

OFFICE OF PUBLIC SCHOOL CONSTRUCTION
STAKEHOLDER MEETING
December 10, 2025

IMPLEMENTATION OF PROPOSITION 2 FOR THE SCHOOL FACILITY PROGRAM
SMALL SCHOOL DISTRICT PROGRAM REGULATIONS
AND
EVALUATION OF TRANSITIONAL KINDERGARTEN PUPILS IN SCHOOL FACILITY
PROGRAM NEW CONSTRUCTION ENROLLMENT PROJECTIONS

PURPOSE

The purpose of this meeting is to continue discussion with stakeholders on the implementation of the Kindergarten through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024 (Proposition 2). Separate from Proposition 2 implementation, this meeting will also continue discussion of the Evaluation of Transitional Kindergarten (TK) Pupils in School Facility Program (SFP) Enrollment Projections.

Proposition 2 Implementation

The Office of Public School Construction (OPSC) is presenting proposed regulations and addressing feedback received for the Small School District Program (Attachment A8) item previously presented at the February 13, April 17, June 26, and September 18, 2025 stakeholder meetings.

Non-Proposition 2 Topic

Separate from Proposition 2, OPSC is presenting proposed regulations and form amendments for the Evaluation of TK Pupils in SFP New Construction Enrollment Projections (Attachment B1), previously presented at the February 20, and September 18, 2025 stakeholder meetings.

BACKGROUND

Proposition 2

Proposition 2 was approved by a majority of California's voters on November 5, 2024. To implement its provisions, existing SFP Regulations must be updated to align with the new statutory provisions. OPSC requests stakeholder feedback regarding these changes for purposes of the Small School District Program.

Note on Proposed Regulation and Form Changes

This stakeholder item makes proposed changes to the regulations and forms in effect as of the publication date of this item, December 2, 2025. This item does not reflect State Allocation Board (Board)-approved proposed regulation and form changes that are pending in the rulemaking process and have not gone into effect. Future stakeholder meeting items and Board agenda items will reflect proposed regulation and form changes once they go into effect.

AUTHORITY

See Attachments A8a and B1a.

SUMMARY AND NEXT STEPS

Small School District Program and TK Pupils in SFP New Construction Enrollment Projections

For the Small School District Program item, stakeholder feedback received from the last meeting may be found on Attachment C.

OPSC has not received additional stakeholder feedback on the Evaluation of TK Pupils in SFP New Construction Enrollment Projections item.

Staff will review any feedback obtained in today's meeting and anything received through close of business on Friday, December 26, 2025 and will address those suggestions in the next public meeting on the corresponding topic.

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

ATTACHMENT A8

OFFICE OF PUBLIC SCHOOL CONSTRUCTION STAKEHOLDER MEETING December 10, 2025

PROPOSED AMENDMENTS TO THE SCHOOL FACILITY PROGRAM FOR THE CREATION OF A SMALL SCHOOL DISTRICT PROGRAM

PURPOSE

To continue to discuss and receive stakeholder feedback regarding proposed implementation plans for the new Small School District Program (Program) within the School Facility Program (SFP). This new Program was authorized by the Kindergarten through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024 (Proposition 2), which was approved by a majority of California's voters on November 5, 2024.

AUTHORITY

See Attachment A8a.

DESCRIPTION

This report continues discussion of the implementation plans for the new Program. Prior stakeholder meetings for this topic were held on February 13, April 17, June 26, and September 18, 2025. This report addresses feedback that was not answered at the September 18, 2025 meeting, provides revisions to the proposed regulations, and provides revisions to the proposed *Application for Small School District Program Preliminary Apportionment* (Form SAB 50-12).

Attachment A8b includes the revised proposed regulations.
Attachment A8c includes the revised proposed Form SAB 50-12.

BACKGROUND

Education Code (EC) Sections 101412(a)(1)(A) and (a)(2)(A) authorized up to ten percent of the amounts allocated in Proposition 2 for New Construction and Modernization to be available to Small School District Program projects. At its January 22, 2025 meeting, the State Allocation Board (Board) set aside the full ten percent of New Construction and Modernization bond authority for the Program – \$330 million for New Construction projects and \$400 million for Modernization projects.

BACKGROUND (cont.)

OPSC would like to clarify any previous written and/or verbal comments in our past stakeholder items for the implementation of this Program by confirming that County Offices of Education (COE) that meet the SFP definition of a Small School District are eligible to participate in the Program.

OPSC is also providing updated dollar amounts for applications that are currently on the Workload List or Applications Received Beyond Bond Authority (ARBBA) List for Small School Districts because the amounts presented at the September 18, 2025 stakeholder meeting did not include applications from eligible COEs:

1. As of October 31, 2025, there are 78 New Construction applications from Small School Districts requesting a total of approximately \$165.9 million in State funding (excluding duplicates) on the OPSC Workload List.
2. As of October 31, 2025, there are 77 Modernization applications from Small School Districts requesting a total of approximately \$136.0 million in State funding (with no duplicates) on the OPSC Workload List.
3. As of October 31, 2025, there are 89 Modernization applications from Small School Districts requesting a total of approximately \$110.3 million in State funding (excluding duplicates) on the ARBBA List.

Stakeholder Feedback

On February 13, April 17, June 26, and September 18, 2025, the Office of Public School Construction (OPSC) held public meetings to discuss proposed criteria for the new Program. OPSC seeks stakeholder input on any topics presented in this item.

The full text of the prior stakeholder meeting items can be found at the links below:

[February 13, 2025 OPSC Proposition 2 Stakeholder Meeting #2 - Item](#)
[April 17, 2025 OPSC Proposition 2 Stakeholder Meeting #9 - Item](#)
[June 26, 2025 OPSC Proposition 2 Stakeholder Meeting #12 - Item](#)
[September 18, 2025 OPSC Proposition 2 Stakeholder Meeting #16 - Item](#)

The recordings from the stakeholder meetings are available at the links below:

[February 13, 2025 OPSC Proposition 2 Stakeholder Meeting #2 - Recording](#)
[April 17, 2025 OPSC Proposition 2 Stakeholder Meeting #9 - Recording](#)
[June 26, 2025 OPSC Proposition 2 Stakeholder Meeting #12 - Recording](#)
[September 18, 2025 OPSC Proposition 2 Stakeholder Meeting #16 - Recording](#)

STAFF ANALYSIS/DISCUSSION

This report addresses feedback that was not answered at the September 18, 2025 meeting. Additionally, OPSC is providing revisions to the proposed regulations, and proposed Form SAB 50-12. Staff would like to thank stakeholders who were able to view, attend, or participate in these meetings and provide valuable feedback either during the meetings or through written correspondence to OPSC.

Summary of Stakeholder Feedback

Below is a summary of stakeholder feedback that was received following the September 18, 2025, meeting and OPSC's responses.

The full text of stakeholder feedback may be found on Attachment C.

Stakeholder Feedback	OPSC Response
<p>1. Two stakeholders expressed concerns regarding OPSC's proposal from the September 18, 2025 stakeholder meeting to begin accepting Program applications from all eligible small school districts in November 2026. Specifically, the stakeholders expressed concerns including the following:</p> <ul style="list-style-type: none">• The proposed November 2026 date delays funding awards to small school districts, who will be unable to budget or design with confidence because they will not know whether they will receive Program funding until spring 2027 or later.• Beginning to accept applications on a single date abandons the first-come, first-served principle and disadvantages small school districts that have proactively planned to participate in the Program.• The large number of applications submitted all at once may overwhelm OPSC, the Division of the State Architect (DSA), and the California Department of Education (CDE) and add processing delays.	<p>1. OPSC acknowledges and appreciates the stakeholder's feedback.</p> <p>Beginning to accept Program applications in November 2026 is intended to allow adequate time for thoughtful, comprehensive outreach to prospective Program applicants, as well as time for Program regulations and forms to be finalized and effective. Through OPSC's outreach and hands-on approach to planning for the submittal of applications, OPSC intends to provide all eligible small school districts an equal opportunity to apply for Program funds. Feedback that OPSC has received indicates that many small school districts would benefit greatly from such outreach.</p> <p>Additionally, the proposed November 2026 date to begin accepting Program applications provides small school districts more planning time to consult with their governing boards and communities and establish or update program eligibility. Ultimately, this will result in as many small school districts as possible having the opportunity and equitable access to apply for the</p>

STAFF ANALYSIS/DISCUSSION (cont.)

Stakeholder Feedback	OPSC Response
<p>1. (cont.)</p> <ul style="list-style-type: none">The timelines for DSA and CDE approvals make the November 2026 date to begin accepting applications unworkable for modernization schedules. <p>The stakeholder recommended that OPSC process small school district applications in the order received, with prioritization for hardship and readiness. The stakeholder also recommended that timelines for the program be clarified.</p>	<p>1. (cont.)</p> <p>Program and have a chance to obtain funding for their projects.</p> <p>In response to the stakeholder's recommendations, OPSC has updated the proposed regulations to clarify that Program applications will be processed and prioritized in order of the date they were received. Additionally, OPSC has updated proposed regulations to reflect how Program applications will be prioritized if there are more applications submitted on the same date than can be funded with available resources (see the response to #4).</p> <p>In response to concerns that a large number of applications submitted at once could overwhelm OPSC, DSA, and CDE and add processing delays, OPSC notes that it administers existing programs that operate on a filing round basis that often result in a large number of applications submitted in a short timeframe. Additionally, small school districts can request and receive a Preliminary Program Apportionment prior to preparing project plans and receiving CDE and DSA plan approvals, and they have up to five years to complete these requirements. OPSC's experience administering Preliminary Charter School Apportionments suggests that applicants with preliminary apportionments often meet these requirements on different timelines within the maximum five-year period, staggering their submittal timeframes for CDE and DSA.</p>

STAFF ANALYSIS/DISCUSSION (cont.)

Stakeholder Feedback	OPSC Response
	<p>1. (cont.) In regard to planning, OPSC suggests that districts continue their local planning processes. If a Program application is successful, the statute is written to allow for small school district to obtain a preliminary apportionment which reserves funding for a period of up to five years, providing a district confidence that bond authority has been reserved specifically for the district. Additionally, OPSC notes that small school districts are not precluded from applying for School Facility Program New Construction, Modernization, and Facility Hardship funding at any time, as they can also request funds under these longstanding programs to the extent, they meet requirements in advance of the proposed November 2026 date for OPSC to begin accepting Program applications.</p>
<p>2. The stakeholder expressed appreciation for OPSC's revised proposal from the September 18, 2025 stakeholder meeting to allow all small school districts to apply for Program funds beginning on the same application filing date.</p>	<p>2. OPSC acknowledges and appreciates the stakeholder's feedback.</p>
<p>3. The stakeholder recommended extending the proposed application filing commencement date of November 2, 2026 to December 1, 2026, to provide small school districts more time after the start of a new California Basic Educational Data System (CBEDS) enrollment year [on November 1] to update New Construction eligibility, meet with their governing board, and make informed decisions.</p>	<p>3. In response to these concerns, OPSC proposes a separate start date of January 15, 2027 to begin accepting Program applications for <u>New Construction</u> funding, separate from the previously proposed start date of November 2, 2026 to begin accepting Program applications for <u>Modernization</u> funding. This change would provide school districts with additional time to calculate potential New Construction eligibility and provide time for evaluating, planning, and submitting a funding application accordingly.</p>

STAFF ANALYSIS/DISCUSSION (cont.)

Stakeholder Feedback	OPSC Response
<p>4. The stakeholder expressed concern that OPSC’s proposal does not reflect a clear process for prioritization if the Program is oversubscribed.</p>	<p>4. OPSC proposes that Program funding be prioritized in date order received of complete application submittal packages for a Preliminary Program Apportionment. OPSC has also updated Section 1859.157 of the proposed regulations to include the use of a lottery system to select the projects that would be funded in the event there are more applications submitted on the same day than can be funded with available Program authority.</p>
<p>5. Several stakeholders noted concerns with the proposed requirement for previously submitted applications with the same scope of work as a Program application to be returned to the applicant upon application to the Program. Stakeholders recommended that Program applicants should not have previously submitted applications with the same scope of work returned until they receive confirmation that their Program application is within bond authority for the Program, retaining their original application submittal date if set-aside funds for the Program are exhausted without the district’s application being funded.</p>	<p>5. OPSC acknowledges and appreciates stakeholders’ feedback on the proposed requirements. OPSC has updated the proposed Form SAB 50-12 and the proposed amendments to SFP Regulation Section 1859.107 to reflect that the first Board action on an Approved Application that shares a common scope of work with another Approved Application will result in the return of the duplicate application(s). This enables districts to apply for the Small School District Program without having to withdraw their existing application from the standard SFP Workload List or Applications Received Beyond Bond Authority List until such time that the Board acts on one of these applications.</p>
<p>6. Multiple stakeholders expressed concerns with the previously proposed requirement to update New Construction eligibility upon application for a preliminary apportionment, rather than retaining an eligibility lock that may be currently in place.</p>	<p>6. OPSC thanks stakeholders for their input on this proposal. Upon additional consideration, OPSC has removed the requirement from its proposed regulations and has amended Section 1859.156(a) to allow any small school district with an “eligibility lock” in place to retain that lock. However, if that lock period expires prior to OPSC’s receipt of the full <i>Application for Funding</i> (Form SAB 50-04), the district will be required</p>

STAFF ANALYSIS/DISCUSSION (cont.)

Stakeholder Feedback	OPSC Response
6. (cont.)	6. (cont.) to submit an <i>Enrollment Certification/Projection</i> (Form SAB 50-01) to update its New Construction eligibility. If the required eligibility update results in a loss of district eligibility compared to eligibility at the time of the preliminary apportionment, the application will be reduced, or the application may no longer be eligible for funding.

Summary of Updates to Proposed SFP Regulatory Amendments

The updated proposed regulations are included as Attachment A8b. In addition to various non-substantive, clarifying updates, OPSC made updates to the proposed regulatory amendments described below.

After considering stakeholder feedback, OPSC updated proposed SFP Regulation Section 1859.156(a) to eliminate the previously proposed requirement for Program applicants to update New Construction eligibility using the current enrollment year corresponding to the submittal date of the Form SAB 50-12. The updates to this proposed SFP Regulation Section instead require Program applicants to use current New Construction eligibility that is valid on the OPSC received date of a Form SAB 50-12 for requests for Preliminary Apportionment. This change ensures Small School Districts can use the five-year New Construction Eligibility lock provided for in Section 1859.51(j) as the basis for New Construction eligibility. If a Small School District's New Construction Eligibility lock has expired by the time OPSC receives the Form SAB 50-04 requesting Final Apportionment, the Small School District will be required to update their New Construction Eligibility to the current enrollment year. For clarification regarding timelines, the enrollment year used for New Construction eligibility purposes is based on the Form SAB 50-01 submittal date, and the start of the five-year eligibility lock is based on the Board approval date of the Form SAB 50-01. Therefore, the five-year lock begins with the Board approval date of the Form SAB 50-01, and the enrollment year data is valid through the end of the enrollment year (October 31) in which the year the five-year lock expires.

Two illustrative examples of timeframes associated with New Construction eligibility and participation in the Program are outlined in the table below.

STAFF ANALYSIS/DISCUSSION (cont.)

Event	Scenario One	Scenario Two
OPSC received date of valid Form SAB 50-01 determines the enrollment year.	October 31, 2024 Enrollment year is 2023-24.	October 31, 2024 Enrollment year is 2023-24.
Board approval of Form SAB 50-01 starts the five-year eligibility lock.	January 22, 2025 Eligibility based on 2023-24 enrollment year data is valid through October 31, 2030.	January 22, 2025 Eligibility based on 2023-24 enrollment year data is valid through October 31, 2030.
OPSC received date of valid Form SAB 50-12	January 15, 2027 District opts to maintain existing eligibility lock using 2023-24 enrollment data.	January 15, 2027 District opts to submit a Form SAB 50-01 to update eligibility using 2026-27 enrollment data, <i>which starts a new five-year eligibility lock upon Board approval.</i>
Board approval of Form SAB 50-12	May 26, 2027 District has four years to convert the Preliminary Apportionment to a Final Apportionment, with a potential one-year extension subject to Board approval (maximum deadline May 26, 2032).	May 26, 2027 District has four years to convert the Preliminary Apportionment to a Final Apportionment, with a potential one-year extension subject to Board approval (maximum deadline May 26, 2032).
OPSC received date of valid Form SAB 50-04 requesting a Final Apportionment.	March 15, 2031 (after the five-year eligibility lock has expired). District must submit a Form SAB 50-01 to update eligibility concurrently with the Form SAB 50-04 . Enrollment year is 2030-31.	March 15, 2031 (before the five-year eligibility lock expires) Request for Final Apportionment is processed with current eligibility from the lock.

STAFF ANALYSIS/DISCUSSION (cont.)

Proposed Section 1859.157 is updated to revise the date when OPSC will begin accepting New Construction applications for the Program. Acceptance of Modernization applications for the Program remains with the previously proposed start date of November 2, 2026. Acceptance of New Construction applications for the Program is now proposed to begin on January 15, 2027. This change was made to provide additional time for outreach and to allow additional time for Small School Districts to establish or update their New Construction Eligibility, as needed.

Proposed Section 1859.157 is also updated to specify that Program applications will be processed and funded in date order received by OPSC, and that a lottery system will be used to establish funding order in the event there are more applications submitted on the same date than can be funded with remaining Program authority.

Proposed Section 1859.157.1(a) is updated to include explicit references to the available New Construction additional grants.

Proposed Section 1859.157.2(a) is updated to include explicit references the available Modernization additional grants.

Proposed Section 1859.157.3 is updated to provide clarifying language regarding qualifications for an advance release of funds on a Preliminary Program Apportionment, qualifications for Financial Hardship, and the amount of advance funds that may be released at the time of a Preliminary Program Apportionment.

