- All contracts entered on or after November 4, 1998 for the service of any architect structural engineer or other design professional for any work under the project have been obtained pursuant to a competitive process that is consistent with the requirements of Chapter 10 (commencing with Section 4525) of Division 5, of Title 1, of the Government Code; and,

- If this request is for new construction funding, the School District has received approval of the site and the plans from the CDE. Plan approval is not required if request is for separate design apportionment; and,

- The School District has or will comply with the Public Contract Code regarding all laws governing the use of force account labor; and,

- This School District has or will comply with Education Code Section 17076.11 regarding at least a 3 percent expenditure goal for disabled veteran business enterprises; and,

- The School District matching funds required pursuant to Sections 1859.77.1 or 1859.79 have either been expended by the School District, deposited in the County School Facility Fund or will be expended by the School District prior to the notice of completion for the project; and,

- The School District has received, or will obtain, the necessary approval of the plans and specifications from the Division of the State Architect unless the request is for a separate site and/or design apportionment; and,

- If the School District is requesting site acquisition funds as part of this application, the School District has complied with Sections 1859.74 through 1859.75.1 as appropriate; and,

- With the exception of an apportionment made pursuant to Section 1859.75.1, the School District understands that the lack of substantial progress toward increasing the pupil capacity or renovation of its facilities within 18 months of receipt of any funding shall be cause for the rescission of the

unexpended funds (refer to Section 1859.105); and,

- If the apportionment for this project was made pursuant to Section 1859.75.1, the School District understands that the lack of substantial progress toward increasing the pupil capacity or renovation of its facilities within 12 months of receipt of any funding shall be cause for the rescission of the unexpended funds (refer to Section 1859.105.1); and,

- The School District understands that funds not released within 18 months of apportionment shall be rescinded and the application shall be denied (refer to Section 1859.90); and,

- The statements set forth in this application and supporting documents are true and correct to the best of my knowledge and belief; and,

- All school facilities purchased or newly constructed under the project for use by pupils who are individuals with exceptional needs, as defined in Education Code Section 56026, shall be designed and located on the school site so as to maximize interaction between those individuals with exceptional needs and other pupils as appropriate to the needs of both; and,

- This form is an exact duplicate (verbatim) of the form provided by OPSC. In the event a conflict must exist, the language in OPSC's form will prevail; and,

- The School District understands that some or all of the State funding for the project must be returned to the State as a result of an audit pursuant to Sections 1859.105, 1859.105.1, 1859.106; and,

- The School District has complied with the provisions of Sections 1859.76 and 1859.79.2 and that the portion of the project funded by the State does not contain work specifically prohibited in those Sections; and,

- If the SFP grants will be used for the construction or modernization of school facilities on leased land, the School District has entered into a lease agreement for the leased property that meets the requirements of Section 1859.22; and,

- If the School District requested additional funding for fire code requirements pursuant to Sections 1859.71.2 or 1859.78.4, the School District will include the automatic fire detection/alarm system and/or automatic sprinkler system in the project prior to completion of the project; and,

- The School District has consulted with the career technical advisory committee established pursuant to Education Code Section 8070 and the need for vocational and career technical facilities is being adequately met in accordance with Education Code Sections 51224, 51225.3(b), and 51228(b), and 52336.1; and,

- The School District has considered the potential for the presence of lead-containing materials in the modernization project and will follow all relevant federal, state, and local standards for the management of any identified lead; and,

- The School District is in compliance with current Labor Code requirements for prevailing wage monitoring and enforcement; and,

APPLICATION FOR NATURAL DISASTER ASSISTANCE

SAB 195 (New xx/25)

Page 9 of 9

• Beginning with the 2005/2006 fiscal year, the School District has complied with Education Code Section 17070.75(e) by establishing a facilities inspection system to ensure that each of its schools is maintained in good repair; and,

• The School District has considered the feasibility of using designs and materials for the new construction or modernization project that promote the efficient use of energy and water, maximum use of natural light and indoor air quality, the use of recycled materials and materials that emit a minimum of toxic substances, the use of acoustics conducive to teaching and learning, and the other characteristics of high performance schools; and,

• If this application is submitted when there is Insufficient Bond Authority, the School District has adopted a school board resolution pursuant to Section 1859.95.1; and,

• The School District will comply with all laws pertaining to the construction or modernization of its school building.