Proposed Section 1859.157.4 is updated with non-substantive, clarifying changes. Previously proposed language regarding rescission of a Preliminary Program Apportionment was removed because it was unnecessary with language proposed in Section 1859.157.5. Subsection (b) is also added to ensure that a school district requests Financial Hardship on the Form SAB 50-04 request for Final Apportionment if they are seeking this assistance. A district's qualification for Financial Hardship at the Preliminary Apportionment phase of funding will be reassessed when the district requests Final Apportionment. Therefore, it is necessary for districts to request Financial Hardship on the Form SAB 50-04 request for Final Apportionment if they wish to be evaluated for this assistance.

Proposed Section 1859.157.5(b) is updated to clarify that if the school district has not submitted a complete and valid request to convert a Preliminary Small School District Program Apportionment to a Final Small School District Program Apportionment within four years, or received Board approval for a one-year extension, then the Preliminary Small School District Program Apportionment shall be rescinded without further Board action and returned to the fund source.

STAFF ANALYSIS/DISCUSSION (cont.)

Proposed Section 1859.157.5(c)(3) is also updated to indicate that both New Construction or Modernization baseline eligibility adjustments may occur for funds reduced to cost incurred and closed-out pursuant to Section 1859.106. OPSC erroneously omitted the inclusion of Modernization eligibility adjustments in the previous proposal.

Proposed Section 1859.157.7 is updated to clarify that if there are more applications submitted on the same date than can be funded with available program authority, a lottery system will determine the funding order of the applications.

Additional Related Proposed Changes

Non-substantive amendments to Section 1859.51(e) are proposed to note that the Form SAB 50-01 submitted must be complete and valid in accordance with existing regulatory language pertaining to applications, and to capitalize defined terms.

Proposed amendments to Section 1859.90.2 are updated to add subsection (c), which describes the requirements for participation in the Priority Funding process for a Small School District to request an Apportionment or an approved advance release of funds resulting from a Preliminary Program Apportionment. Non-substantive amendments are also added to this Section, primarily to capitalize defined terms.

Amendments to Section 1859.107 are proposed to specify how OPSC will address circumstances when a school district submits more than one application for the same scope of work under one or more Board-administered programs to OPSC. The goal is for OPSC to identify common scope during processing with the district's input. Then, when the first Board action on an application occurs, OPSC would return all other applications that contain the common scope of work to ensure that there is no duplicate funding. The proposed amendments also indicate that prior to the first Board action, the school district may submit a written request to modify the scope of work in other applications by clearly delineating the remaining eligible scope of work that is not duplicative. However, the proposed amendments also clarify that school districts cannot add scope of work to other applications without withdrawal and subsequent resubmittal of those applications. The proposed amendments to Section 1859.107 are intended to clarify treatment of applications for small school districts that are already on the OPSC Workload List or ARBBA List if the districts opt to submit an application for the same scope of work under the new Program. Additionally, the proposed amendments to Section 1859.107 would apply to other applications submitted for the same scope of work under one or more Board-administered program(s), such as applications that districts submitted on or after October 31, 2024 that duplicate the scope of work in applications on the OPSC Workload List with an earlier submittal date.

STAFF ANALYSIS/DISCUSSION (cont.)

Summary of Updates to the Proposed Form SAB 50-12

The updated proposed Form SAB 50-12 is included as Attachment A8c. In addition to various non-substantive, clarifying updates, OPSC made updates to the proposed Form SAB 50-12 as follows:

Former Section 9 (Return of Funding Application) of the proposed Form SAB 50-12 was removed because amendments to SFP Regulation Section 1859.107 are now proposed, which specify that if a school district submits more than one application for the same scope of work under one or more Board-administered programs, the first Board action on one of the applications will result in the return of all other application(s) containing the common scope of work. With the removal of previously proposed Section 9, all subsequent sections of the proposed Form SAB 50-12 were renumbered.

Section 15 of the proposed Form SAB 50-12 was updated to have the certifications included on the Form SAB 50-12 better match the certifications that are currently included on the Form SAB 50-04.

NEXT STEPS

OPSC welcomes any feedback from our stakeholders regarding the updates to the proposed regulations, and Form SAB 50-12.

AUTHORITY

Education Code (EC) Section 17078.35 – Assistance to Small School Districts

For purposes of this article, the following definitions apply:

- (a) “Final apportionment” has the same meaning as “apportionment” as defined in subdivision (a) of Section 17070.15.
- (b) “Preliminary application” means an application for a preliminary apportionment pursuant to this article.
- (c) “Preliminary apportionment” means a reservation of bond authority for eligible applicants under this article in advance of full compliance with all of the application requirements otherwise required for an apportionment pursuant to this chapter.
- (d) “Project and construction management grant” means a grant for purposes of obtaining the services from a county office of education, other local educational agency with applicable school facilities construction expertise, applicable state department, or a certified private construction consulting entity from the list maintained pursuant to paragraph (2) of subdivision (d) of Section 17078.47, to assist with the planning, site acquisition, preconstruction, construction, and closeout of a project.
- (e) “Small school district” is a school district, as defined in Section 17070.15, with an enrollment of fewer than 2,501 pupils.

EC Section 17078.36 – Assistance to Small School Districts

- (a) Unless this article expressly provides otherwise, the provisions contained in the other articles of this chapter shall apply with equal force to a project funded under this article. This article shall control over the provisions of this chapter contained in other articles only to the extent that this article expressly conflicts with those provisions.
- (b) This article shall apply only to a small school district that is otherwise eligible under this chapter for a project that meets both of the following:
 - (1) The project meets the criteria set forth in subdivision (a) of Section 17078.37.
 - (2) The project is to be funded from proceeds of state bonds approved by the voters at the November 5, 2024, statewide general election that shall not exceed the amounts made available pursuant to paragraphs (1) and (2) of subdivision (a) of Section 101412.

AUTHORITY (cont.)

EC Section 17078.37 – Assistance to Small School Districts

Notwithstanding subdivision (a) of Section 17072.30 and subdivision (a) of Section 17074.16, as applicable:

(a) Applicants for funding pursuant to this article shall do both of the following:

(1) Submit preliminary applications to the board.

(2) Meet the eligibility requirements described in Article 3 (commencing with Section 17071.75) and Article 6 (commencing with Section 17073.10), as applicable.

(b) The board shall do both of the following:

(1) Accept a preliminary application from, and make a preliminary apportionment to, a small school district for new construction grants pursuant to Article 4 (commencing with Section 17072.10) or modernization grants pursuant to Article 7 (commencing with Section 17074.10) in a manner substantially identical to the preliminary apportionment requirements established in Section 17078.24, except that the eligibility of the applicant shall be based on the criteria established in paragraph (2) of subdivision (a).

(2) If requested, provide a preliminary apportionment of a project and construction management grant equal to 5 percent of the state share of the preliminary apportionment.

EC Section 17078.38 – Assistance to Small School Districts

The board shall adopt regulations setting forth all of the following:

(a) The preliminary application and preliminary apportionment.

(b) The apportionment of design grants, project assistance grants pursuant to subdivision (e) of Section 17072.10 and subdivision (e) of Section 17074.10, as applicable, and project and construction management grants to applicants that qualify for financial hardship assistance pursuant to Section 17075.15, as part of the preliminary apportionment.

(c) The existence of substantial progress requirements on apportionments for design and site grants identical to the requirements set forth in Section 1859.105 of Title 2 of the California Code of Regulations.

(d) The requirements for a final apportionment for the project in a manner substantially identical to the requirements of subdivisions (a) and (b) of Section 17078.25.

PROPOSED REGULATIONS

Section 1859.2. Definitions.

[...]

“Final Small School District Program Apportionment” shall mean a Preliminary Small School District Program Apportionment that has been converted to a Final Small School District Program Apportionment in accordance with Sections 1859.157.4 through 1859.157.7.

[...]

“Form SAB 50-12” means the *Application For Small School District Program Preliminary Apportionment*, Form SAB 50-12 (New [XX/26]), which is incorporated by reference.

[...]

“Preliminary Small School District Program Apportionment” means a reservation of bond authority for eligible applicants under Article 11.5 of Chapter 12.5 of the Education Code. The reservation of bond authority is in advance of full compliance with all of the application requirements otherwise required for a Final Small School District Program Apportionment pursuant to Chapter 12.5 of the Education Code.

[...]

“Project and Construction Management Grant” means a grant for purposes of obtaining the services from a county office of education, other local educational agency with applicable school facilities construction expertise, applicable state department, or a certified private construction consulting entity from the list maintained pursuant to paragraph (2) of subdivision (d) of Education Code Section 17078.47, to assist with the planning, site acquisition, preconstruction, construction, and closeout of a project.

[...]

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

Reference: Sections 8974, 17009.5, 17017.6, 17017.7, 17021, 17047, 17050, 17051, 17070.15, 17070.51(a), 17070.59, 17070.71, 17070.77, 17071.10, 17071.25, 17071.30, 17071.33, 17071.35, 17071.40, 17071.75, 17071.76, 17072.10, 17072.12, 17072.18, 17072.30, 17072.33, 17073.16, 17073.25, 17074.10, 17074.16, 17074.30, 17075.10, 17075.15, 17077.40, 17077.42, 17077.45, 17078.35, 17078.36, 17078.37, 17078.38, 17078.52, 17078.56, 17078.72(k), 17079, 17079.10, 17280, 56026 and 101012(a)(8), Education Code; Section 53311, Government Code; and Sections 1771.3 in effect on January 1, 2012 through June 19, 2014 and 1771.5, Labor Code.

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:

...

(e) Increased/decreased by changes in projected enrollment in subsequent enrollment reporting years for all School dDistricts 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~~ a complete and valid Form SAB 50-01 based on School District enrollment data, as shown in the table below:

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

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

...

(j) For Small School Districts:

- (1) Decreased by any reduction in projected enrollment that follows a five-year period after the Small School dDistrict'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.

...

Section 1859.90.2. Priority Funding Process.

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

(a) In order to be considered for an Apportionment; approved advance release of design, project assistance, the Project and Construction Management Grant, and/or any site acquisition funds from a Preliminary Small School District Program Apportionment; approved advance release of design funds from a Preliminary Charter School Apportionment; or approved advance release of environmental hardship site acquisition funds from a Preliminary Apportionment, the School ~~and~~ District or charter school must provide a priority funding request in the form of a written statement signed by an authorized representative that includes each of the project Application numbers, and the type of Apportionment request (e.g., Apportionment, separate Apportionment for design or site acquisition), within the 30-calendar day filing period, and shall contain the following:

(1) Statement that the request is to convert the unfunded approval to an Apportionment or to receive an approved advance release of funds; and

(2) Acknowledgement that a complete and valid, ~~original signature~~ Form SAB 50-05 must be submitted and ~~physically received by the~~ OPSC within 90 calendar days of Apportionment or approved advance release of funds request, except for a Career Technical Education Facilities Project in (a)(5), and that failure to do so will result in the rescission of the Apportionment or approved advance release of funds request without further Board action; and

(3) Acknowledgement that a Grant Agreement must be submitted pursuant to Section 1859.90.4 and physically received by ~~the~~ OPSC prior to, or concurrently with, the Form SAB 50-05 referenced in (a)(2); and

(4) Acknowledgement that, if the district submits the Form SAB 50-05 on or after July 1, 2013 and is required to submit an LCP third party report, pursuant to Section 1859.97(b), the report will be submitted to ~~the~~ OPSC and ~~the~~ DIR at least 60 days prior to submitting the Form SAB 50-05; and

(5) For those receiving an Apportionment, acknowledgement that by participating in the priority funding process, the School District or Charter School is waiving its right to the timeline for fund release submittal described in Section 1859.90.

(6) For a Career Technical Education Facilities Project that was granted an unfunded approval without the required CDE plan approval and/or required DSA-approved plans and specifications, the applicant's request must include:

(A) Acknowledgement that the applicant must submit the required approval(s) to ~~the~~ OPSC within 12 months from the date of the Apportionment. If the required submittal(s) is not received within 12 months, the Apportionment shall be rescinded without further Board action pursuant to Section 1859.197(c)(1); and

(B) Acknowledgement that a complete and valid, original signature Form SAB 50-05 must be submitted and ~~physically~~ received by ~~the~~ OPSC within 90 calendar days of the submittal described in (6)(A) and that failure to do so will result in the rescission of the Apportionment without further Board action; and

(C) Acknowledgement that a Grant Agreement must be submitted pursuant to Section 1859.90.4 and ~~physically~~ received by the OPSC prior to, or concurrently with, the Form SAB 50-05 referenced in (a)(6)(B).

(b) In order to be considered for an approved advance release of site acquisition funds from a Preliminary Charter School Apportionment, the district or charter school must provide a priority funding request in the form of a written statement signed by an authorized District Representative within the 30-calendar day filing period, which and shall contain all of the following:

(1) Statement that the request is to convert the advance release of funds to an approved advance release of funds request; and,

(2) Acknowledgement that a complete and valid, original signature Form SAB 50-05 must be submitted and ~~physically~~ received by ~~the~~ OPSC within 180 calendar days of the approved advance release of funds request and that failure to do so will result in the rescission of the approved advance release of funds request without further Board action; and

(3) Acknowledgement that a Grant Agreement must be submitted pursuant to Section 1859.90.4 and ~~physically~~ received by ~~the~~ OPSC prior to, or concurrently with, the Form SAB 50-05 referenced in (b)(2); and

(4) Acknowledgement that it must provide evidence that it has entered into the Charter School Agreements within 90 calendar days of approval of the advance release of funds request and that failure to do so will result in the rescission of the approval without further Board action.

(c) In order to be considered for an approved advance release of site acquisition funds from a Preliminary Small School District Program Apportionment, the School District must provide a priority funding request in the form of a written statement signed by an authorized District Representative within the 30-calendar day filing period, which shall contain all of the following:

(1) Statement that the request is to convert the advance release of funds to an approved advance release of funds request; and

(2) Acknowledgement that a complete and valid Form SAB 50-05 must be submitted and received by OPSC within 180 calendar days of the approved advance release of funds request and that failure to do so will result in the rescission of the approved advance release of funds request without further Board action; and

(3) Acknowledgement that a Grant Agreement must be submitted pursuant to Section 1859.90.4 and received by OPSC prior to, or concurrently with, the Form SAB 50-05 referenced in (c)(2).

~~(ed)~~ If a School dDistrict or charter school receives an Apportionment or approved advance release of funds request through the priority funding process, the OPSC must receive a valid, original signature copy of the Form SAB 50-05 within the specified time period, pursuant to (a)(2), (a)(6) or (b)(2), as applicable, and a Grant Agreement, pursuant to (a)(3), (a)(6)(C), or (b)(3), as applicable. Upon submittal of the original signature copy of the Form SAB 50-05, if OPSC determines that the Form SAB 50-05 is not valid, the district will have ten business days to amend the Form SAB 50-05 in order to make the Form SAB 50-05 valid. If the OPSC does not receive a valid, original signature copy of the Form SAB 50-05 within the time period:

(1) The priority funding Apportionment or approved advance release of funds request shall be rescinded without further Board action, and

(2) If the Application is not subject to rescission pursuant to Section 1859.90.3(c) as defined in Section 1859.90.3(d), the Application shall return to the Unfunded List (Lack of AB 55 Loans) with a new unfunded approval date that is 90 calendar days from the date of Apportionment or approval of the advance release of funds request.

~~(de)~~ In the event that the amount of requests received during a specific 30-calendar day filing period exceeds the funds available, the Board shall apportion based on the unfunded approval date and the Application received date up to the available cash from each bond source. Projects that have requested to participate in the priority funding process for which an Apportionment cannot be provided shall retain their date order

position on the Unfunded List (Lack of AB 55 Loans). Requests not converted to Apportionments will not be returned to the School ~~d~~District or kept by the OPSC.

(ef) In the event that unexpected cash proceeds from sources other than bond funds become available for use for priority funding Apportionments, at a public meeting the Board may, based on considerations relevant to the amount of time available to effect a distribution of funds, waive the 30-calendar day filing provision specified in this section for impacted ~~s~~School ~~d~~Districts to provide funds more rapidly.

[...]

(fg) For purposes of this section “rescinded” or “rescission” shall mean that the Apportionment or approved advance release of funds request returns to unfunded approval status with a new unfunded approval date, except for (a)(5)(A). The new unfunded approval date will be 90 calendar days from the Apportionment date. The School ~~d~~District or Charter Sschool will not be required to re-submit the Application and no further Application review will be required.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17070.41, 17071.75, 17072.12, 17072.30, 17073.10, 17074.16, 17076.10, 17077.40, 17077.42 ~~and~~, 17077.45, 17078.35, 17078.36, 17078.37, and 17078.38, Education Code.

Section 1859.90.3. Participation in the Priority Funding Process.

This section applies to Applications for funding for new construction, modernization, Overcrowding Relief Grant, Career Technical Education Facilities Program, Facility Hardship pursuant to Section 1859.82 and rehabilitation pursuant to Section 1859.83(e), ~~and Charter School Facilities Program, and Small School District Program~~, excluding advance release of design and/or site acquisition funds from a Preliminary Charter School Apportionment, and excluding advance release of design, project assistance, the Project and Construction Management Grant, and any site acquisition funds from a Preliminary Small School District Program Apportionment.

(a) For each Application on the Unfunded List (Lack of AB 55 Loans) for new construction, modernization, Facility Hardship pursuant to Section 1859.82 or rehabilitation pursuant to Section 1859.83(e), the occurrences of (1) or (2) below shall be limited after the effective date of this regulation section [March 25, 2013]. For each Application on the Unfunded List (Lack of AB 55 Loans) for Overcrowding Relief Grant, Career Technical Education Facilities Program, Small School District Program, and Charter School Facilities Program, excluding advance release of design, project assistance, the Project and Construction Management Grant, and any site acquisition funds from a Preliminary Small School District Program Apportionment; or an advance release of design and/or site acquisition funds from a Preliminary Charter School

Apportionment, the occurrences of (1) or (2) below shall be limited after the effective date of this regulation section [October 1, 2014]:

[...]

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17072.12, 17072.30, 17074.16, ~~and~~ 17076.10, 17078.35, 17078.36, 17078.37, and 17078.38, Education Code.

Section 1859.106. Program Accountability Expenditure Audit.

[...]

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

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

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

(c) For any 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.

(d) 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.

(e) The total project cost will be reduced for the Project and Construction Management Grant, and associated required matching share, for the Project and Construction Management Grant provided pursuant to 1859.157.1 or 1859.157.2 if the Small School District does not obtain project and/or construction management services from a county office of education, other local educational agency with applicable school facilities construction expertise, applicable state department, or a certified private construction consulting entity or does not expend any funds on these services.

[...]

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, 17078.35, 17078.36, 17078.37, 17078.38, 17078.52, and 17251, Education Code; and Section 1771.3, Labor Code.

Section 1859.107. Amending and Withdrawal of Applications.
(e) [...]

Any application for modernization eligibility determination that has not received an approval must be amended to conform to Form SAB 50-03 prior to submittal of an Form SAB 50-04.

School Districts that have received an approval of eligibility on a HSAA or Super HSAA are not required to re-establish eligibility under the provisions of Section 1859.41(a).

School Districts that have requested eligibility determination on a HSAA or Super HSAA that have not received an approval must comply with the provisions of Section 1859.41(a) prior to submittal of Form SAB 50-04. The amended eligibility application shall retain its original OPSC processing date.

A School dDistrict that has received an approval of its eligibility determination on a district-wide, HSAA or Super HSAA basis, but received no New Construction Grant(s), may re-file on another eligibility determination basis provided it withdraws all previously submitted Form SAB 50-04 requests for New Construction Grant(s), including those on the Unfunded List.

If a School District submits more than one application for the same scope of work under one or more Board-administered program(s), OPSC will return all other Approved Application(s) containing the common scope of work immediately following the first Board action on an Approved Application with the common scope of work. Prior to the first Board action on an Approved Application with the common scope of work, the School District may request other Approved Application(s) not be returned by requesting to OPSC, in writing, that the scope of work be modified in other Approved Application(s) by clearly delineating the remaining eligible scope of work. The School District may not add additional scope of work to other Approved Application(s).

Note: Authority cited: Sections 17070.35 and 17078.72(l), Education Code.

Reference: Sections 17070.35, 17070.63, 17070.965, 17074.15, 17074.16, 17074.56, 17078.35, 17078.36, 17078.37, and 17078.38, and 17078.73, Education Code.

Article 13.5. Small School District ProgramSection 1859.156. General.

A Small School District seeking a Preliminary Small School District Program Apportionment pursuant to the provisions of Education Code Sections 17078.35 through 17078.38 for New Construction or Modernization funding shall complete and file a Form SAB 50-12. Applications will be processed in order of receipt of an Approved Application.

Applicants must meet the following requirements:

(a) New Construction Eligibility shall be established pursuant to Section 1859.20 or updated pursuant to Section 1859.51, as applicable, prior to or concurrent with submittal of a complete and valid Form SAB 50-12. An applicant's New Construction Eligibility pursuant to Section 1859.51 must be valid at the time of OPSC's receipt of a Form SAB 50-04 requesting a Final Small School District Program Apportionment. If New Construction Eligibility is not valid, the applicant must submit a complete and valid Form SAB 50-01 pursuant to Section 1859.51(e).

(b) Modernization Eligibility shall be established pursuant to Section 1859.60 prior to or concurrent with the submittal of a complete and valid Form SAB 50-12.

Note: Authority cited: Sections 17070.35 and 17075.15, Education Code

Reference: Sections 17070.15, 17078.35, 17078.36, 17078.37, and 17078.38, Education Code.

Section 1859.157. Application Process.

The Board shall accept valid and complete Forms SAB 50-12 for a Preliminary Small School District Program Apportionment for Modernization applications beginning on November 2, 2026.

The Board shall accept valid and complete Form(s) SAB 50-12 for a Preliminary Small School District Program Apportionment for New Construction applications beginning on January 15, 2027.

Valid and complete applications will be processed and funded in date order received by OPSC. In the event there are more applications submitted on the same date than can be funded with available program authority, a lottery system will be used to select the project(s) that is/are funded from the applications submitted on that same date.

When the Small School District Program funds set aside pursuant to Education Code Sections 101412(a)(1)(A) and 101412(a)(2)(A) are exhausted, the Board shall cease accepting Forms SAB 50-12. Any Form SAB 50-12 not apportioned because insufficient funding is available shall be returned to the applicant.

Note: Authority cited: Sections 17070.35 and 17075.15, Education Code

Reference: Sections 17070.15, 17078.35, 17078.36, 17078.37, and 17078.38, Education Code.

Section 1859.157.1. Preliminary Apportionment Grant Determination for New Construction Applications.

A Preliminary Small School District Program Apportionment for New Construction funding shall be equal to the sum of (a) through (c)(2) below:

(a) A New Construction Grant for all eligible pupils included on the Form SAB 50-12 and New Construction additional grants for an Individual with Exceptional Needs; multilevel construction; project assistance; site acquisition; hazardous waste removal; site development; energy efficiency; fire code requirements; geographic location; construct a new school project; small size projects; and urban location, security requirements, and impacted site.

(b) For all Preliminary Small School District Program Apportionments, the inflator factor shall be an amount equal to the sum of the amount determined in (a) and multiplied by a factor determined as follows:

(1) Divide the January Class B Construction Cost Index in effect at the time of the Preliminary Small School District Program Apportionment by the January Class B Construction Cost Index in effect four years prior to the Preliminary Small School District Program Apportionment. Round to four decimal places.

(2) Subtract 1 from the quotient in (1). Round to two decimal places.

(c) The Project and Construction Management Grant shall be equal to five percent of the sum of the amounts determined in (a) and (b).

Note: Authority cited: Sections 17070.35 and 17075.15, Education Code

Reference: Sections 17070.15, 17078.35, 17078.36, 17078.37, and 17078.38, Education Code.

Section 1859.157.2. Preliminary Apportionment Grant Determination for Modernization Applications.

The Preliminary Small School District Program Apportionment for Modernization funding shall be equal to the sum of (a) through (c)(2) below:

(a) A Modernization Grant for all eligible pupils included on the Form SAB 50-12 and Modernization additional grants for 50 years or older permanent buildings; replacement of 75 years or older facilities; Individuals with Exceptional Needs; project assistance; energy efficiency; site development for 50 years or older permanent buildings utilities and/or 75 years or older buildings; fire code requirements; facilities previously modernized with State funds; minimum essential facility; transitional kindergarten

classroom(s); geographic location; small size projects; urban location, security requirements, and impacted site; and accessibility and fire code requirements.

(b) For all Preliminary Small School District Program Apportionments, the inflator factor shall be an amount equal to the sum of the amount determined in (a) and multiplied by a factor determined as follows:

(1) Divide the January Class B Construction Cost Index in effect at the time of the Preliminary Small School District Program Apportionment by the January Class B Construction Cost Index in effect four years prior to the Preliminary Small School District Program Apportionment. Round to four decimal places.

(2) Subtract 1 from the quotient in (1). Round to two decimal places.

(c) The Project and Construction Management Grant shall be equal to five percent of the sum of the amounts determined in (a) and (b).

Note: Authority cited: Sections 17070.35 and 17075.15, Education Code

Reference: Sections 17070.15, 17078.35, 17078.36, 17078.37, and 17078.38, Education Code.

Section 1859.157.3. Preliminary Small School District Program Apportionment Fund Release.

To qualify for an advance release of funds on a Preliminary Small School District Program Apportionment, an applicant must qualify for Financial Hardship, in accordance with Sections 1859.81 through 1859.81.3, at the time of the application review for a Preliminary Small School District Program Apportionment.

If an applicant qualifies for Financial Hardship by meeting the above, the applicant may receive an advance release of funds as follows:

(a) For a New Construction Preliminary Small School District Program Apportionment, a separate advance release of funds for design equal to 40 percent of the sum of the New Construction Grant and the grant amount provided by Section 1859.157.1(c).

(b) For a Modernization Preliminary Small School District Program Apportionment, a separate advance release of funds for design equal to 25 percent of the sum of the Modernization Grant and the grant amount provided by Section 1859.157.2(c).

Subject to the availability of funding to the Board for bond-funded projects, OPSC will release State funds included in a Preliminary Small School District Program Apportionment, pursuant to (a) or (b). State funds released from a Preliminary Small School District Program Apportionment pursuant to this Section shall be subject to the provisions in Sections 1859.90 and 1859.90.2.

Note: Authority cited: Sections 17070.35 and 17075.15, Education Code

Reference: Sections 17070.15, 17078.35, 17078.36, 17078.37, and 17078.38, Education Code.

Section 1859.157.4. Conversion of Preliminary Small School District Program Apportionment.

To request to convert a Preliminary Small School District Program Apportionment to a Final Small School District Program Apportionment, a School District must submit a valid and complete Form SAB 50-04 and meet all of the following criteria:

(a) The total number of pupil grants requested on the Form SAB 50-04 cannot exceed the number approved on the Preliminary Small School District Program Apportionment. The number of pupil grants on the Form SAB 50-04 shall be for at least 50 percent of the pupil grants approved by the Board on the Preliminary Small School District Program Apportionment for New Construction funding or for at least 60 percent of the pupil grants approved by the Board on the Preliminary Small School District Program Apportionment for Modernization funding.

(b) An applicant seeking Financial Hardship, in accordance with Sections 1859.81 through 1859.81.3 must request Financial Hardship on the Form SAB 50-04.

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

Reference: Section 17070.15, 17078.35, 17078.36, 17078.37, and 17078.38, Education Code.

Section 1859.157.5. Time Limit on Preliminary Small School District Program Apportionment.

(a) A complete and valid request to convert a Preliminary Small School District Program Apportionment to a Final Small School District Program Apportionment pursuant to Section 1859.157.4 shall be made within four years of the date of the Preliminary Small School District Program Apportionment unless the applicant received approval of an extension pursuant to Section 1859.157.6.

(b) If (a) is not met, the Preliminary Small School District Program Apportionment shall be rescinded without further Board action and returned to the fund source.

(c) If (a) is not met, and the applicant has received an advance release of funds as provided in Section 1859.157.3, the following shall occur:

(1) The Preliminary Small School District Program Apportionment shall be rescinded without further Board action and any remaining Preliminary Small School District Program Apportionment, not released to the applicant, shall be returned to the fund source.

(2) The New Construction Eligibility or Modernization Eligibility shall be adjusted by the number of pupil grants not used. The number of pupils returned shall be equal to the number of pupil grants requested on the Form SAB 50-12, less the pupil equivalent to the total amount of state funding retained by the applicant.

(3) Funds released pursuant to Section 1859.157.3(a) or (b) shall be reduced to cost incurred and closed-out pursuant to Section 1859.106 with a corresponding New Construction or Modernization baseline eligibility adjustment for the pupils assigned to the Preliminary Small School District Program Application. Funds returned pursuant to Section 1859.106 shall be returned to the fund source.

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

Reference: Sections 17070.15, 17078.35, 17078.36, 17078.37, and 17078.38, Education Code.

Section 1859.157.6. Preliminary Small School District Program Apportionment Time Limit Extension.

An applicant that has received a Preliminary Small School District Program Apportionment pursuant to Section 1859.157.1 or 1859.157.2 may request a single one-year extension of the time limit prescribed in Section 1859.157.5. The Board may approve the request provided the criteria in (a) or (b) are met:

(a) The applicant has provided evidence of both of the following:

(1) CDE has made a contingent or final approval for the project or of the proposed site; and,

(2) DSA has confirmed that the final plans for the project have been submitted to the DSA for review and approval.

(b) Other evidence satisfactory to the Board justifying the extension.

A single one-year extension request from an applicant may be approved by the Board after the time limit prescribed in Section 1859.157.5 has elapsed. OPSC must receive the single one-year extension request from the applicant on or prior to the deadline for which the applicant's time limit would elapse.

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

Reference: Section 17070.15, 17078.35, 17078.36, 17078.37, and 17078.38, Education Code.

Section 1859.157.7. Final Small School District Program Apportionment Grant Determination.

The amount of the Final Small School District Program Apportionment shall be based on the provisions of any amended or new regulations that are effective at the time the

complete and valid Form SAB 50-04, for the Final Small School District Program Apportionment, is submitted and accepted for processing by OPSC. The Board shall approve conversions from the Preliminary Small School District Program Apportionment to the Final Small School District Program Apportionment as follows:

(a) If the Final Small School District Program Apportionment is equal to or less than the Preliminary Small School District Program Apportionment, the Final Small School District Program Apportionment shall be funded entirely. The difference in the Final Small School District Program Apportionment and the Preliminary Small School District Program Apportionment shall be returned to the fund source. The Final Small School District Program Apportionment shall be the full and final Apportionment for the project.

(b) If the Final Small School District Program Apportionment is greater than the Preliminary Small School District Program Apportionment, the Board shall approve the Final Small School District Program Apportionment based on the following:

(1) If the balance in the fund source is greater than the difference in the Final Small School District Program Apportionment and the Preliminary Small School District Program Apportionment, the Board shall approve the Final Small School District Program Apportionment entirely. Fund source authority shall be prioritized in date order that OPSC receives a complete and valid Form SAB 50-04. The Final Small School District Program Apportionment shall be the full and final apportionment for the project.

(2) If the balance in the fund source is less than the difference in the Final Small School District Program Apportionment and the Preliminary Small School District Program Apportionment, the Board shall approve the funding for the Final Small School District Program Apportionment, using any remaining balance in the fund source. The Final Small School District Program Apportionment shall be the full and final Apportionment for the project.

(3) In the event there are more applications submitted on the same date than can be funded with available program authority, a lottery system will be used to determine the funding order.

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

Reference: Section 17070.15, 17078.35, 17078.36, 17078.37, and 17078.38, Education Code.

Section 1859.157.8. Final Small School District Program Apportionment Fund Release.

Once the Preliminary Small School District Program Apportionment is converted to a Final Small School District Program Apportionment pursuant to Sections 1859.157.4 through 1859.157.7, the applicant may request a release of the remaining funds as prescribed in Section 1859.90 or 1859.90.2.

Note: Authority cited: Sections 17070.35 and 17075.15, Education Code

Reference: Sections 17070.15, 17078.35, 17078.36, 17078.37, and 17078.38, Education Code.

Section 1859.158. Substantial Progress and Expenditure Reporting Timelines.

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

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

(1) The first expenditure report shall be due one year from the date that any funds were released to the Small School District for the project pursuant to Section 1859.90 or 1859.90.2, or upon notice of completion of the project to OPSC, 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 with OPSC, all outstanding invoices, claims, and change orders have been satisfied and the facility is currently in use by the Small School District.

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

(2) The second and subsequent expenditure reports, if necessary, shall be due annually beginning one year from the first report, or upon notice of completion of the project to OPSC, 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) A progress report, in the form of a narrative from the Small School District, shall be due 18 months from the date any funds were released to the Small School District for the project pursuant to Section 1859.90 or 1859.90.2. The progress report shall include information regarding the progress the Small School District has made towards substantial completion of the project. If the notice of completion to OPSC 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 Small School District, shall be due 12 months from the date the site acquisition funds were apportioned to the Small School District for the project pursuant to Section 1859.75.1. The progress report shall include information regarding the progress the Small School District 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 apportionment as authorized by Education Code Section 17072.13(c)(2).

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

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

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

Note: Authority cited: Sections 17070.35, 17072.13, 17075.15 and 17079.30, Education Code.

Reference: Sections 17070.15, 17070.35, 17070.99, 17072.12, 17072.13, 17076.10, 17078.35, 17078.36, 17078.37, 17078.38, and 17079.30, Education Code.

APPLICATION FOR SMALL SCHOOL DISTRICT PROGRAM PRELIMINARY**APPORTIONMENT****SCHOOL FACILITY PROGRAM**

SAB 50-12 (New XX/26)

Page 1 of 10

GENERAL INSTRUCTIONS

This form is used to request a preliminary Apportionment for New Construction or Modernization of school facilities for Small School Districts. This Apportionment is available only to School Districts (Districts) that meet the definition of a Small School District in Section 1859.2 for New Construction projects. For Modernization projects, this Apportionment is available only to Districts that have 2,500 or less pupils in their District on their latest California Basic Education Data System (CBEDS) enrollment reporting. The Apportionment will be a reservation of funds for the project to allow time to receive the necessary approvals from other State entities and shall be converted to a Final Small School District Program Apportionment based on Sections 1859.157.4 through 1859.157.8.

If not previously submitted, a School District may file an application for Modernization funding by use of this form concurrently with a determination of or an adjustment to the School District's Modernization Eligibility in accordance with Section 1859.60. The School District must submit a determination of or an adjustment to the School District's New Construction baseline eligibility upon request, in accordance with Regulation Sections 1859.20 or 1859.51, as applicable. The Board will only provide New Construction funding if this form is submitted prior to the date of occupancy of any classrooms included in the construction contract. If the district has a pending reorganization election that will result in the loss of eligibility for the proposed project, the district must submit an adjustment to the District's New Construction baseline eligibility as required in Section 1859.51 upon request. This may be accomplished by completion and submittal of Form SAB 50-01, Form SAB 50-02, and Form SAB 50-03 for the current enrollment year. Failure to submit the requested Forms may result in the Office of Public School Construction (OPSC) returning the funding application to the School District unprocessed.

For purposes of Education Code Section 17073.25, the California Department of Education (CDE) is permitted to file Modernization applications on behalf of the California Schools for the Deaf and Blind.

Requests for funding may be made as follows:

1. A Preliminary Small School District Program Apportionment for New Construction pursuant to Section 1859.157.1. Districts may apply for a Preliminary Small School District Program Apportionment for the design and/or for site acquisition on the same project. For purposes of this Apportionment, the following documents must be submitted with this form (as appropriate):
 - Form SAB 50-01, Form SAB 50-02, and Form SAB 50-03 (if not previously submitted).
 - Contingent site approval letter from the CDE or a final site approval letter from the CDE (site Apportionment only).
 - Real estate appraisal of property with valuation date within six months of the Form SAB 50-12 submittal, may be preliminary (site Apportionment only).
 - Relocation cost estimate (if requested).
 - Department of Toxic Substances Control (DTSC) cost estimate (if requested).
 - Hazardous waste removal cost estimate (if requested).
 - Cost benefit analysis as prescribed in Section 1859.74.6 or a copy of the Board

findings that the non-school function on the district-owned site must be relocated (if applicable).