• If the School District marked the box for 'Yes' in Section 6. of this application that it has or will include a project labor agreement, the use of a project labor agreement will be verified as part of the audit required in EC Section 41024. If it is determined that a project labor agreement was not used, the funding associated with 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) from the time of fund release until funds are returned.

• The School District understands that any funding received from insurance proceeds or government disaster assistance must be reported to OPSC in an annual narrative from the date the application was submitted to OPSC until all claims for insurance proceeds and requests for government disaster assistance are closed. The School District understands that any apportionment provided shall be adjusted for funding received from insurance proceeds or government disaster assistance for the purpose or scope of work funded by the apportionment, in accordance with the following:

• An apportionment from New Construction bond authority pursuant to either Section 1859.84.1 or Section 1859.84.2 shall be reduced by 50 percent of the insurance proceeds or government disaster assistance, or a commensurate amount adjusted for the district matching share pursuant to Section 1859.77.1.

• An apportionment from Modernization bond authority pursuant to Section 1859.84.2 shall be reduced by 60 percent of the insurance proceeds

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

**APPLICATION FOR NATURAL
DISASTER ASSISTANCE CHECKLIST**

(New 08/25)

Page 1 of 4

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

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

GENERAL INSTRUCTIONS

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

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

Interim Housing Assistance Following a Natural Disaster Requests

- ☐ Section 1 –
 - ☐ Check that the applicable box to indicate whether the application is a “New” application or an “Amended” application (Section a)
 - ☐ Check the applicable box to indicate the application is a request for “Interim Housing” (Section b)
 - ☐ Check the applicable boxes and indicate the number and grade level of portable classrooms for lease and/or purchase, and the type of ancillary facilities for lease and/or purchase (Section c)
 - ☐ Indicate whether the requested portable classrooms and/or ancillary facilities exist on the site at the time of application submittal. If so, enter the applicable date(s) the facilities were leased/purchased, placed on site, and/or removed (Section d).
 - ☐ If the district is requesting interim housing assistance, the district must indicate the grade level of classrooms on the impacted site that are identified as destroyed or rendered unsafe to occupy in addition to any ancillary facilities identified as destroyed or unsafe to occupy (Section e).
- ☐ Section 2 – Check the applicable boxes and provide application numbers for any applications related to the impacted site that are currently on the OPSC Workload or Applications Received Beyond Bond Authority lists.
- ☐ Section 3 – Enter any prior School Facility Program (SFP) application numbers specific to the impacted site for which the district received SAB approval since the time of the natural disaster.
- ☐ Section 4 – Enter information related to the state of emergency the Governor declared for the natural disaster for which the district is requesting assistance.
- ☐ Section 5 – Check the applicable box to indicate if the district is requesting financial hardship assistance.
- ☐ Section 6 – Enter this information so that OPSC can determine the local funding adjustment grant and calculate the district’s matching share requirement.
- ☐ Section 7 – Enter applicable information for Division of the State Architect (DSA) Approval(s) related to the project. See additional information below.
- ☐ Section 8 – See the “Supporting Documentation” component of this checklist for detailed requirements.

Other Assistance Following a Natural Disaster Requests

- ☐ Section 1 –
 - ☐ Check that the applicable box to indicate whether the application is a “New” application requesting either a separate design apportionment or a full grant, or an “Amended” application if requesting a full adjusted grant for an application that previously received a separate design apportionment (Section a)
 - ☐ Check the applicable box to indicate the application is a request for “Other assistance following a natural disaster pursuant to Section 1859.84.2” and specify the type of assistance requested. Check the applicable box if the district is requesting a separate design apportionment (Section b)

**APPLICATION FOR NATURAL
DISASTER ASSISTANCE CHECKLIST**

(New 08/25)

Page 2 of 4

- ☐ Section 2 – Check the applicable boxes and provide application numbers for any applications related to the impacted site that are currently on the OPSC Workload or Applications Received Beyond Bond Authority lists.
- ☐ Section 3 – Enter any prior SFP applications specific to the impacted site for which the district received SAB approval since the time of the natural disaster.
- ☐ Section 4 – Enter information related to the state of emergency the Governor declared for the natural disaster for which the district is requesting other assistance.
- ☐ Section 5 – Check the applicable box to indicate if the district is requesting financial hardship assistance.
- ☐ Section 6 – Enter this information so that OPSC can determine the local funding adjustment grant and calculate the district's matching share requirement.
- ☐ Section 7 – Enter applicable information for DSA Approval(s) related to the project. If the District is requesting a separate design apportionment under Section 1b of the Form SAB 195 and has selected "New" under Section 1a, the District shall leave this section blank. See additional information below.
- ☐ Section 9 – See the "Supporting Documentation" component of this checklist for detailed requirements.

Section 7

Indicate whether there are any DSA plan approvals associated with the district's plans and specifications for the project. If so, enter the DSA Approval date and submit a copy of the relevant DSA approvals. If DSA plan approval(s) are pending review, or if the district has an exemption, please indicate so within the applicable narrative. If the application shares plans and specifications with at least one additional SFP application, check the applicable box and provide the additional documentation outlined on the Form SAB 195.

Section 8 (Interim Housing) and Section 9 (Other Assistance) Narratives

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

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

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

Have affected facilities been vacated? ☐ Yes ☐ No

If Yes, describe how students are currently being housed:

Estimated project cost (100%): \$ _____

☐ **Insurance Proceeds**

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

If Yes, indicate estimated amount the district may receive, or has received from insurance coverage related to interim housing: _____

☐ **Other Government Disaster Assistance**

Has the district applied for any other government disaster assistance for interim housing related to the conditions at the site? ☐ Yes ☐ No

If Yes, indicate estimated amount the district may receive, or has received from other government disaster assistance related to interim housing: _____

**APPLICATION FOR NATURAL
DISASTER ASSISTANCE CHECKLIST**

(New 08/25)

Page 3 of 4

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

The district should include the background and circumstances that prompted the district's request for funding, inclusive of the following:

- Information relevant to the request, such as the amount requested, the anticipated duration of any interim facilities lease, and whether the request includes the design, placement, site development, and/or equipment costs associated with the leased or purchased facilities.
- A statement explaining why the SAB should grant the district's request based on law, regulation, or another basis.

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

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

Other Assistance Following a Natural Disaster Narrative

The narrative is intended to explain the natural disaster for which the Governor declared a state of emergency, as well as provide substantive documentation and information to justify the district's request. Although unique circumstances may affect what documentation is sufficient to support these requests, typically required information and documentation is listed below for your reference. For any unavailable documentation, please add a brief explanation as to why the documentation does not apply. Other substantiating documentation may be attached as necessary to support the district's request.

Have affected facilities been vacated? ☐ Yes ☐ No

If Yes, describe how students are currently being housed:

Estimated project cost (100%): \$ _____

☐ **Insurance Proceeds**

Is the district eligible for insurance compensation for the same purpose or scope of work in the request, related to the conditions at the site? ☐ Yes ☐ No

If Yes, indicate the actual amount or estimated amount the district may receive, or has received from insurance coverage related to the same purpose or scope of work in the request: _____

☐ **Other Government Disaster Assistance**

Has the district applied for any other government disaster assistance for the same purpose or scope of work in the request, related to the conditions at the site? ☐ Yes ☐ No

If Yes, indicate estimated amount the district may receive, or has received from other government disaster assistance related to the same purpose or scope of work in the request: _____

**APPLICATION FOR NATURAL
DISASTER ASSISTANCE CHECKLIST**

(New 08/25)

Page 4 of 4

When possible, include a copy of the insurance policy. If the district has not received insurance proceeds or other government disaster assistance for the same purpose or scope of work in the request, the district must provide an estimate of insurance proceeds and/or any other government disaster assistance the school district reasonably expects to receive for the same purpose or scope of work in the request. Additionally, the district must provide a narrative indicating the necessity for the requested assistance prior to the receipt of insurance proceeds or any other government disaster assistance for this purpose, and acknowledgement of the reporting requirement and potential future adjustment to any Apportionment pursuant to SFP Regulation Section 1859.84.2(f).