If the School District is requesting a Preliminary Small School District Program Apportionment for New Construction funding after the initial baseline eligibility was approved by the Board and the School District's current CBEDS enrollment reporting year is later than the enrollment reporting year used to determine the School District's baseline eligibility or adjusted eligibility, the School District must complete a new Form SAB 50-01 based on the current year CBEDS enrollment data, and submit it to OPSC with this form. The School District must also update its eligibility by separation of Special Day Class from regular TK-12 grade level pupils by submitting a revised Form SAB 50-02 and Form SAB 50-03, if it has not already done so. In addition, if the School District's request is fully or partially based on eligibility derived from an Alternative Enrollment Projection, the School District must update the Alternative Enrollment Projection to correspond with the CBEDS enrollment data for the current year. A Small School District with 2,500 or less enrollment as defined in Section 1859.2 will not have its eligibility reduced for a period of five years from the date the School District's baseline eligibility was approved by the Board as a result of reduction in projected enrollment.

2. A Preliminary Small School District Program Apportionment for Modernization pursuant to Section 1859.157.2. For purposes of this Apportionment, the Form SAB 50-03 must accompany this form (if not previously submitted).

A complete list of the application submittal guidelines can be found on OPSC's website.

APPLICATION FOR SMALL SCHOOL DISTRICT PROGRAM PRELIMINARY**APPORTIONMENT****SCHOOL FACILITY PROGRAM**

SAB 50-12 (New XX/26)

Page 2 of 10

SPECIFIC INSTRUCTIONS

The School District must assign a Project Tracking Number (PTN) to this project. The same PTN is used by the OPSC, the Division of the State Architect (DSA) and 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 an application to either DSA or CDE for approval, the School District must use that PTN for this application submittal. If no PTN has been previously assigned for this project, a PTN may be obtained through OPSC Online.

1. Type of Application

Check the appropriate box that indicates the type of request the School District is requesting with this form.

- a. If the School District is requesting upfront funding for either site and/or design in a New Construction project or requesting upfront funding for design in a Modernization project, check the appropriate box in addition to the box for the Preliminary Small School District Program Apportionment above.

2. Type of Project

- a. Select the type of project that best represents this application request and enter the total number of Pupils assigned to the project for each grade group.
- b. Check the box if the project is eligible for funding for 50 year or older permanent buildings and report, at the option of the School District:
- : The total number of eligible classrooms or the total eligible Square Footage of building area at the site. Refer to Section 1859.78.6(b)(1)(A) or (b)(2)(A). Or,
 - : The total number of permanent Classrooms or the total permanent Square Footage of building area that is at least 50 years old and not been previously modernized with state funds. Refer to Section 1859.78.6(b)(1)(B) or (b)(2)(B).
 - : Enter the greater percentage as calculated under Regulation Section 1859.78.6(b)(1)(C) or Regulation Section 1859.78.6(b)(2)(C).
 - : If this project includes eligible 50 year or older Pupil grants, enter the appropriate number assigned to the project for each grade group. The number of Pupils entered cannot exceed the cumulative number of 50 year or older permanent buildings Pupil grants requested for all Modernization funding applications for the site as determined by using the percentage factor above.
- c. If this request includes Pupil grants generated by an Alternative Enrollment Projection Method, enter the number of Pupils by grade level.
- d. Check the box if the project may be eligible for funding for 75 Years or Older Buildings and report the following, if applicable:
- : The estimated total number of eligible Classrooms and/or the estimated total eligible Square Footage of building area being demolished. Refer to Section 1859.78.7.1.
 - : The estimated total number of eligible Classrooms and/or the

estimated total eligible Square Footage of building area being constructed. Refer to Section 1859.78.7.1.

- : Enter the appropriate number of Pupils assigned to the project for each grade group. The estimated number of Pupils entered cannot exceed the cumulative number of Pupil grants requested in Section 2a. and determined by using the percentage factor above.
- e. Indicate if this request is for funding of a 6–8 school and/or an Alternative Education School.
- f. Indicate the site scenario that best represents the project request.

3. Number of Classrooms/Useable Acres

Enter the:

- : Estimated number of Classrooms in the proposed project.
- : Existing Useable Acres (if addition to existing site).
- : Estimated Proposed Useable Acres to be acquired for the project.

4. Type of Financial Hardship Request

If the School District is requesting Financial Hardship assistance because it is unable to meet its matching share requirement on this application, the School District must check the box and comply with the requirements of Section 1859.81.

5. Preliminary Small School District Program Apportionment – New Construction Only

Check the appropriate box(es) if the School District is planning to request the item listed as part of the Final Small School District Program Apportionment. All remaining item requests that are not released as part of the Preliminary Small School District Program Apportionment, but are made on this form, will be reserved for the School District and released at the time of the Final Small School District Program Apportionment as detailed in Sections 1859.157.7 and 1859.157.8. Refer to Section 1859.157.1 for eligibility criteria and further details. The School District may be required to submit supporting documentation to substantiate any of the requests being made. Enter the:

- a. Estimated amount of therapy area in square feet as provided in Section 1859.72.
- b. Estimated number of multilevel classrooms in the Plans and Specifications (P&S) pursuant to Section 1859.73.
- c. Check the box if the School District is planning to request project assistance grant pursuant to Section 1859.73.1.
- d. Check the box if the School District is planning to request the Project and Construction Management grant pursuant to Section 1859.157.1(b).
- e. If the project the School District is planning to request SFP funding for does not require an Response Action (RA), refer to Section 1859.74. If the project the School District is planning to request SFP funding for may require an RA on a site that is not leased or an addition to an existing site, refer to Section 1859.74.2. If the project the School District is planning to request SFP funding for may require an RA on a leased site or an addition to an

APPLICATION FOR SMALL SCHOOL DISTRICT PROGRAM PRELIMINARY**APPORTIONMENT****SCHOOL FACILITY PROGRAM**

SAB 50-12 (New XX/26)

Page 3 of 10

existing site, refer to Sections 1859.74.3 or 1859.74.4, respectively. The limitation of 50 percent may be exceeded when unforeseen circumstances exist. CDE determines that the site is the best available site, and the School District must submit substantiation that the costs are the minimum required to complete the evaluation and RA.

- 1) Enter the estimated 50 percent amount of the actual cost.
- 2) Enter the estimated 50 percent amount of the appraised value of the site. If the request is made pursuant to Section 1859.74.5, enter 50 percent of the appraised value.
- 3) Enter the estimated 50 percent amount of the allowable relocation cost.
- 4) Enter the estimated two percent amount of the lesser of the actual cost or appraised value of the site (minimum \$25,000).
- 5) Enter the estimated 50 percent amount of the DTSC fee for review and approval of the phase one environmental site assessment and preliminary endangerment assessment reports. Refer to Sections 1859.74, 1859.74.1, 1859.74.5, 1859.75, 1859.75.1 and 1859.81.1.

A project that received site acquisition funds under the Lease-Purchase Program (LPP) as a priority two project is not eligible for site acquisition funds under the SFP. A School District-owned site acquired with LPP, SFP or Proposition 1A funds is not eligible for funding under Section 1859.74.5.

- f. Enter the estimated 50 percent amount of the allowable amount for hazardous materials/waste removal and/or remediation for the site acquired pursuant to Sections 1859.74.2, 1859.74.3, 1859.74.4, 1859.75.1 or 1859.81.1. If an RA is required, check the box.
- g. Enter the estimated 50 percent amount of eligible service-site development, off-site development including pedestrian safety paths, and utilities costs allowed pursuant to Section 1859.76. If the School District does not have an estimate available, the School District can enter 35 percent of the New Construction or Modernization Grant amount for the projects eligible service-site development, off-site development and utilities costs.
Check the box if the School District is planning to request an Additional Grant for General Site Development pursuant to Section 1859.76.
- h. If the School District is planning to request an Additional Grant for Energy Efficiency pursuant to Section 1859.71.3(a), enter the estimated percentage amount of energy efficiency that exceeds Title 24 requirements as prescribed in Section 1859.71.3(a)(3). If the district is requesting an Additional Grant for Energy Efficiency pursuant to Section 1859.71.3(c), enter the Energy Code compliance approach used (Performance Only, Prescriptive Only, Performance/Prescriptive) and the total score that is on the OPSC CA-CHPS Scorecard. A copy of the OPSC CA-CHPS Scorecard must be submitted to OPSC as part of the complete request for Final Small School District Program Apportionment.
- i. Check the box(es) if the School District plans to request additional funding for fire code requirements authorized in Section 1859.71.2.

6. Preliminary Small School District Program Apportionment – Modernization Only

Check the appropriate box(es) if the School District is planning to request the item listed as part of the Final Small School District Program Apportionment. All remaining item requests that are not released as part of the Preliminary Small School District Program Apportionment, but are made on this form, will be reserved for the School District and released at the time of the Final Small School District Program Apportionment as detailed in Sections 1859.157.7 and 1859.157.8. Refer to Section 1859.157.2 for eligibility criteria and further details.

- a. Check the box if the School District is planning to request project assistance grant pursuant to Section 1859.78.2.
- b. Check the box if the School District is planning to request the Project and Construction Management grant pursuant to Section 1859.157.2(b).
- c. If the School District is requesting an Additional Grant for Energy Efficiency pursuant to Section 1859.78.5(a), enter the estimated percentage of energy efficiency that exceeds Title 24 requirements as prescribed in Section 1859.78.5(a)(3). If the School District is requesting an Additional Grant for Energy Efficiency pursuant to Section 1859.78.5(c), enter the Energy Code compliance approach used (Performance Only, Prescriptive Only, Performance/Prescriptive) and the total score that is on the OPSC CA-CHPS Scorecard. A copy of the OPSC CA-CHPS Scorecard must be submitted to OPSC as part of the complete request for Final Small School District Program Apportionment. If the School District does not have an estimate available, the School District can enter five percent of the New Construction or Modernization Grant amount for the projects eligible service-site development, off-site development, and utilities costs.
- d. Check the box if the School District plans to request an additional grant for site development utility cost necessary for the Modernization of 50 years or older permanent building(s). Enter the estimated 60 percent amount of the eligible costs allowable pursuant to Section 1859.78.7(a).
- e. Check the box if the School District requests an additional grant for site development utility cost necessary for the replacement of a 75 Years or Older Building, if not already provided under the provisions pursuant to Section 1859.78.7(a). Enter 60 percent of the eligible costs allowable.
- f. Check the box(es) if the School District plans to request additional funding for fire code requirements pursuant to Section 1859.78.4.
- g. Check the box if the School District is planning to request an Additional Grant for a Minimum Essential Facility pursuant to Section 1859.78.9.1. Check the box for the type of facility the School District is anticipating requesting (if the facility is a hybrid facility, select 'Hybrid' and indicate the type of facility on the line provided) and indicate the estimated amount of eligible Toilet and Other Square Footage to be constructed in the project. Check the appropriate box depending on whether the anticipated Minimum Essential Facility in the project is permanent or portable construction. Check the box if the School District is planning to request an additional grant for Site Development pursuant to Section 1859.78.9.1. The School District may request 35 percent of the Minimum Essential Facility supplemental grant or enter 60 percent of the amount calculated pursuant to Section 1859.78.9.1 (b)(7) or 1859.78.9.1 (c)(7).

APPLICATION FOR SMALL SCHOOL DISTRICT PROGRAM PRELIMINARY**APPORTIONMENT****SCHOOL FACILITY PROGRAM**

SAB 50-12 (New XX/26)

Page 4 of 10

- h. 1) Check the box if the School district is planning to request an Additional Grant for the construction of a new Transitional Kindergarten classroom(s) and/or retrofit of an existing school facility to be a Transitional Kindergarten classroom(s). Check the appropriate boxes if the School District is planning to augment the grant with additional supplemental grants respective of the Transitional Kindergarten Classroom project scope. Check the box if the School District is planning to request an additional grant for Site Development pursuant to Regulation Section 1859.78.9.2. The School District may choose to request 35 percent of the Transitional Kindergarten supplemental grant, or enter 60 percent of minimum work amount, pursuant to Regulation Section 1859.78.9.2(c)(4) or 1859.78.9.2(c)(5)(A).
- 2) The information needed to complete this section is based on the latest CBEDS enrollment data. Applications filed on or after November 1st must include the current school year enrollment data. Enter the CBEDS enrollment for grades TK-3 at the school site the current year and the three prior years' TK-3 enrollment, as appropriate.

Requests for funding shall include the following:

- : Site map that includes labelling of all facilities and their current use, and identifies all Classrooms constructed or previously retrofitted to house kindergarten students.
- : Narrative that explains the current Classroom and facility usage at the site, what the Small School District plans to do with the project, and the resulting usage at the completion of the project.
- i. If the School District is requesting an Additional Grant for Career Technical Education (CTE) Components pursuant to Section 1859.78.10, enter 60 percent of the estimated costs for the eligible CTE component(s) in the entire Modernization application.

7. Additional Project Information – Excessive Cost Hardship Request

Check the appropriate box(es) if the School District is planning to request an excessive cost hardship for the item listed as part of the Final Small School District Program Apportionment. The requests will be reserved for the School District and released at the time of the Final Small School District Program Apportionment as detailed in Sections 1859.157.7 and 1859.157.8. Refer to Section 1859.83 for eligibility criteria.

Requests for excessive cost grants for accessibility requirements are allowed only if required by the DSA. At the School District's option, the School District may request three percent of the Modernization base grant or enter the amount calculated pursuant to Regulation Section 1859.83(f). Attach a copy of the DSA approved list that shows the minimum work necessary for accessibility requirements.

If the request is for the excessive cost grant for a new Alternative Education school pursuant to Section 1859.83(c)(2) and the School District elects to request less than the maximum allowance, the School District must submit a letter along with application indicating the requested amount.

8. Priority Order

Enter the School District priority order of this application in relation to other applications for

Preliminary Small School District Program Apportionment that were submitted by the School District on the same date.

9. Prior Apportionment

If the School District received a separate apportionment for the project under the SFP for either site and/or design, enter the application number of the project. Failure to report this information may delay the processing of the application by OPSC.

10. Alternative Developer Fee

The School District must report certain alternative fees collected pursuant to Government Code Section 65995.7, as of the date of application submittal to OPSC. Refer to Section 1859.77 for details. School Districts are advised that the OPSC may perform an audit of the developer fees collected prior to application approval by the Board.

11. Adjustment to New Construction Baseline Eligibility

Pursuant to Section 1859.51 certain adjustments to the District's New Construction baseline eligibility must be made each time a School District submits an application for funding, to the OPSC for SFP New Construction or Modernization grants. These adjustments are made by the OPSC based on information reported by the School District on this form.

- o Report all Classroom(s) provided after the School District submitted its request for determination of its New Construction baseline eligibility for the grades shown, or indicate N/A if there are none. Refer to Section 1859.51(i).
- o In the additional Classroom column, indicate the number of additional net Classrooms provided if not previously reported.
- o In the replacement Classroom column, indicate the number of Classrooms that were included in the determination of the School District's New Construction Eligibility pursuant to Education Code Section 17071.75 and replaced in a locally funded project.
- o Enter the date the initial construction contract was signed for additional or replacement Classrooms.

12. Pending Reorganization Election – New Construction Only

Complete only for New Construction projects. Indicate if there is a pending reorganization election that will result in a loss of eligibility for this project. If the answer is "yes", the School District must complete Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03, to adjust the School District's New Construction Eligibility as a result of the reorganization and submit them with this form.