The district should include the background and circumstances that prompted the district's request for funding, inclusive of the following:

- Information relevant to the request, such as the amount requested and information that demonstrates funding from insurance proceeds and other government disaster assistance is insufficient to rehabilitate or reconstruct school facilities that existed at the time of the natural disaster.
- A statement explaining why the SAB should grant the district's request based on law, regulation, or another basis.
- Justification if the application requests funding in lieu of an application pursuant to Sections 1859.82.1 or 1859.70.

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

If the district indicated any applications under Sections 2 or 3, the district must elaborate in the narrative how the current request is related to the previous applications and the reason the current request is necessary.

☐ **Actual Costs**

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

STATE OF CALIFORNIA

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

SCHOOL FACILITY PROGRAM

(New xx/25)

STATE ALLOCATION BOARD

OFFICE OF PUBLIC SCHOOL CONSTRUCTION

Page 1 of 8

Office of Public School Construction Application Number: _____

GENERAL INFORMATION

Grantee Name: _____

School Name: _____

Grant Amount: _____ of which _____ is Financial Hardship
Assistance.

Authority: _____ [relevant Bond
Act(s)]

SFP Program Funding Source: _____
(e.g., New Construction, Modernization)

Future Priority Funding Rounds: _____
(first priority funding window, second priority funding window)

PROJECT DESCRIPTION

Type of Work: _____ (e.g.,
Installation of Portable Classrooms and/or other ancillary facilities, including necessary site
work, etc.)

Number of Portable Classrooms: _____

Agreement includes grants for ancillary facilities, as follows: _____

Financial Hardship Approval Date: _____

Financial Hardship Status is valid until: _____ (date)

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

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

STATE OF CALIFORNIA

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

SCHOOL FACILITY PROGRAM

(New xx/25)

STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION

Page 2 of 8

- Financial Hardship Approval Letter from the Office of Public School Construction dated XXXXX.
- Bridge Financing Approval Letter from the Office of Public School Construction dated XXXXX.

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

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

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

GRANT DESCRIPTION

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

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

TERMS AND CONDITIONS OF GRANT

A. Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“State” means the State of California.

“Unfunded List (Lack of AB 55 Loans)” means an information list of unfunded projects that was created due to the state’s inability to provide interim financing from the Pooled Money

STATE OF CALIFORNIA

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

STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION
Page 4 of 8

Investment Account (AB 55 loans) to fund school construction project as declared in the Department of Finance Budget Letter #33 issued on December 18, 2008.
(Authority: SFP Regulation 1859.2)

B. Term of Grant Agreement

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

C. Project Execution

1. The Board hereby awards to the Grantee a sum of money (Grants)
\$_____ in consideration of and on condition that the sum be expended in carrying out the purposes as set forth in the description of the Project in this Agreement and its attachments and under the Terms and Conditions set forth in this Agreement.
Grants may also be expended for the purposes of a future high priority Capital Outlay project as the result of Savings, or for the purposes of reimbursement, pursuant to SFP Regulation Section 1859.90.4.

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

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

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

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

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

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

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

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

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

(Authority: Form SAB 195 certifications)

1. Grantee certifies that the Project complies with all labor and public contract laws, as applicable.

Project Execution Signature

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

X _____ Date

(Authority: Form SAB 195 certifications)

D. Receiving and General Usage of Funds

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

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

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

STATE OF CALIFORNIA

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

STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION
Page 6 of 8

E. Program Reporting Requirements

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

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

F. Record Retention

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

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

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

G. Repayment of Grant Funds

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

H. Conflict of Interest

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

1. Employees of the Grantee: Employees of the Grantee shall comply with all applicable provisions of law pertaining to conflicts of interest, including, but not limited to any applicable conflict of interest provisions of the California Political Reform Act, Cal. Gov't Code § 87100 et seq.
2. Employees and Consultants to the Grantee: Individuals working on behalf of the Grantee may be required by the Department to file a Statement of Economic Interests (Fair

STATE OF CALIFORNIA

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

STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION
Page 7 of 8

Political Practices Commission Form 700) if it is determined that an individual is a consultant for Political Reform Act purposes.