13. Joint-Use Facility/Leased Property

Check the box if:

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

14. Local Funding Adjustment Grant

Enter estimated amounts for each of the following:

- a. The School District's total assessed valuation, pursuant to Section

APPLICATION FOR SMALL SCHOOL DISTRICT PROGRAM PRELIMINARY**APPORTIONMENT****SCHOOL FACILITY PROGRAM**

SAB 50-12 (New XX/26)

Page 5 of 10

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

15. Certification

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

APPLICATION FOR SMALL SCHOOL DISTRICT PROGRAM PRELIMINARY**APPORTIONMENT****SCHOOL FACILITY PROGRAM**

SAB 50-12 (New XX/26)

Page 6 of 10

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

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

1. Type of Application

- ☐ Preliminary Small School District Program Apportionment (New Construction)
☐ Preliminary Small School District Program Apportionment (Modernization)
 a. ☐ Site and/or Design – New Construction ☐ Design Only – Modernization

- e. Is this a 6–8 school? ☐ Yes ☐ No
 If you answered yes, how many TK–6 Pupils reported above are sixth graders? _____
 Is this an Alternative Education School? ☐ Yes ☐ No

2. Type of Project

- a. ☐ Elementary School ☐ Middle School ☐ High School
 Total Pupils Assigned:
 TK–6 _____
 7–8 _____
 9–12 _____
 Non-Severe _____
 Severe _____
- b. ☐ 50 Years or Older Building Funding (Modernization Only)
 Total Eligible Classrooms/Square Footage: _____
 Classroom/Square Footage at Least 50 Years Old: _____
 Ratio of 50 Years Old Classrooms/Square Footage: _____ %

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

3. Number of Classrooms/Useable Acres

Number of Classrooms: _____
 Existing Acres (Useable): _____
 Proposed Acres (Useable): _____

4. Type of Financial Hardship Request

- ☐ Submittal pending OPSC approval pursuant to Section 1859.81(h)

5. Preliminary Small School District Program Apportionment – New Construction Only

- a. Therapy: Toilets (sq. ft.) _____
 Other (sq. ft.) _____
- b. Multilevel Construction (CRS): _____
- c. ☐ Project Assistance
- d. ☐ Project and Construction Management
- e. Site Acquisition:
 (1) 50 percent Actual Cost: \$ _____
 (2) 50 percent Appraised Value: \$ _____
 (3) 50 percent Relocation Cost: \$ _____
 (4) 2 percent (min. \$25,000): \$ _____
 (5) 50 percent DTSC Fee: \$ _____
- f. 50 percent hazardous waste removal: \$ _____
- ☐ Response Action (RA)
- c. Included in 2a above, how many Pupils are generated by the Alternative Enrollment Projection? (New Construction Only)
 TK–6: _____ Non-Severe: _____
 7–8: _____ Severe: _____
 9–12: _____
- d. If the request is to replace 75 Years or Older Facilities (Modernization Only)
 Number of existing Classrooms being demolished _____
 The total Square Footage of non-classroom space being demolished _____
 The number of Classrooms being constructed _____
 The total Square Footage of non-classroom space being constructed _____

APPLICATION FOR SMALL SCHOOL DISTRICT PROGRAM PRELIMINARY**APPORTIONMENT****SCHOOL FACILITY PROGRAM**

SAB 50-12 (New XX/26)

Page 7 of 10

g. Site Development

- ☐ 50 percent Service-Site: \$ _____
- ☐ 50 percent Off-Site: \$ _____
- ☐ 50 percent Utilities: \$ _____
- ☐ General Site

h. ☐ Percentage Above Energy Efficiency for each building: _____
Energy Code Compliance Approach Used (select one):

- ☐ Prescriptive Only
- ☐ Prescriptive/Performance
- ☐ Performance Only (with the exception of mandatory prescriptive measures)

OPSC CA-CHPS Score (Indicate Points): _____

- i. ☐ Automatic Fire Detection/Alarm System
- ☐ Automatic Sprinkler System

6. Preliminary Small School District Program Apportionment - Modernization Only

- a. ☐ Project Assistance
- b. ☐ Project and Construction Management
- c. ☐ Percentage Above Energy Efficiency for each building: _____
Energy Code Compliance Approach Used (select one):
- ☐ Prescriptive Only
- ☐ Prescriptive/Performance
- ☐ Performance Only (with the exception of mandatory prescriptive measures)

OPSC CA-CHPS Score (Indicate Points): _____

- d. ☐ Site Development—60 percent utilities: \$ _____
- e. ☐ Site Development—75 Years or Older: \$ _____
- f. ☐ Automatic Fire Detection/Alarm System
- g. ☐ Minimum Essential Facility
- ☐ Multipurpose
- ☐ Gymnasium
- ☐ Library
- ☐ Kitchen
- ☐ Hybrid: _____

Toilet (sq. ft.): _____

Other (sq. ft.): _____

Construction Type

- ☐ Permanent
- ☐ Portable
- ☐ Site Development pursuant to Section 1859.78.9.1
- ☐ 35 percent of supplemental grant; or,
- ☐ 60 percent of minimum work \$ _____

h. 1) Transitional Kindergarten Classroom(s)

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

h. 2) Enrollment Data for Site

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

- i. ☐ Career Technical Education Components – 60 percent: \$ _____

7. Additional Project Information – Excessive Cost Hardship Request**New Construction Only**

- ☐ Geographic Percent Factor: _____ %
- ☐ New School Project [Section 1859.83(c)(1)]
- ☐ New School Project [Section 1859.83(c)(2)]
- ☐ Small Size Project
- ☐ Urban/Security/Impacted Site;
- If a new site, \$ _____ per Useable Acre [Section 1859.83(d)(2)(C)]

Modernization Only

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

8. Priority Order:

APPLICATION FOR SMALL SCHOOL DISTRICT PROGRAM PRELIMINARY**APPORTIONMENT****SCHOOL FACILITY PROGRAM**

SAB 50-12 (New XX/26)

Page 8 of 10

9. Prior Apportionment

Site/Design—New Construction: 50/ _____

Design—Modernization: 57/ _____

10. Alternative Developer Fee—New Construction Only

Alternative developer fee collected and reportable pursuant to

Regulation Section 1859.77: \$ _____

11. Adjustment to New Construction Baseline Eligibility

Classroom(s) provided:

Additional	Replacement
TK-6: _____	TK-6 _____
7-8: _____	7-8 _____
9-12: _____	9-12 _____
Non-Severe: _____	Non-Severe _____
Severe: _____	Severe _____

Construction Contract(s) for the project signed on:

12. Pending Reorganization Election – New Construction Only☐ Yes ☐ No**13. Joint-Use Facility/Leased Property**a. ☐ Joint-Use Facilityb. ☐ Leased Property**14. Local Funding Adjustment Grant**

a. Total 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

APPLICATION FOR SMALL SCHOOL DISTRICT PROGRAM PRELIMINARY**APPORTIONMENT****SCHOOL FACILITY PROGRAM**

SAB 50-12 (New XX/26)

Page 9 of 10

15. Certification

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 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, Article 11, 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 will establish 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 or will consider the feasibility of the joint use of land and facilities with other governmental agencies in order to minimize school facility costs; and,
- If this funding request is for the modernization of a Portable Classroom(s) eligible for an additional Apportionment pursuant to Education Code Section 17073.15, the School District certifies that (check the applicable box below):
 - ☐ 1. The state modernization funds will be used to replace the Portable Classroom(s) and permanently remove the displaced Portables from the Classroom use within six months of the filing of the Notice of Completion for the project; or,
 - ☐ 2. It has provided documentation to the Office of Public School Construction which indicates that modernizing the Portable Classroom(s) eligible for an additional Apportionment is better use of public resources than the replacement of these facilities.
- 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 are required or will be required to be met pursuant to Sections 1859.77.1 or 1859.79 and either need to be expended by the School District, deposited in the County School Facility Fund, or will need to be expended by the School District prior to the completion for the project; and,
- The School District has or will receive the necessary approval of the plans and specifications from the Division of the State Architect; and,
- If the School District is requesting site acquisition funds as part of this application, the School District has or will comply with Sections 1859.74 through 1859.75.1 as appropriate; and,
- 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,
- The School District has or will utilize the Preliminary Small School District Program Apportionment for New Construction or Modernization purposes; and,
- The statements set forth in this application and supporting documents are true detection/alarm system and/or automatic sprinkler system in the project prior to completion of the project and on the conversion Form SAB 50-04 and correct to the best of my knowledge and belief; and,

notice of

- The School District acknowledges this request has or will be subject to the material inaccuracy penalty provisions in Section 1859.104.1; 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 maximum interaction between those individuals with exceptional needs and other Pupils as appropriate to the needs of both; and,
- This form is an exact duplicate (verbatim) of the form provided by the OPSC. In the event a conflict should exist, the language in the OPSC form will prevail; and,
- The School District understands that some or all the State funding for the project must be returned to the State as a result of an audit pursuant to Section 1859.157.5; and,
- The School District has or will comply 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 Preliminary Small School District Program Apportionment is requested for the construction of school facilities on leased land, the district has or will enter into a lease agreement for the leased property that meets the requirements of Section 1859.22; and,
- If the Application contains a "Use of New Construction Grant" request, the School District has adopted a school board resolution and housing plan at a public hearing at a regularly scheduled meeting of the governing board on _____ as specified in Sections 1859.77.2, or 1859.77.3, as appropriate. The School District's approved housing plan is as indicated (check all that apply):
 - ☐ 1. The School District will construct or acquire facilities for housing the pupils with funding not otherwise available to the SFP as a School District match within five years of project approval by the SAB and the School District must identify the source of the funds. [Applicable for Sections 1859.77.2(a) and (b) and 1859.77.3(a) and (b)].
 - ☐ 2. The School District will utilize higher School District loading standards providing the loading standards are within the approved School District's teacher contract and do not exceed 33:1 per classroom. [Applicable for Sections 1859.77.2(a) and (b) and 1859.73(a) and (b)].
 - ☐ 3. The Pupils requested from a different grade level will be housed in Classrooms at an existing school in the School District which will have its grade level changed, to the grade level requested, at the completion of the proposed SFP project. [Applicable for Sections 1859.77.2(b) and 1859.77.3(b)].
- If the School District requests a reservation now and is planning to request additional funding for fire code requirements pursuant to Sections 1859.71.2 or 1859.78.4 at the time of conversion, the School District understands that they will need to include the automatic fire application; and,
- The School District has consulted with the career technical advisory committee established pursuant to Education Code Section 8070 and the need for vocational and career technical facilities is being adequately met in accordance with Education Code Sections 51224, 51225.3(b), and 51228(b), and 52336.1; and,
- If the School District is requesting a reservation now and is planning to request an Additional Grant for Energy Efficiency pursuant to Sections 1859.71.3 or 1859.78.5 at the time of conversion, the plans and specifications exceed the nonresidential building energy-efficiency standards specified in Part 6 of Title 24 of the California Code of Regulations and the increased costs for the energy efficiency components in the project must exceed the amount of funding otherwise available to the School District at the time the conversion Form SAB 50-04 application is reviewed; and,
- If this application is submitted after January 1, 2004 for modernization funding, the School District has or will consider the potential for the

APPLICATION FOR SMALL SCHOOL DISTRICT PROGRAM PRELIMINARY**APPORTIONMENT****SCHOOL FACILITY PROGRAM**

SAB 50-12 (New XX/26)

Page 10 of 10

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 has initiated and enforced an LCP that has been approved by the DIR, pursuant to Labor Code Section 1771.7, if the project is funded from Propositions 47 or 55 and the Notice to Proceed for the construction phase of the project is issued on or after April 1, 2003 and before January 1, 2012; and,
- The School District has contracted with the DIR for prevailing wage monitoring and enforcement pursuant to Labor Code Section 1771.3(a) in effect on January 1, 2012 through June 19, 2014, if the construction contract was awarded on January 1, 2012 through June 19, 2014 and the School District has not obtained a waiver for the requirement, pursuant to Labor Code Section 1771.3(b) in effect on January 1, 2012 through June 19, 2014. The School District understands that if it fails to meet this requirement, it will be required to repay all state bond funds received including interest; and,
- Beginning with the 2005/2006 fiscal year, the School District has or will comply 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 or will consider 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,
- The School District has or 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 14e. 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 at the time of conversion, any additional Local Share Adjustment Grant funding provided as a result of the points assigned to the project to determine the matching share percentage would be required to be returned, with interest (based on the interest rate earned in the Pooled Money Investment Account at the time of fund release) until funds are returned.
- If the School District is requesting a reservation now and is planning to request the modernization supplemental grant for Minimum Essential Facilities pursuant to Section 1859.78.9.1 as part of this Application, the School District certifies that any Classrooms displaced or that will be displaced as a result of reconfiguration will be replaced in the same plan set, or the School District certifies that the Classrooms will not be replaced due to a demonstrated lack of need and the School District acknowledges that no adjustment to the School District's New Construction Eligibility would be made for the removal of these Classrooms; and,

- If this funding request is requesting a reservation now and is planning to request for the retrofit of kindergarten classrooms, the School District certifies that the classrooms did not or will not meet design requirements for a kindergarten classroom at the time they were built or previously retrofitted to meet kindergarten standards; and,
- If this funding request is requesting a reservation now and is planning to request for new or retrofitted Transitional Kindergarten classrooms, the School District certifies that _____ classrooms were or will be constructed or previously altered to meet the requirements for a kindergarten classroom; and,
- With regards to providing Transitional Kindergarten instruction as pursuant to Section 1859.78.9.2, the School District certifies that the School District is currently or will provide Transitional Kindergarten at the project site; and,
- The School District understands that if the submittal of this Application for a Preliminary Small School District Program Apportionment will result in the need for a return of an Application with the same scope of work that was previously submitted to OPSC prior to the effective date for the Small School District Program, the district is responsible for ensuring that they comply with Section 1859.107 for the return of the Application with the same scope of work. Failure to report this information may result in a delay for the processing of this Application by OPSC and/or the return of this Application unprocessed by OPSC; and,
- The School District understands that an offset for prior funding received on a previously funded New Construction site and/or design or Modernization design application that is indicated in this application will occur on either the Preliminary Small School District Program Apportionment or the Final Small School District Program Apportionment to adjust for prior funding that was previously received by the School District for the same scope of work being completed.
- The School District understands that when the Preliminary Small School District Program Apportionment is converted to a Final Small School District Program Apportionment, the funding available for the Final Small School District Program Apportionment will be subject to the provisions of Sections 1859.157.7 and 1859.157.8; and,
- The School District has or will comply with the reporting requirements in Section 1859.158 and shall annually hold, at a regularly scheduled meeting of the School District's governing board, a public hearing to discuss, and receive public comment regarding the report(s); and,
- The School District understands that if the Project and Construction Management Grant is requested pursuant to 1859.157.1 or 1859.157.2, and the School District does not obtain project and/or construction management services from a County Office of Education, other Local Educational Agency with applicable school facilities construction expertise, applicable State Department, or a certified private construction consulting entity, or expend funds on these services, the total approved project costs will be reduced by the Project and Construction Management Grant and associated required matching share.

NAME OF DISTRICT REPRESENTATIVE (PRINT)

PHONE NUMBER

SIGNATURE OF DISTRICT REPRESENTATIVE

DATE

ATTACHMENT B1

OFFICE OF PUBLIC SCHOOL CONSTRUCTION STAKEHOLDER MEETING December 10, 2025

EVALUATION OF TRANSITIONAL KINDERGARTEN PUPILS IN SCHOOL FACILITY PROGRAM NEW CONSTRUCTION ENROLLMENT PROJECTIONS

PURPOSE

To continue to discuss and receive stakeholder feedback regarding reporting Transitional Kindergarten (TK) in current New Construction enrollment projections as its own grade category, and to present proposed amendments to the *Enrollment Certification/ Projection* (Form SAB 50-01).

AUTHORITY

See Attachment B1a.

DESCRIPTION

This report continues discussion on the proposed amendments to the Form SAB 50-01 and the potential inclusion of reporting TK enrollment as its own grade level in current New Construction enrollment projections most recently presented to stakeholders on September 18, 2025. This report also includes additional proposed School Facility Program (SFP) regulatory amendments.

There are two additional attachments to this report:

1. Attachment B1b includes proposed amendments to SFP Regulation Sections 1859.42 and 1859.42.1.
2. Attachment B1c includes proposed amendments to the Form SAB 50-01.

BACKGROUND

The Office of Public School Construction (OPSC) held a public meeting on February 20, 2025, to present six options for reporting TK enrollment on the Form SAB 50-01. Options 1 through 5 proposed separating TK as its own grade level on the Form SAB 50-01, each using a different methodology to calculate the enrollment projection. Option 6 proposed leaving the Form SAB 50-01 unchanged, with TK enrollment continuing to be combined with kindergarten enrollment. OPSC also presented testing results for each option to help inform stakeholder discussion.

On September 18, 2025, OPSC presented additional analysis for Option 1, which adds a separate row to the Form SAB 50-01 for TK enrollment in Part A, with an isolated, linear calculation that does not affect the projections for grades K-12. Using 2019-2020 as the current enrollment year, OPSC compared the resulting five-year projected enrollment to the actual enrollment data reported to the California Department of Education (CDE). Additionally, OPSC proposed that the new

BACKGROUND (cont.)

methodology will not be implemented until the date the regulations are in effect, which is after approval by the State Allocation Board (Board) and review by the Office of Administrative Law (OAL). Therefore, any applications received before the effective date would use the current methodology on the Form SAB 50-01, in which TK enrollment is reported combined with kindergarten enrollment. OPSC proposed that applications received on or after the effective date of the regulations through October 31, 2026, would have the option to use the current or new methodology, and submittals received on or after November 1, 2026, would be required to use the new methodology on the revised Form SAB 50-01.

The full text of the February and September stakeholder meeting items can be found at the links below:

- [February 20, 2025 OPSC Stakeholder Meeting #3 - Item](#)
- [September 18, 2025 OPSC Stakeholder Meeting #16 - Item](#)

The recordings of the meetings are available at the links below:

- [February 20, 2025 OPSC Stakeholder Meeting #3 - Recording](#)
- [September 18, 2025 OPSC Stakeholder Meeting #16 - Recording](#)

STAFF ANALYSIS/DISCUSSION

Summary of Stakeholder Feedback

Staff would like to thank stakeholders who were able to view, attend, or participate in the most recent stakeholder meeting on this topic. OPSC did not receive stakeholder feedback as a result of the September 18, 2025, meeting.

Summary of Proposed Amendments to SFP Regulation Section 1859.42 and SFP Regulation Section 1859.42.1

In alignment with the proposed addition of a TK row to Part A of the Form SAB 50-01 using a linear calculation, OPSC proposes amendments to the SFP Regulations to incorporate the TK grade level.

Specifically, OPSC presents proposed changes to add “Transitional Kindergarten” to the following SFP Regulation Sections:

- SFP Regulation Section 1859.42(a)(1)
- SFP Regulation Section 1859.42(b)(1)(H)
- SFP Regulation Section 1859.42.1(a)(1)

OPSC also presents a proposed change to add Regulation Section 1859.42.1(b) to incorporate the new TK linear calculation, renaming the existing Regulation Section 1859.42.1(b) as Regulation Section 1859.42.1(c), and renaming the existing Regulation Section 1859.42.1(c) as Regulation Section 1859.42.1(d).

STAFF ANALYSIS/DISCUSSION (cont.)

Additionally, OPSC presents proposed changes to remove “kindergarten” and replacing it with “Transitional Kindergarten” in the following SFP Regulation Sections (formerly SFP Regulation Section 1859.42.1(c)):

- SFP Regulation Section 1859.42.1(d)(3)
- SFP Regulation Section 1859.42.1(d)(7)(A)
- SFP Regulation Section 1859.42.1(d)(7)(D)
- SFP Regulation Section 1859.42.1(d)(7)(G)

OPSC also proposes non-substantive amendments to capitalize the defined term, “School District” throughout these SFP Regulation Sections. Attachment B1b includes the above proposed amendments for stakeholder consideration.