I. Compliance with Economic Sanctions

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

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

J. Severability

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

K. Electronic Filing

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

L. Supplement, Not Supplant

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

M. Exact Duplicate

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

SIGNATURES

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

ATTACHMENT 1
ATTACHMENT E

STATE OF CALIFORNIA

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

SCHOOL FACILITY PROGRAM

(New xx/25)

STATE ALLOCATION BOARD

OFFICE OF PUBLIC SCHOOL CONSTRUCTION

Page 8 of 8

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

STATE OF CALIFORNIA

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

SCHOOL FACILITY PROGRAM

(New xx/25)

STATE ALLOCATION BOARD

OFFICE OF PUBLIC SCHOOL CONSTRUCTION

Page 1 of 8

Office of Public School Construction Application Number: _____

GENERAL INFORMATION

Grantee Name: _____

School Name: _____

Grant Amount: _____ of which _____ is Financial Hardship Assistance.

Authority: _____ [relevant Bond Act(s)]

SFP Program Funding Source: _____
(e.g., New Construction, Modernization)

Future Priority Funding Rounds: _____
(first priority funding window, second priority funding window)

PROJECT DESCRIPTION

Type of Work: _____ (e.g.,
Replacement work funded with New Construction grants, Rehabilitation work funded with
Modernization grants, etc.)

New School or an Existing Site: _____

Agreement includes grants for the following scope of work, as follows: _____

Number of Classrooms: _____

Or

Square Footage Constructed: _____ Toilet Area Sq. Ft. _____
_____ Other Area Sq. Ft. _____

Agreement includes grants for other non-facilities not listed above, as follows: _____

Financial Hardship Approval Date: _____

Financial Hardship Status is valid until: _____ (date)

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

STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION
Page 2 of 8

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

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

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

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

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

GRANT DESCRIPTION

The Grant funds are awarded generally for purpose of

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

TERMS AND CONDITIONS OF GRANT

A. Definitions

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

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

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

"Change of Scope" means the addition or deletion of any work that would change the approved Grant amount for the Project or require updated state agency approval(s). This includes, but is not limited to, changes to site acquisition acres, or buildings, including but not limited to

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

SCHOOL FACILITY PROGRAM

(New xx/25)

classrooms, multipurpose rooms, gymnasiums, administration buildings, restrooms, and libraries/media centers, and any changes to the size of those buildings, the type of building (e.g. portable, modular, or permanent), or the location on the school site of those buildings.

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

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

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

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

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

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

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

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

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

STATE OF CALIFORNIA

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

SCHOOL FACILITY PROGRAM

(New xx/25)

STATE ALLOCATION BOARD

OFFICE OF PUBLIC SCHOOL CONSTRUCTION

Page 4 of 8

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

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

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

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

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

"State" means the State of California.

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

(Authority: SFP Regulation 1859.2)

B. Term of Grant Agreement

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

C. Project Execution

1. The Board hereby awards to the Grantee a sum of money (Grants)
\$ _____ in consideration of and on condition that the sum be expended in carrying out the purposes as set forth in the description of the Project in this Agreement and its attachments and under the Terms and Conditions set forth in this Agreement.
Grants may also be expended for the purposes of a future high priority Capital Outlay project as the result of Savings, or for the purposes of reimbursement, pursuant to SFP Regulation Section 1859.90.4.

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

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

SCHOOL FACILITY PROGRAM

(New xx/25)

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

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

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

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

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

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

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

(Authority: Form SAB 195 certifications)

1. Grantee certifies that the Project complies with all labor and public contract laws, as applicable.

Project Execution Signature

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

X _____ Date

(Authority: Form SAB 195 certifications)

D. Receiving and General Usage of Funds

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

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

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

E. Program Reporting Requirements

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

- No later than _____ (or as soon as contracted) the Grantee will submit documentation confirming funds have been encumbered along with a copy of the encumbrance documents and a copy of the plan approval letter from the Division of State Architect.
- No later than _____ the Grantee will submit a project status report.
- No later than _____ the Grantee will submit a final Expenditure Report and a narrative summary of the project outcome.
 - o Report format is at the discretion of the Grantee; however, reports should be detailed enough to clearly demonstrate progress and that expenditures are connected to the project.
 - o Submitted reports shall include a cover letter from the Grantee with a signed statement that the information submitted is true and accurate.
- In perpetuity, the Grantee will report any insurance and other government disaster proceeds received for the same scope of work as this project.

F. Record Retention

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

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

G. Repayment of Grant Funds

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

H. Conflict of Interest

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

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

I. Compliance with Economic Sanctions

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

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

J. Severability

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

K. Electronic Filing

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

STATE OF CALIFORNIA

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

SCHOOL FACILITY PROGRAM

(New xx/25)

STATE ALLOCATION BOARD

OFFICE OF PUBLIC SCHOOL CONSTRUCTION

Page 8 of 8

L. Supplement, Not Supplant

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

M. Exact Duplicate

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

SIGNATURES

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

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

**FUND RELEASE AUTHORIZATION
SCHOOL FACILITY PROGRAM****GENERAL INFORMATION****(Refer to title 2, California Code of Regulations, sections 1859.90 and 1859.91)**

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 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 district within 30 days of the following, whichever occurs last: an Apportionment or submittal by the district of a Grant Agreement pursuant to Section 1859.90.4, with the exception of Preliminary Apportionments.

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

1. Signature page of the contract(s) that meets the requirement for a fund release (Part v and/or vii).
2. Notice(s) to Proceed.
3. For projects for which construction contracts were awarded prior to January 1, 2012, and that require a Labor Compliance Program (LCP) pursuant to Labor Code Section 1771.7:
 - All school district and/or third party provider Department of Industrial Relations approval letters (initial, extension(s) and/or final).
 - Third party contract(s).
 - A written finding that the district has initiated and enforced, or had contracted with a third party to initiate and enforce, an LCP pursuant to Section 1859.97(a).
 - If the district is submitting this form pursuant to Section 1859.90.2 on or after July 1, 2013, and if the district's LCP approval or contract date with an approved third party is subsequent to the construction contract date(s), the district must have submitted an LCP third party's report, pursuant to Section 1859.97(b), at least 60 days prior to submitting this form.
4. For new construction projects that complete Part v attach:
 - Accepted bid documents including additive/deductive alternates.
5. A Grant Agreement for the project signed by an authorized District Representative.

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

For the purposes of completing this form to obtain a fund release for a Final Career Technical Education Facilities Apportionment, a joint powers authority shall be treated as a school district.

Specific Instructions**Part I. Preliminary Apportionment—Design Only**

Check the boxes if the district has current financial hardship status pursuant to Section 1859.81 and is requesting release of Preliminary Apportionment funds for design, engineering, and other preconstruction project costs. Attach to this form the California Department of Education (CDE) Letter pursuant to Section 1859.149(a)(2).

Part II. Preliminary Charter School Apportionment

Check the boxes if the charter school is requesting a release of a Preliminary Charter School Apportionment for design and/or separate site apportionment pursuant to Section 1859.164.2. Attach to this form the Charter School Agreements.

Part III. Separate Site Apportionment

Check the box, for release of a separate site apportionment provided pursuant to Sections 1859.75.1 or 1859.81.1 or for release of Preliminary Apportionment site only acquisition pursuant to 1859.153(b) or (c).

Part IV. Overcrowding Relief Grant - Advance Site Funds

Check the boxes if the district is requesting an advance release of funds pursuant to Section 1859.184.1.

Part V. New Construction/Modernization/Charter School Rehabilitation

Check the box(es) for release of new construction, modernization or rehabilitation funds and enter the following:

- a. Date of written approval by the Division of the State Architect (DSA).
- b. Enter the percent of the construction the district has under binding contract(s).
- c. Issue date of the Notice to Proceed for the construction phase of the project(s); and
- d. Award date(s) of the construction contract(s) entered into by the district for this project. (If the space provided is not sufficient for all applicable contract dates, please list all dates on a separate attachment to this form.)

For Final Charter School Apportionment attach to this form the Charter School Agreements if not previously submitted or if since revised.

Part VI. New Construction—Site Acquisition Only

Check the boxes if the district is requesting a separate release of site acquisition funds as part of a new construction project.