Summary of Proposed Amendments to the *Enrollment Certification/Projection* (Form SAB 50-01)

OPSC presents proposed amendments to the Form SAB 50-01, which include removing the “K” in “K-12” and replacing it with “TK” in the Form SAB 50-01 instructions. Additionally, a new TK section titled “Part A1. TK Pupil Data” has been added to the Form SAB 50-01 directly above “Part A2. K-12 Pupil Data” in the Form’s Specific Instructions and in the Form itself. References to “K” in “K-12” and “K-6” have also been replaced with “TK” throughout the Form SAB 50-01.

Attachment B1c includes these proposed amendments for stakeholder consideration.

Additional Proposed Amendments to SFP Regulations and Forms

OPSC further proposes that all SFP Regulations and program forms be amended to expand the K-6 grade category to include TK. Thus, the new grade category would be Transitional Kindergarten through sixth grade, or TK-6. The list below identifies documents proposed for this revision, which may not be comprehensive:

- SFP Regulation Section 1859.2 Definition of “Elementary School Pupil” (see Attachment B1b)
- *Existing School Building Capacity* (Form SAB 50-02)
- *Eligibility Determination* (Form SAB 50-03)
- *Application for Funding* (Form SAB 50-04)
- *Application for Charter School Preliminary Apportionment* (Form SAB 50-09)
- *Application for Small District Program Preliminary Apportionment* (Form SAB 50-12)
- *Application for Natural Disaster Assistance* (Form SAB 195)
- *Modification of Unused Site Status* (Form SAB 424)
- Financial Hardship Project Worksheet (Not an Application for Funding)
- Grant Agreements

[illegible]

STAFF ANALYSIS/DISCUSSION (cont.)

Eligibility Determination (Form SAB 50-03)

STATE OF CALIFORNIA		STATE ALLOCATION BOARD				
ELIGIBILITY DETERMINATION		OFFICE OF PUBLIC SCHOOL CONSTRUCTION				
SCHOOL FACILITY PROGRAM						
SAB 50-03 (Rev. XX/2603/25)		Page 4 of 4				
SCHOOL DISTRICT		FIVE-DIGIT DISTRICT CODE NUMBER (SEE CALIFORNIA PUBLIC SCHOOL DIRECTORY)				
BUSINESS ADDRESS		HIGH SCHOOL ATTENDANCE AREA (HSAA) OR SUPER HSAA (IF APPLICABLE)				
CITY/COUNTY						
Part I - District Representative Information						
The following individual(s) have been designated as district representative(s) by school board minutes or the <u>designee</u> of the Superintendent of Public Instruction:						
DISTRICT REPRESENTATIVE	TELEPHONE NUMBER	E-MAIL ADDRESS				
DISTRICT REPRESENTATIVE	TELEPHONE NUMBER	E-MAIL ADDRESS				
Part II - New Construction Eligibility Determination <input type="checkbox"/> NEW <input type="checkbox"/> ADJUSTED		TKK-6	7-8	9-12	Non-Severe	Severe
1. Projected Enrollment (Part I, Form SAB 50-01)						
2. Existing School Building Capacity (Part 111, Line 3 of Form SAB 50-02)						
3. New Construction Baseline Eligibility (Line 1 minus Line 2)		0	0	0	0	0

Application for Funding (Form SAB 50-04)

STATE OF CALIFORNIA		STATE ALLOCATION BOARD	
APPLICATION FOR FUNDING		OFFICE OF PUBLIC SCHOOL CONSTRUCTION	
SCHOOL FACILITY PROGRAM			
SAB 50-04 (REV XX/2508/25)		Page 7 of 12	
The school district named below applies to the State Allocation Board via the Office of Public School Construction for a grant under the provisions of Chapter 12.5, Part 10, Division 1, commencing with Section 17070.10, et seq., of the Education Code and the Regulations thereto.			
SCHOOL DISTRICT		APPLICATION NUMBER	
SCHOOL NAME		PROJECT TRACKING NUMBER	
COUNTY	DISTRICT REPRESENTATIVE'S E-MAIL ADDRESS	HIGH SCHOOL ATTENDANCE AREA (HSAA) OR SUPER HSAA (IF APPLICABLE)	
1. Type of Application—Check Only One		From 2a above, how many are 50 Year or Older Pupil Grants?	
<input type="checkbox"/> New Construction		TKK-6: _____	
<input type="checkbox"/> New Construction (Final Apportionment)		7-8: _____ Non-Severe: _____	
<input type="checkbox"/> New Construction (Final Charter School Apportionment)		9-12: _____ Severe: _____	
<input type="checkbox"/> New Construction (Overcrowding Relief Grant)			
<input type="checkbox"/> Rehabilitation (Final Charter School Apportionment)		c. Included in 2a above, how many pupils are generated by the	
<input type="checkbox"/> Modernization		Alternative Enrollment Projection? (New Construction Only)	
<input type="checkbox"/> Modernization of California Schools for Deaf/Blind		TKK-6: _____	
<input type="checkbox"/> Facility Hardship [Section 1859.82.1]		7-8: _____ Non-Severe: _____	
<input type="checkbox"/> Capital Asset Replacement [Section 1859.82.2.1]		9-12: _____ Severe: _____	

NEXT STEPS

Staff requests stakeholder feedback on the proposed regulations form amendments outlined in this item. Any stakeholder wishing to provide feedback should email the OPSC Communications Team by end of day on December 26, 2025, at OPSCCommunications@dgs.ca.gov.

AUTHORITY**Education Code (EC) Section 48000 - Kindergartens**

(a) A child shall be admitted to a kindergarten maintained by the school district at the beginning of a school year, or at a later time in the same year, if the child will have their fifth birthday on or before one of the following dates:

- (1) December 2 of the 2011–12 school year.
- (2) November 1 of the 2012–13 school year.
- (3) October 1 of the 2013–14 school year.
- (4) September 1 of the 2014–15 school year and each school year thereafter.

(b) The governing board of the school district of a school district maintaining one or more kindergartens may, on a case-by-case basis, admit to a kindergarten a child having attained the age of five years at any time during the school year with the approval of the parent or guardian, subject to the following conditions:

(1) The governing board of the school district determines that the admittance is in the best interests of the child.

(2) The parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

(c)(1) As a condition of receipt of apportionment for pupils in a transitional kindergarten program pursuant to Section 46300, and Chapter 3 (commencing with Section 47610) of Part 26.8, as applicable, a school district or charter school shall ensure the following:

(A) In the 2012–13 school year, a child who will have their fifth birthday between November 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(B) In the 2013–14 school year, a child who will have their fifth birthday between October 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(C) From the 2014–15 school year to the 2021–22 school year, inclusive, a child who will have their fifth birthday between September 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(D) In the 2022–23 school year, a child who will have their fifth birthday between September 2 and February 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(E) In the 2023–24 school year, a child who will have their fifth birthday between September 2 and April 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(F) In the 2024–25 school year, a child who will have their fifth birthday between September 2 and June 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(G) In the 2025–26 school year, and in each school year thereafter, a child who will have their fourth birthday by September 1 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(2) (A) In any school year, a school district or charter school may, at any time during a school year, admit a child to a transitional kindergarten program who will have their fifth birthday after the date specified for the applicable year in subparagraphs (A) to (F), inclusive, of paragraph (1) but during that same school year, with the approval of the parent or guardian, subject to the following conditions:

(i) The governing board of the school district or the governing body of the charter school determines that the admittance is in the best interests of the child.

AUTHORITY (cont.)

(ii) The parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

(B) Notwithstanding any other law, a pupil admitted to a transitional kindergarten program pursuant to subparagraph (A) shall not generate average daily attendance for purposes of Section 46300, or be included in the enrollment or unduplicated pupil count pursuant to Section 42238.02, until the pupil has attained the pupil's fifth birthday, regardless of when the pupil was admitted during the school year.

(d) For purposes of this section, "transitional kindergarten" means the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate.

(e) A transitional kindergarten shall not be construed as a new program or higher level of service.

(f) It is the intent of the Legislature that transitional kindergarten curriculum be aligned to the California Preschool/Transitional Kindergarten Learning Foundations developed by the department.

(g) As a condition of receipt of apportionment for pupils in a transitional kindergarten program pursuant to Section 46300, a school district or charter school shall do all of the following:

(1) Maintain an average transitional kindergarten class enrollment of not more than 24 pupils for each schoolsite. For purposes of this calculation, the following shall apply for each schoolsite of a school district or charter school:

(A) "Class" means a group of pupils scheduled to report regularly at a particular time to a particular teacher during the regular schoolday, as defined by the governing board of the school district or the governing body of the charter school, as applicable, excluding special day classes. Classes in the evening and summer school class shall not be considered classes for purposes of this calculation.

(B)(i) "Active enrollment count" for purposes of subparagraph (C) means the count of all pupils enrolled in a class with transitional kindergarten pupils on the first day of the school year on which the class was in session, plus all later enrollees, minus all withdrawals since that first day. An active enrollment count shall be made on the last teaching day of each school month that ends before April 15 of the school year.

(ii) For school districts, active enrollment count shall not include pupils enrolled in independent study pursuant to Article 5.5 (commencing with Section 51744) of Chapter 5 of Part 28 who meet the minimum day requirements for independent study and are continually enrolled in independent study for more than 14 schooldays in a school year.

(iii) For charter schools, active enrollment count shall not include pupils enrolled in independent study pursuant to Article 5.5 (commencing with Section 51744) of Chapter 5 of Part 28 who are continually enrolled in independent study for more than 14 schooldays on any of the days on which school is taught for the purpose of meeting the 175-instructional-day offering, as described in Section 11960 of Title 5 of the California Code of Regulations.

(C) "Average number of pupils enrolled per class" means the quotient of the sum of the active enrollment counts made under subparagraph (B) divided by the total number of those active enrollment counts for each class of the schoolsite.

(D) "Average transitional kindergarten class enrollment" means the quotient of the sum of the average number of pupils enrolled per class determined pursuant to subparagraph (C) of all classes at the schoolsite divided by the total number of all classes at the schoolsite that include transitional kindergarten pupils, rounded to the nearest half or whole integer.

AUTHORITY (cont.)

(2) Commencing with the 2022–23 school year, maintain an average of at least one adult for every 12 pupils for transitional kindergarten classrooms at each schoolsite. For purposes of this calculation, the following shall apply for each schoolsite of a school district or charter school:

(A) “Total transitional kindergarten enrollment” is the sum of the average number of pupils enrolled per class of all classes at the schoolsite, as determined in subparagraph (C) of paragraph (1).

(B) “Number of adults” shall be determined for each schoolsite as follows:

(i) A count of employees of the school district or charter school assigned to each class at the schoolsite that includes transitional kindergarten pupils shall be made on the last teaching day of each school month that ends before April 15 of the school year.

(ii) The sum of all of the adult counts pursuant to clause (i) shall be divided by the total number of those counts, rounded to the nearest half or whole integer.

(C) “Adult-to-pupil ratio” shall be the quotient of the total transitional kindergarten enrollment divided by the total number of adults, rounded to the nearest half or whole integer.

(3) (A) Commencing with the 2025–26 school year, and for each year thereafter, maintain an average of at least one adult for every 10 pupils for transitional kindergarten classrooms.

(B) It is the intent of the Legislature to appropriate funds for purposes of this paragraph.

(4) Ensure that credentialed teachers who are first assigned to a transitional kindergarten classroom after July 1, 2015, have, by August 1, 2025, one of the following:

(A) At least 24 units in early childhood education, childhood development, or both.

(B) As determined and documented by the local educational agency employing the teacher, professional experience in a classroom setting with preschool age children meeting the criteria established by the governing board or body of the local educational agency that is comparable to the 24 units of education described in subparagraph (A).

(C) A child development teacher permit, or an early childhood education specialist credential, issued by the Commission on Teacher Credentialing.

(h) A school district or charter school may place four-year-old children, as defined in Section 8205, enrolled in a California state preschool program into a transitional kindergarten program classroom. A school district or charter school that commingles children from both programs in the same classroom shall meet all of the requirements of the respective programs in which the children are enrolled, and the school district or charter school shall adhere to all of the following requirements, irrespective of the program in which the child is enrolled:

(1) An observation using the Classroom Assessment Scoring System (CLASS) tool and CLASS Environment tool shall be completed for the classroom.

(2) All children enrolled for 10 or more hours per week shall be evaluated using the Desired Results Developmental Profile, as specified in Section 17702 of Title 5 of the California Code of Regulations.

(3) The classroom shall be taught by a teacher that holds a credential issued by the Commission on Teacher Credentialing in accordance with Section 44065 and subdivision (b) of Section 44256 and who meets the requirements set forth in subdivision (g).

(4) The classroom shall be in compliance with the adult-child ratio specified in subdivision (c) of Section 8241.

AUTHORITY (cont.)

(5) Contractors of a school district or charter school commingling children enrolled in the California state preschool program with children enrolled in a transitional kindergarten program classroom shall report the services, revenues, and expenditures for the California state preschool program children in accordance with Section 18068 of Title 5 of the California Code of Regulations. Those contractors are not required to report services, revenues, and expenditures for the children in the transitional kindergarten program.

(i) Until July 1, 2019, a transitional kindergarten classroom that has in attendance children enrolled in a California state preschool program shall be licensed pursuant to Chapter 3.4 (commencing with Section 1596.70) of, and Chapter 3.5 (commencing with Section 1596.90) of, Division 2 of the Health and Safety Code.

(j) A school district or charter school that chooses to place California state preschool program children into a transitional kindergarten program classroom shall not also include children enrolled in transitional kindergarten for a second year or children enrolled in kindergarten in that classroom.

(k) A child's eligibility for transitional kindergarten enrollment under paragraph (1) or (2) of subdivision (c) shall not impact family eligibility for a preschool or childcare program, including, but not limited to, all of the following:

(1) A Head Start or Early Head Start program, as defined by the federal Head Start Act, as amended (42 U.S.C. Sec. 9801 et seq.).

(2) A childcare center, family childcare home, or license-exempt provider serving children through an alternative payment program pursuant to Chapter 3 (commencing with Section 10225) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(3) A migrant childcare and development program serving children pursuant to Chapter 6 (commencing with Section 10235) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(4) A childcare center or family childcare home educational network serving children through a California state preschool program pursuant to Article 2 (commencing with Section 8207) of Chapter 2 of Part 6 of Division 1 of Title 1.

(5) A childcare center, family childcare home, or license-exempt provider serving children through a general childcare and development program pursuant to Chapter 7 (commencing with Section 10240) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(6) A family childcare home educational network serving children pursuant to Chapter 8 (commencing with Section 10250) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(7) Childcare and development services for children with special needs pursuant to Chapter 9 (commencing with Section 10260) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(8) A program serving children through a CalWORKs Stage 1, Stage 2, or Stage 3 program pursuant to Chapter 21 (commencing with Section 10370) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(l)(1) The Superintendent shall authorize California state preschool program contracting agencies to offer less than four hours each instructional day of wraparound childcare services within a part-day California state preschool program for children enrolled in an education program as a transitional kindergarten or kindergarten pupil, if their families meet the requirements of Section 8208.

AUTHORITY (cont.)

(2) The Superintendent shall authorize California state preschool programs operating on a local education agency campus to operate a part-day California state preschool program that allows flexibility in the operational hours and enrollment cutoff dates to better align with the enrollment for the new school year.

(3) Notwithstanding 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) and Section 33308.5, until regulations are filed with the Secretary of State to implement this subdivision the department shall implement this subdivision, through management bulletins or similar letters of instruction on or before December 31, 2022.

EC Section 48010 – Elementary Schools

(a) A child shall be admitted to the first grade of an elementary school during the first month of a school year if the child will have his or her sixth birthday on or before one of the following dates:

(1) December 2 of the 2011–12 school year.

(2) November 1 of the 2012–13 school year.

(3) October 1 of the 2013–14 school year.

(4) September 1 of the 2014–15 school year and each school year thereafter.

(b) For good cause, the governing board of a school district may permit a child of proper age to be admitted to a class after the first school month of the school term.

EC Section 17071.75 – New Construction Eligibility Determination

After a one-time initial report of existing school building capacity has been completed, the ongoing eligibility of a school district for new construction funding shall be determined by making all of the following calculations:

(a) A school district that applies to receive funding for new construction shall use the following methods to determine projected enrollment:

(1) A school district that has two or more school sites each with a pupil population density that is greater than 115 pupils per acre in kindergarten and grades 1 to 6, inclusive, or a schoolsite pupil population density that is greater than 90 pupils per acre in grades 7 to 12, inclusive, as determined by the Superintendent using enrollment data from the California Basic Educational Data System for the 2004–05 school year, may submit an application for funding for projects that will relieve overcrowded conditions. That school district may also submit an alternative enrollment projection for the fifth year beyond the fiscal year in which the application is made using a methodology other than the cohort survival enrollment projection method as defined by the board pursuant to paragraph (2), to be reviewed by the Demographic Research Unit of the Department of Finance, in consultation with the department and the Office of Public School Construction. If the Office of Public School Construction and the Demographic Research Unit of the Department of Finance jointly determine that the alternative enrollment projection provides a reasonable estimate of expected enrollment demand, a recommendation shall be forwarded to the board to approve or disapprove the application, in accordance with all of the following:

(A) Total funding for new construction projects using this method shall be limited to five hundred million dollars (\$500,000,000), from the Kindergarten-University Public Education Facilities Bond Act of 2004.

AUTHORITY (cont.)

(B) The eligibility amount for proposed projects that relieve overcrowding is the difference between the alternative enrollment projection method for the year the application is submitted and the cohort survival enrollment projection method, as defined by paragraph (2), for the same year, adjusted by the existing pupil capacity in excess of the projected enrollment according to the cohort survival enrollment projection method.

(C) The Office of Public School Construction shall determine whether each proposed project will relieve overcrowding, including, but not limited to, the elimination of the use of Concept 6 calendars, four track year-round calendars, or busing in excess of 40 minutes, and recommend approval to the board. The number of unhoused pupil grants requested in the application for funding from the eligibility determined pursuant to this paragraph shall be limited to the number of seats necessary to relieve overcrowding, including, but not limited to, the elimination of the use of Concept 6 calendars, four track year-round calendars, or busing in excess of 40 minutes, less the number of unhoused pupil grants attributed to that school as a source school in an approved application pursuant to Section 17078.24.

(D) A school district shall use the same alternative enrollment projection methodology for all applications submitted pursuant to this paragraph and shall calculate those projections in accordance with the same districtwide or high school attendance area used for the enrollment projection made pursuant to paragraph (2).

(2) A school district shall calculate enrollment projections for the fifth year beyond the fiscal year in which the application is made. Projected enrollment shall be determined by utilizing the cohort survival enrollment projection system, as defined and approved by the board. The board may supplement the cohort survival enrollment projection with any of the following:

(A) The number of unhoused pupils that are anticipated as a result of dwelling units proposed pursuant to approved and valid tentative subdivision maps.

(B) Modified weighting mechanisms, if the board determines that they best represent the enrollment trends of the district. Mechanisms pursuant to this subparagraph shall be developed and applied in consultation with the Demographic Research Unit of the Department of Finance.

(C) An adjustment to reflect the effects on kindergarten and first grade enrollment of changes in birth rates within the school district or high school attendance area boundaries.

(3) (A) A school district may submit an enrollment projection for either a 5th year or a 10th year beyond the fiscal year in which the application is made. A school district that bases its enrollment projection calculation on a high school attendance area may use pupil residence in that attendance area to calculate enrollment. A school district that utilizes pupil residence shall do so for all high school attendance areas within the district. A pupil shall not be included in a high school attendance area enrollment projection based on pupil residence unless that pupil was included in the California Basic Educational Data System (CBEDS) report of the district for the same enrollment year. The board may require a district to provide a reconciliation of the districtwide CBEDS and residency data. The board also may adopt regulations to specify the format and certification requirements for a school district that submits residency data.

AUTHORITY (cont.)

(b) (1) Add the number of pupils that may be adequately housed in the existing school building capacity of the applicant school district as determined pursuant to Article 2 (commencing with Section 17071.10) to the number of pupils for whom facilities were provided from any state or local funding source after the existing school building capacity was determined pursuant to Article 2 (commencing with Section 17071.10). For this purpose, the total number of pupils for whom facilities were provided shall be determined using the pupil loading formula set forth in Section 17071.25.

(2) Subtract from the number of pupils calculated in paragraph (1) the number of pupils that were housed in facilities to which the school district or county office of education relinquished title as the result of a transfer of a special education program between a school district and a county office of education or special education local plan area, if applicable. For this purpose, the total number of pupils that were housed in the facilities to which title was relinquished shall be determined using the pupil loading formula adopted by the board pursuant to subparagraph

(B) of paragraph (2) of subdivision (a) of Section 17071.25. For purposes of this paragraph, title also includes any lease interest with a duration of greater than five years.

(c) Subtract the number of pupils pursuant to subdivision (b) from the number of pupils determined pursuant to paragraph (2) of subdivision (a).

(d) The calculations required to establish eligibility under this article shall result in a distinction between the number of existing unhoused pupils and the number of projected unhoused pupils.

(e) Apply the increase or decrease resulting from the difference between the most recent report made pursuant to Section 42268, and the report used in determining the baseline capacity of the school district pursuant to subdivision (a) of Section 17071.25.

(f) For purposes of calculating projected enrollment pursuant to subdivision (a), the board may adopt regulations to ensure that the enrollment calculation of individuals with exceptional needs receiving special education services is adjusted in the enrollment reporting period in which the transfer occurs and three previous school years as a result of a transfer of a special education program between a school district and a county office of education or a special education local plan area. However, the projected enrollment calculation of a county office of education shall only be adjusted if a transfer of title for the special education program facilities has occurred. The regulations, if adopted, shall ensure that if a transfer of title to special education program facilities constructed with state funds occurs within 10 years after initial occupancy of the facility, the receiving school district or school districts shall remit to the state a proportionate share of any financial hardship assistance provided for the project pursuant to Section 17075.10, if applicable.

(g) For a school district with an enrollment of 2,500 or less, an adjustment in enrollment projections shall not result in a loss of ongoing eligibility to that school district for a period of three years from the date of the approval of eligibility by the board.

ATTACHMENT B1b

SFP Regulatory Amendments

Section 1859.2. Definitions.

...

“Elementary School Pupil” means a student housed in a school serving Transitional Kindergarten through sixth grade, or any combination of Transitional Kindergarten through sixth grade.

...

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

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

Section 1859.42. Projecting Non-Special Day Class Enrollment.

The School ~~and~~ District enrollment, as reported on the Form SAB 50-01, shall be used to calculate the School ~~and~~ District's projected enrollment other than Special Day Class enrollment. The OPSC shall use either (a) or (b) to determine the School ~~and~~ District's projected enrollment:

- (a) Fifth-year projected enrollment with the exception of Special Day Class enrollment shall be calculated pursuant to the cohort survival enrollment projection system which is described as follows:
 - (1) For all grades, using the current and three previous years of enrollment, determine the numerical change in enrollment between the current grade and the next lower grade in the previous year; determine the numerical change in enrollment between the previous year grade and the next lower grade in the second previous year; determine the numerical change in enrollment between the second previous year grade and the next lower grade in the third previous year. Determine the numerical change of Transitional Kindergarten and kindergarten enrollment on the second previous and third previous year respectively. A School ~~and~~ District utilizing a fifth-year enrollment projection may calculate the Transitional Kindergarten and ~~kindergarten~~ enrollment projection in accordance with Section 1859.42.1(b).
 - (2) Compute the annual change in enrollment as explained in (1) for each grade. The annual change shall then be weighted by multiplying the most recent annual change in enrollment by three, the next most recent annual change by two, and the earliest annual change by one, and dividing the sum of the annual weighted changes for each grade by six. The result shall be the average annual change.
 - (3) Calculate enrollment for each projection year by advancing the enrollment in each grade level through the five-year projection period, modifying the grade progression each year by the average annual change for each grade as computed in (2).
- (b) Tenth-year projected enrollment with the exception of Special Day Class enrollment shall be calculated pursuant to the cohort survival enrollment projection system which is described as follows:
 - (1) For all grades, using the current and seven previous years of enrollment, determine the numerical change in enrollment between:
 - (A) The current grade and the next lower grade in the first previous year;
 - (B) The first previous year grade and the next lower grade in the second previous year;
 - (C) The second previous year grade and the next lower grade in the third previous year;
 - (D) The third previous year grade and the next lower grade in the fourth previous year;
 - (E) The fourth previous year grade and the next lower grade in the fifth previous year;
 - (F) The fifth previous year grade and the next lower grade in the sixth previous year;
 - (G) The sixth previous year grade and the next lower grade in the seventh previous year;
 - (H) Determine the numerical change of Transitional Kindergarten and kindergarten enrollment using the previous year's Transitional Kindergarten and kindergarten enrollment in place of the next lower grade in the previous year for each step in (A) through (G), respectively.
 - (2) Compute the annual change in enrollment as explained in (1) for each grade. The annual change shall then be weighted by multiplying the most recent annual change in enrollment by seven, the next most recent annual change by six, the next most recent annual change by five, the next most recent annual change by four, the next most recent annual change by three, the next most recent annual change by two, and the earliest annual

ATTACHMENT B1b

change by one, and dividing the sum of the annual weighted changes for each grade by 28. The result shall be the average annual change.

- (3) Calculate enrollment for each projection year by advancing the latest enrollment in each grade through the ten-year projection period, modifying the grade progression each year by the average annual change for each grade as computed in (2).
- (c) The projected enrollment of a HSAA or Super HSAA shall be computed in the same manner as that set forth in this section, except that the enrollment used in such computation shall be that of the HSAA or Super HSAA rather than the entire School dDistrict.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17071.75 and 17071.76, Education Code.

Section 1859.42.1. Supplements to the Fifth-Year Projection of Non-Special Day Class Enrollment.

A School dDistrict utilizing a fifth-year enrollment projection pursuant to Section 1859.42(a), except when reporting on a HSAA or Super HSAA basis pursuant to Section 1859.41.1(b), may supplement the enrollment projection with any of the following:

- (a) The number of pupils as reported by the School dDistrict on Form SAB 50-01, that will reside in dwelling units included in an approved and valid tentative or final subdivision map that exceed the number of pupils projected as a result of the cohort survival method for that tentative or final subdivision map. The augmentation shall be calculated as follows:
 - (1) Calculate a first year projection by advancing the current enrollment as reported on Form SAB 50-01 by one year for each grade level without applying the average annual change. For Transitional Kindergarten and kindergarten, the first year projection shall be the same as the reported current enrollment.
 - (2) Subtract the current enrollment progressed one year for each grade level as determined in (1) from the one-year projection of enrollment for each grade level as determined in Section 1859.42(a). If the computation results in a negative number, the number shall be zero.
 - (3) Divide the current enrollment progressed one year for each grade level by the sum of the current enrollment progressed one year in all grade levels.
 - (4) Multiply the number of housing units in the approved and valid tentative or final subdivision maps by the pupil yield factor provided on the Form SAB 50-01.
 - (5) Multiply the number of pupils determined in (4) by the percentages determined in (3) for each grade.
 - (6) Subtract five times the value determined in (2) from the value determined in (5). If the computation results in a negative number, the number shall be zero.
 - (7) Add the value in (6) to the fifth year of projected enrollment as computed in Section 1859.42(a) to establish the augmented projection of enrollment.
 - (8) For School dDistricts with HSAA reporting, the augmentation as provided in this section may include only dwelling units located in the HSAA or Super HSAA.
- (b) The number of children born as reported on the Form SAB 50-01 that will attend Transitional Kindergarten within the School District or HSAA in the enrollment year that begins during the fourth calendar year following the year in which the children were born, as determined through the birth-attendance rate. For the purposes of this section, children born in a given calendar year will be considered to all begin school in the same enrollment year. For the purposes of this section, the number of children born shall be referred to as births. The augmentation shall be calculated as follows:
 - (1) For current and each of the three previous years of enrollment reported on the Form SAB 50-01, determine the yearly birth-attendance rate by dividing the Transitional Kindergarten enrollment by the number of births from the fourth preceding calendar year. Add the four yearly birth-attendance rates together and divide by four. The result will be the average birth-attendance rate.
 - (2) The number of births must be as reported by the Department of Health Services by place of residence. A School District may utilize one of the following:
 - (A) Births as reported by County.

ATTACHMENT B1b

- (B) Births as reported by Zip Code. The School District must report the ZIP Codes the School District or HSAA will serve for the current year and three previous years. If a School District serves only a portion of a ZIP Code, and if less than 10 percent of the population of that ZIP Code resides within the portion served by the School District, the School District must report that ZIP Code, but may choose not to count the births within that ZIP Code for the purposes of this section.
- (3) Calculate the Transitional Kindergarten enrollment projection by multiplying the average birth-attendance rate by the number of births five years prior to the applicable projected enrollment year.
- (4) For years in which the Department of Health Services has not yet reported the number of births, the number of births shall be determined by:
 - (A) Adding the three previous years' number of births and dividing by three.
 - (B) For years in which more than one year of births has not yet been reported, the first birth number shall be calculated per (A), and subsequent years shall be calculated using (A), with the previous averaged births acting as the previous year births.
- (c) ~~(b)~~ The number of children born as reported on the Form SAB 50-01 that will attend kindergarten within the School District or HSAA in the enrollment year that begins during the fifth calendar year following the year in which the children were born, as determined through the birth-attendance rate. For the purposes of this section, children born in a given calendar year will be considered to all begin school in the same enrollment year. For the purposes of this section, the number of children born shall be referred to as births. The augmentation shall be calculated as follows:
 - (1) For current and each of the three previous years of enrollment reported on the Form SAB 50-01, determine the yearly birth-attendance rate by dividing the kindergarten enrollment by the number of births from the fifth preceding calendar year. Add the four yearly birth-attendance rates together and divide by four. The result will be the average birth-attendance rate.
 - (2) The number of births must be as reported by the Department of Health Services by place of residence. A School District may utilize one of the following:
 - (A) Births as reported by County.
 - (B) Births as reported by Zip Code. The School District must report the ZIP Codes the School District or HSAA will serve for the current year and three previous years. If a School District serves only a portion of a ZIP Code, and if less than 10 percent of the population of that ZIP Code resides within the portion served by the School District, the School District must report that ZIP Code, but may choose not to count the births within that ZIP Code for the purposes of this section.
 - (3) Calculate the kindergarten enrollment projection by multiplying the average birth-attendance rate by the number of births five years prior to the applicable projected enrollment year.
 - (4) For years in which the Department of Health Services has not yet reported the number of births, the number of births shall be determined by:
 - (A) Adding the three previous years' number of births and dividing by three.
 - (B) For years in which more than one year of births has not yet been reported, the first birth number shall be calculated per (A), and subsequent years shall be calculated using (A), with the previous averaged births acting as the previous year births.
- (d) ~~(e)~~ Modified weighting that best represents the enrollment trends of the School District to supplant the weighting method used to calculate the average annual change in Section 1859.42(a)(2). The modified weighting shall be calculated as follows:
 - (1) A School District choosing to utilize a modified weighting method must submit enrollment data from 14 years immediately prior to those included on the Form SAB 50-01. In total, 18 consecutive years of enrollment must be submitted. Any enrollment information submitted in addition to the Form SAB 50-01 must meet all the requirements as provided for Parts A and C on the Form SAB 50-01.
 - (2) Utilizing the 18 years of enrollment data, calculate three sets of ten historical enrollment projections. These projections cannot be supplemented with (a) and (b) above and are made as follows:
 - (A) For each of the ten enrollment projections determine the numerical change in enrollment utilizing the

ATTACHMENT B1b

calculations in Section 1859.42(a)(1), starting with the 14th previous year as the current year, progressing one year for each of the projections with the tenth projection being made with the fifth previous year as the current year. When calculating the ten enrollment projections, the five most recent enrollment years shall not be used.

- (B) Compute the average annual change for each of the ten projections utilizing the calculations per Section 1859.42(a)(2). Calculate enrollment for each projection year by advancing the enrollment in each grade level through the five-year projection period, modifying the grade progression each year by the average annual change for each grade as computed in this paragraph. This set of ten projections shall be the "1-2-3" projections.
- (C) Repeat (A) above, but calculate the average annual change by multiplying the most recent annual change in the enrollment by one, the next most recent annual change by two, and the earliest annual change by three, and dividing the sum of the annual weight changes for each grade by six. Calculate enrollment for each projection year by advancing the enrollment in each grade level through the five-year projection period, modifying the grade progression each year by the average annual change for each grade as computed in this paragraph. This set of ten projections shall be the "3-2-1" projections.
- (D) Repeat (A) above, but calculate the average annual change by dividing the sum of the annual changes for each grade by three. Calculate enrollment for each projection year by advancing the enrollment in each grade level through the five-year projection period, modifying the grade progression each year by the average annual change for each grade as computed in this paragraph. This set of ten projections shall be the "1-1-1" projections.
- (3) For the ninth previous year through the current year as reported on the Form SAB 50-01 determine the actual enrollment for that year per grade category. For the purposes of this section, grade category shall mean Transitional Kindergarten ~~kindergarten~~ through sixth grade, seventh grade through eighth grade, and ninth grade through twelfth grade. Determine the actual enrollment for each grade category by totaling the enrollment from the grades within that grade category.
- (4) For each of the ten enrollment projections within each of the three projection types, "1-2-3", "3-2-1" and "1-1-1", determine the percentage of accuracy. The percentage of accuracy shall be the projected total enrollment for a grade category minus the actual total enrollment for that grade category five years after divided by the actual grade category total five years later and multiplied by 100, rounded to two significant figures.
- (5) Calculate the absolute value of the percentage of accuracy as determined in (4) above.
- (6) Determine the (x,y) coordinate for each percentage of accuracy as determined in (5), with x being the distance from the y-axis and representing time, and y being the distance from the x-axis and representing the percentage of accuracy, as follows:
 - (A) The x coordinate shall be assigned based on 30 enrollment projections made in (2). Projections made with the fourteenth previous year as the current year shall have an x value of one, progressing one year for each of the projections with the tenth projection being made with the fifth previous year as the current year and having an x value of ten.
 - (B) The y coordinate shall be the distance from zero as calculated in (5), above.
- (7) Using Microsoft Office Excel 2003 or a similar tool, plot each point from (6) onto graphs. School d~~D~~istricts must only generate graphs for the grade categories that are reported on the Form SAB 50-01. The points shall be graphed as follows:
 - (A) Graph one shall be all Transitional Kindergarten ~~kindergarten~~ through sixth grade comparisons for "1-2-3" projections.
 - (B) Graph two shall be all seventh grade through eighth grade comparisons for "1-2-3" projections.
 - (C) Graph three shall be all ninth grade through twelfth grade comparisons for "1-2-3" projections.
 - (D) Graph four shall be all Transitional Kindergarten ~~kindergarten~~ through sixth grade comparisons for "3-2-1" projections.
 - (E) Graph five shall be all seventh grade through eighth grade comparisons for "3-2-1" projections.
 - (F) Graph six shall be all ninth grade through twelfth grade comparisons for "3-2-1" projections.
 - (G) Graph seven shall be all Transitional Kindergarten ~~kindergarten~~ through sixth grade comparisons for "1-1-1" projections.
 - (H) Graph eight shall be all seventh grade through eighth grade comparisons for "1-1-1" projections.
 - (I) Graph nine shall be all ninth grade through twelfth grade comparisons for "1-1-1" projections.
- (8) For each of the graphs in (7), using Microsoft Office Excel 2003 or a similar tool, determine the Linear Regression equation.