Part VII. Joint-Use Projects

Check the boxes if the district is requesting release of joint-use project funds.

Part VIII. Identify District and Joint-Use Partners' Funding Sources

Check the appropriate box(es) that identify the district funding sources that have or will be used for the district's share of the project.

Part IX. Career Technical Education Facilities Projects

Check the appropriate box(es) in Part IX if the district is requesting a release of Career Technical Education Facilities funds.

Part X. Natural Disaster Assistance Projects

Check the appropriate box(es) in Part X if the district is requesting a release of Natural Disaster Assistance funds.

Part XI. Identify District's Construction Delivery Method

Check the appropriate box that identifies the construction delivery method that the district utilized for this project.

Part XII. Submittal of Project Grant Agreement

Check the appropriate box that identifies the timing of the submittal of the signed Grant Agreement for the project.

**FUND RELEASE AUTHORIZATION
SCHOOL FACILITY PROGRAM**

SAB 50-05 (REV xx/25)

SCHOOL DISTRICT	APPLICATION NUMBER
SCHOOL NAME	FIVE-DIGIT DISTRICT CODE NUMBER (SEE CALIFORNIA PUBLIC SCHOOL DIRECTORY)
COUNTY	HIGH SCHOOL ATTENDANCE AREA (HSAA) (IF APPLICABLE)

Part I. Preliminary Apportionment—Design Only

- ☐ The district certifies it has complied with Section 1859.149(a).
- ☐ The district certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
 - has already been expended by the district for the project
 - will be expended by the district prior to the Notice of Completion for the project
- ☐ The district certifies that it currently has Financial Hardship status under the provisions of Section 1859.81.

Part II. Preliminary Charter School Apportionment**A. Design Only**

Pursuant to Section 1859.164.2(a), must be able to check all boxes:

- ☐ The Charter School certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
 - has already been expended by the Charter School for the project
 - will be expended by the Charter School prior to the Notice of Completion for the project
- ☐ The Charter School certifies it has current financial soundness status from the California School Finance Authority.
- ☐ The Charter School certifies it has entered into the Charter School Agreements pursuant to Section 1859.164.2.

B. Separate Site Apportionment

Pursuant to Section 1859.164.2(b), must be able to check all boxes:

- ☐ Release site acquisition funds. The Charter School certifies the funds are needed to place on deposit in order to secure the site acquisition.
- ☐ The Charter School certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
 - has already been expended by the Charter School for the project
 - will be expended by the Charter School prior to the Notice of Completion for the project
- ☐ The Charter School certifies it has current financial soundness status from the California School Finance Authority.
- ☐ The Charter School certifies it has entered into the Charter School Agreements pursuant to Section 1859.164.2.

Part III. Separate Site Apportionment

- ☐ RA on additions to existing school sites pursuant to Section 1859.74.4.

Pursuant to Sections 1859.75.1 or 1859.81.1, district must be able to check both boxes:

- ☐ Release site acquisition funds. The district certifies the funds are needed to place on deposit in order to secure the site acquisition.
- ☐ The district certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund

- has already been expended by the district for the project
- will be expended by the district prior to the Notice of Completion for the project

Part IV. Overcrowding Relief Grant - Advance Site Funds

Pursuant to Section 1859.184.1, districts that have received Financial Hardship approval that are acquiring sites through condemnation must be able to check all boxes:

- ☐ Release site acquisition funds. The district certifies the funds are needed to place on deposit in order to secure the site acquisition.
- ☐ The district certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
 - has already been expended by the district for the project
 - will be expended by the district prior to the Notice of Completion for the project
- ☐ The district certifies that it will produce an order of prejudgment possession once obtained from the court, and prior to any additional fund releases for the project.

Part V. New Construction/Modernization/Charter School Rehabilitation

District/Charter School must be able to check all boxes:

- ☐ The district certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
 - has already been expended by the district for the project
 - will be expended by the district prior to the Notice of Completion for the project
- ☐ The district certifies it has entered into a binding contract(s) for _____ percent of the construction (must be at least 50 percent of the construction included in the plans and specifications applicable to the state funded project), which received written DSA approval on _____, and has issued the Notice(s) to Proceed on _____ for that 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.)
- ☐ If the district certified compliance with Education Code Section 17070.955 on its Application for Funding (Form SAB 50-04) and if it was not previously sent with the Form SAB 50-04, then the district must submit 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.

The Charter School must also be able to check the following box:

- ☐ The Charter School certifies it has entered into the Charter School Agreements pursuant to Section 1859.164.2.

The amount of State funds released for new construction shall be 100 percent of the total SFP New Construction Adjusted Grant, less any site acquisition funds previously released in Part III.

The amount of State funds released for modernization shall be 100 percent of the SFP Modernization Adjusted Grant.

**FUND RELEASE AUTHORIZATION
SCHOOL FACILITY PROGRAM**

SAB 50-05 (REV XX/25)

Part VI. New Construction—Site Acquisition only

District must be able to check both boxes:

- ☐ The district certifies it has entered escrow for the site (attach copy of escrow instructions).
- ☐ The district certifies that its applicable matching share has either:
 - been deposited in the County School Facility Fund
 - has already been expended by the district for the project
 - will be expended by the district prior to the Notice of Completion for the project

The amount of State funds released shall be equal to the additional grant provided for site acquisition.

Part VII. Joint-Use Projects

- ☐ The district certifies that the Joint-Use Partners' financial contribution has either:
 - been received and deposited in the County School Facility Fund
 - has been received and expended by the district
 - will be received and expended by the district prior to the Notice of Completion for the project
- ☐ The district certifies it has entered into a binding contract(s) for _____ percent of the construction (must be at least 50 percent of the construction included in the plans and specifications applicable to the state funded project), and has issued the Notice to Proceed on _____ for that contract signed on _____.

The amount of State funds released for new construction shall be 100 percent of the Joint-Use Grant.

Part VIII. Identify District and Joint-Use Partners' Funding Sources

- ☐ Available bond funds such as general obligation, or Mello-Roos.
- ☐ Available developer fees, proceeds from the sale of surplus property, or federal grants.
- ☐ Other funds available (identify)
- ☐ Funds already expended by the district for the project.
- ☐ Funds already expended by the Joint-Use Partners for the project.
- ☐ Future revenue sources to be used for the project (identify)

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

- I am an authorized representative of the district as authorized by the governing board of the district; and
- The site where buildings will be modernized or rehabilitated must comply with Education Code Sections 17212, 17212.5, and 17213; and,
- The grant amount provided by the State, combined with local matching funds or the Joint-Use Partner's financial contribution, are sufficient to complete the school construction project, unless the request is for a separate site and/or 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 project for which the grant amount is provided complies with Education Code Sections 17070.50 and 17072.30; and,
- The district shall certify at the time of a fund release for the project that it complies with Section 1859.90.4.
- This form is an exact duplicate (verbatim) of the form provided by the Office of Public School Construction (OPSC). In the event a conflict should exist, then the language in the OPSC form will prevail; and,
- If required by Labor Code Section 1771.7, the district has initiated and enforced an LCP that has been approved by the DIR.
- If required by Labor Code Section 1771.3(a) in effect on January 1, 2012 through June 19, 2014, DIR has or will perform the required Prevailing Wage Monitoring and Enforcement for the project, or the requirement is waived 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.

Part IX. Career Technical Education Facilities Projects

- ☐ The district certifies that its applicable matching share has either:
 - been deposited in the County School Facility Fund
 - has already been expended by the district for the project
 - will be expended by the district prior to the Notice of Completion for the project
- ☐ If the district requested a loan for its matching share pursuant to Section 1859.194, the district certifies that it has entered into a loan agreement with the State.

Part X. Natural Disaster Assistance Projects

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

Part XI. Identify District's 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: _____

Part XII. Signed Grant Agreement

- ☐ The district has already submitted the signed Grant Agreement for this project.
- ☐ The signed Grant Agreement for this project accompanies this Form.

SIGNATURE OF DISTRICT OR JPA

DATE

NAME OF DISTRICT OR JPA REPRESENTATIVE (PRINT)

TITLE

EMAIL ADDRESS

TELEPHONE NUMBER

599
244