ATTACHMENT B1b

- (9) For each projection type, “1-2-3”, “3-2-1” and “1-1-1”, determine the average Linear Regression equation:
 - (A) Each equation shall be in the format $y = (m * x) + b$, where m is the slope and b is the y -axis intercept.
 - (B) Determine the average m for each projection type by adding the m 's together and dividing by the number of m 's. The number should be one to three and equal to the number of grade categories a School edDistrict reports on the Form SAB 50-01.
 - (C) Determine the average b for each projection type by adding the b 's together and dividing by the number of b 's. The number should be one to three and equal to the number of grade categories a School edDistrict reports on the Form SAB 50-01.
 - (D) Generate the average Linear Regression equation as show in (A) above, for each projection type by creating three new equations using the average m and b from (B) and (C) above.
- (10) Determine the modified weighting that best represents the trends of the School edDistrict by:
 - (A) Calculate the three average Linear Regression equations by replacing the x variable with 15.
 - (B) Determine the absolute value of y for the three results
 - (C) The projection type with the result closest to zero, or the smallest number, shall be the modified weighting method that best represents the trends of the School edDistrict. For the purposes of (c), this shall be the weighting method used when determining the School edDistrict's projection in Section 1859.42(a)(2).
- (11) Additionally, a School edDistrict may propose a fourth weighting method for consideration. The alternative weights shall be only positive whole numbers. The School edDistrict must follow steps (2) through (10) in this Section using the proposed additional alternative weighting method and determine that the result of (10) is closer to zero than any of the three projection types, “1-2-3”, “3-2-1” and “1-1-1”.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17071.75 and 17071.76, Education Code.

**ENROLLMENT CERTIFICATION/PROJECTION
SCHOOL FACILITY PROGRAM****GENERAL INFORMATION**

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

Pupil Enrollment Projection Options

Districts may submit either a fifth-year or a tenth-year enrollment projection. If utilizing the fifth-year enrollment projection, a district must provide the current and three previous years' enrollment information. If utilizing the tenth-year enrollment projection, a district must provide the current and seven previous years' enrollment information. Districts must utilize either the fifth-year or the tenth-year projection for all grade groupings and High School Attendance Areas (HSAA) or Super HSAs in the district.

A high school district, unified school district, elementary school district, or county superintendent of schools may file on a HSAA basis or Super HSAs as provided under Education Code Section 17071.76 and Section 1859.41. In that case, the enrollment used on this form is the current and three or seven previous years' pupil enrollment or residence in the HSAA or Super HSAA.

Districts filing on a HSAA or Super HSAA basis may report pupil enrollment by either the HSAA in which the pupils attend school or by the HSAA in which pupils reside. Districts reporting enrollment using residency data must submit additional documentation outlined below.

The following options are available to project enrollment:

For Districtwide or HSAA Attendance Reporting:

- Fifth-Year Projection
 - Districts must report the current and three previous years' enrollment data.
 - The fifth-year enrollment projection may be augmented with any of the following: modified weighting mechanisms, birth-attendance rates, dwelling units, and a district Student Yield Factor.
- Tenth-Year Projection: Districts must report the current and seven previous years' enrollment data.

For HSAA Residency Reporting (New 06/08):

- Fifth-Year Projection: Districts must report the current and three previous years' enrollment data.
- Tenth-Year Projection: Districts must report the current and seven previous years' enrollment data.

For HSAA Residency Reporting [For Critically Overcrowded Schools (COS) HSAA districts filing pursuant to Section 1859.147 (e)(2)]:

- Fifth-Year Projection: Districts must report the current and three previous years' enrollment data.

Augmentations to the Fifth-Year Enrollment Projection

A district that is requesting a fifth-year enrollment projection and reporting on a districtwide or HSAA pupil attendance basis may utilize the following augmentations to the enrollment projection:

- Modified Weighting Mechanisms

If the district is requesting to utilize modified or alternate weighting mechanisms pursuant to Section 1859.42.1(d)(e), the district must submit additional TK-12 and continuation high school enrollment information for the 14 years prior to the four years of data reported on this form, for a total of 18 years of enrollment data.

If the district is requesting to utilize a district-specific alternate weighting method, it must show that the proposed alternate weighting mechanism provides a more accurate projection based on historical data as outlined in Section 1859.42.1(d)(e).

- Birth-Attendance Rate Adjustment

If the district is requesting to use the birth-attendance rate based on county birth data, enter the county births by residence as reported by the Department of Health Services (DHS) for the current and eight previous years in Part F of this form.

If the district is requesting a birth-attendance rate adjustment based on birth data for ZIP codes served by the district, the district must report the births by residence as reported by the DHS for ZIP Codes served by the district for the current and eight previous years. When submitting this form, the district must provide all ZIP Codes served by the district and indicate the ZIP Codes, if any, for which the district is not reporting birth data pursuant to Section 1859.42.1(b)(2)(B) or Section 1859.42.1(c)(2)(B).

- Dwelling Unit Augmentation

Districts requesting a dwelling unit augmentation must provide all of the following:

- The approval dates of the maps by the local planning commission or approval authority and
- The number of dwelling units to be built within each subdivision excluding all dwelling units that have either 1) been occupied; or, 2) had construction permits pulled that are twelve months or older from the date the permit was pulled. (Note: A district must select only one option—the Date of Occupancy or permits pulled, plus twelve months—as the point in time to stop reporting dwelling units for all tracts being submitted. A district may select the alternate option the following submittal year if desired.); and,

One of the following:

1. An approved and valid tentative or final subdivision map with the local planning commission or approval authority stamp located on the map, or
2. An approved and valid tentative or final subdivision map with supporting documentation, or
3. A spreadsheet or the Office of Public School Construction (OPSC) dwelling unit worksheet listing all of the subdivisions reported on the Form SAB 50-01 with supporting documentation. If the district wishes to utilize this option, please note that when the district representative signs the Form SAB 50-01, he/she is certifying that the tract maps are on file at the district office and available for OPSC review if requested.

Supporting documentation is defined as one of the following:

- Local planning commission or approval authority meeting minutes detailing the approval of the map. If the approval was given an extension, please provide the most current meeting minutes indicating the approval of the extension request. Dwelling units contained in expired maps may not be reported on the Form SAB 50-01, or

**ENROLLMENT CERTIFICATION/PROJECTION
SCHOOL FACILITY PROGRAM**

- A letter from the local planning commission or approval authority indicating that the tract map is approved and valid as of the signature date of the Form SAB 50-01, or
- Any other reasonable documentation from the local planning commission or approval authority that indicates the tract map is approved and currently valid.
- Student Yield Factor
 - If the district is requesting an augmentation of its enrollment projection due to pupils residing in new dwelling units and it is not using the State yield factors (refer to Part H), the district must provide a copy of the study supporting the Student Yield Factor. The district's study should determine the elementary, middle and high school pupils generated by new residential units, in each grade category of pupils enrolled in the district. This study should be based on the historical student generation rates of new residential units constructed during the previous five years that are of a similar type of unit to those anticipated to be constructed in which the school district is located.

HSAA Residency Reporting

- If the district is currently, or anticipates for the future, reporting residency data pursuant to Section 1859.41.1(b) or 1859.147(e)(2) (refer to Part A), it must submit a copy of the governing board-approved attendance map and High School Attendance Area Residency Reporting Worksheet. By signing this form, the district certifies that the pupil enrollment and residency data used to support the submitted map and worksheet is available at the district for OPSC verification.
- To determine the new construction eligibility for a district filing on a HSAA basis and seeking COS project justification pursuant to Section 1859.147(e)(2), one Form SAB 50-01 based on enrollment as reported to the California Department of Education (CDE) and one based on the residence of the pupils must be filed for each HSAA which includes a Preliminary Apportionment for a COS project.

Additional Documentation

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

- Specific enrollment data for districts with current enrollment that is less than 300 if the district is requesting an enrollment projection based on five-year average enrollment data (refer to Part A instructions).
- Upon transfer of any Special Education Local Plan Area (SELPA) facilities, the school districts are required to submit a letter to the OPSC, signed by each school district involved, including the following:
 - Grant deed or other legal documentation indicating the facilities have been transferred,
 - Name of school,
 - Building square footage and number of classrooms being transferred,
 - The initial occupancy date of the facility,
 - Date of transfer,
 - Acknowledgement that the grantee may owe the State funds,
 - Financial hardship status of each school district at time of initial application and at time of transfer,
 - OPSC application number(s) of Application for Funding (Form SAB 50-04),
 - Acknowledgment that the certifications made, pursuant to Education Code Sections 17070.77, 17070.755, 17070.75 and 17070.80, by the grantor on the Form SAB 50-04 will be assumed by the grantee, and
 - Request for a payment plan, if needed.

This form is not used for modernization funding applications.

SPECIFIC INSTRUCTIONS

Check the box for either the fifth-year enrollment projection or the tenth-year enrollment projection.

If the district is reporting on an HSAA basis, check the appropriate box to indicate if the district is reporting HSAA attendance data, HSAA residency data, or HSAA residency data for a COS project justification pursuant to Section 1859.147(e)(2).

If the district is requesting modified or alternate weighting mechanisms, check the appropriate box. If requesting an alternate weighting mechanism, enter the alternate weights in the box to the right.

Part A1. TK Pupil Data – Enrollment/Residency

As an option, school districts with less than 300 current enrollment may report the previous five year average for any grade level for any year when the enrollment for that grade level has decreased by more than 50 percent from the previous year. If this option is used, the district must identify each grade level where this option is used on Form SAB 50-01 and attach the appropriate enrollment documentation to support this request.

TK Enrollment Data (To be completed by school districts or the county superintendent of schools.)

The information needed to complete this form is based on the latest California Basic Education Data Systems (CBEDS) that is available approximately October 15th of each year. Applications filed on or after November 1st must include the current school year enrollment. Report the current year and the three or seven prior years' TK enrollment, as appropriate.

County superintendents report the enrollment for community school students as reported in April prior to the latest CBEDS report.

The TK enrollment data must include all of the following, if applicable:

- Off -track and on-track TK students attending multi-track year round schools
- TK students living outside the district's boundaries but attending schools in the district
- TK students receiving Classroom-Based Instruction in Charter Schools located within the district boundaries and are enrolled in the same grade levels or type served by the district regardless if the district chartered the school
- TK students attending magnet schools
- TK community school students
- TK students attending independent study

Do not include any of the following:

- TK students living in the district's boundaries but attending other districts
- TK students attending preschool programs
- Other students not generally considered TK students
- TK students receiving Classroom-Based Instruction in Charter Schools located within the district boundaries but are enrolled in grade levels or type not served by the district
- TK students living inside district boundaries but are receiving Classroom-Based Instruction in Charter Schools located outside the district boundaries
- TK students receiving Non-classroom-Based Instruction
- Juvenile court/court school TK students or
- Special Day Class TK pupils

**ENROLLMENT CERTIFICATION/PROJECTION
SCHOOL FACILITY PROGRAM****TK Residency Data [To be completed by a HSAA district establishing or updating eligibility pursuant to Section 1859.41.1 (b).]**

The information needed to complete this section is based on the pupil residence within the HSAA or Super HSAA boundaries for the pupils reported in the latest CBEDS that is available approximately October 15th of each year. Applications filed on or after November 1st must include the current school year enrollment by pupil residence in the HSAA or Super HSAA. Report the current year and the three or seven prior years' TK pupils, as appropriate, that are enrolled and reside within the HSAA or Super HSAA boundaries.

County superintendents report the enrollment for community school students as reported in April prior to the latest CBEDS report.

The TK enrollment data must include all of the following, if applicable:

- Off-track and on-track TK students attending multi-track year round schools
- TK students living outside the district's boundaries but attending schools in the district
- TK students receiving Classroom-Based Instruction in Charter Schools located within the district boundaries and are enrolled in the same grade levels or type served by the district regardless if the district chartered the school
- TK students attending magnet schools
- TK community school students
- TK students attending independent study

Do not include any of the following:

- TK students living in the district's boundaries but attending other districts
- TK students attending preschool programs
- Other students not generally considered TK students
- TK students receiving Classroom-Based Instruction in Charter Schools located within the district boundaries but are enrolled in grade levels or type not served by the district
- TK students living inside district boundaries but are receiving Classroom-Based Instruction in Charter Schools located outside the district boundaries
- TK students receiving Non-classroom-Based Instruction
- Juvenile court/court school TK students or
- Special Day Class TK pupils

Part A2. K-12 Pupil Data – Enrollment/Residency

As an option, school districts with less than 300 current enrollment may report the previous five year average for any grade level for any year when the enrollment for that grade level has decreased by more than 50 percent from the previous year. If this option is used, the district must identify each grade level where this option is used on Form SAB 50-01 and attach the appropriate enrollment documentation to support this request.

K-12 Enrollment Data (To be completed by school districts or the county superintendent of schools.)

The information needed to complete this form is based on the latest California Basic Education Data Systems (CBEDS) that is available approximately October 15th of each year. Applications filed on or after November 1st must include the current school year enrollment. Report the current year and the three or seven prior years' K-12 enrollment, as appropriate. High school districts report the unduplicated enrollment data for grades served by the district and all feeder elementary school grades for the current year and the previous three or seven years, as appropriate.

County superintendents report the enrollment for community school students as reported in April prior to the latest CBEDS report.

The K-12 enrollment data must include all of the following, if applicable:

- Off-track and on-track K-12 students attending multi-track year round schools
- K-12 sStudents living outside the district's boundaries but attending schools in the district
- K-12 sStudents receiving Classroom-Based Instruction in Charter Schools located within the district boundaries and are enrolled in the same grade levels or type served by the district regardless if the district chartered the school
- K-12 sStudents attending magnet schools
- K-12 cCommunity school students
- K-12 sStudents attending independent study

Do not include any of the following:

- K-12 sStudents living in the district's boundaries but attending other districts
- Students attending regional occupational programs
- K-12 sStudents attending preschool programs
- Other students not generally considered K-12 students including adult education students
- K-12 sStudents receiving Classroom-Based Instruction in Charter Schools located within the district boundaries but are enrolled in grade levels or type not served by the district
- K-12 sStudents living inside district boundaries but are receiving Classroom-Based Instruction in Charter Schools located outside the district boundaries
- K-12 sStudents receiving Non-classroom-Based Instruction
- Juvenile court/court school K-12 students
- Special Day Class K-12 pupils or
- Continuation high school pupils

K-12 Residency Data [To be completed by a HSAA district establishing or updating eligibility pursuant to Section 1859.41.1 (b).]

The information needed to complete this section is based on the pupil residence within the HSAA or Super HSAA boundaries for the pupils reported in the latest CBEDS that is available approximately October 15th of each year. Applications filed on or after November 1st must include the current school year enrollment by pupil residence in the HSAA or Super HSAA. Report the current year and the three or seven prior years' K-12 pupils, as appropriate, that are enrolled and reside within the HSAA or Super HSAA boundaries. High school districts report the unduplicated pupil residency data for grades served by the HSAA and all feeder elementary school grades in the HSAA for the current year and the previous three or seven years, as appropriate.

County superintendents report the pupil residence for community school students as reported in April prior to the latest CBEDS report.

The K-12 pupil residency data must include all of the following, if any:

- Off-track and on-track K-12 students attending multi-track year round schools
- K-12 sStudents receiving Classroom-Based Instruction in Charter Schools located within the district boundaries and appearing on the district's current CBEDS report and who are enrolled in the same grade levels or type served by the district regardless if the district chartered the school
- K-12 sStudents attending magnet schools
- K-12 cCommunity school students and
- K-12 sStudents attending independent study

**ENROLLMENT CERTIFICATION/PROJECTION
SCHOOL FACILITY PROGRAM**

Do not include any of the following:

- K-12 sStudents living outside the district's boundaries but attending schools in the district
- K-12 sStudents living in the district's boundaries but attending schools in other districts
- Students attending regional occupational programs
- K-12 sStudents attending preschool programs
- Other students not generally considered K-12 students including adult education students
- K-12 sStudents receiving Classroom-Based Instruction in Charter Schools located within the district boundaries and who are enrolled in the same grade levels or type served by the district regardless if the district chartered the school but the Charter School does not appear on the district's current CBEDS report
- K-12 sStudents receiving Classroom-Based Instruction in Charter Schools located within the district boundaries but are enrolled in grade levels or type not served by the district
- K-12 sStudents living inside district boundaries but are receiving Classroom- Based Instruction in Charter Schools located outside the district boundaries
- K-12 sStudents receiving Non-classroom-Based Instruction
- Juvenile court/court school K-12 students
- Special Day Class K-12 pupils or
- Continuation high school pupils

K-12 Residency Data [For COS HSAA districts seeking justification for the conversion of a Preliminary Apportionment to a Final Apportionment pursuant to Section 1859.147(e)(2).]

The information used to complete this form is based on the latest enrollment as reported on the CBEDS that is available October of each year, and pupil residency within the HSAA boundaries. Report the current year and the three prior years' K-12 pupils that are both enrolled and reside within the HSAA boundaries. For HSAA districts filing pursuant to Section 1859.147(e)(2)(A), only the current year K-12 pupils must be reported.

Do not include any of the following:

- K-12 sStudents living outside the district's boundaries but attending school in the district
- K-12 sStudents living in the district's boundaries but attending other districts
- K-12 sStudents attending regional occupational programs
- K-12 sStudents attending preschool programs
- Other students not generally considered K-12 students including adult education
- K-12 sStudents receiving Classroom-Based Instruction in Charter Schools located within the district boundaries but are enrolled in grade levels or type not served by the district
- K-12 sStudents living inside district boundaries but are receiving Classroom- Based Instruction in Charter Schools located outside the district boundaries
- K-12 sStudents receiving Non-classroom-Based Instruction
- Juvenile court/court school K-12 students
- Special Day Class K-12 pupils
- Continuation high school pupils

Part B. Pupils Attending Schools Chartered by Another District

Of the data reported in Part A of this form, indicate the aggregate pupil enrollment attending schools chartered by another district which are located within your district boundaries for the current year and the three or seven prior years, as appropriate. If the district is reporting pupils attending schools chartered by another district for the current year, then the district

must submit a separate letter with the following information:

- The total Charter School enrollment listed by each of the ~~TK~~K-12 grade levels reported for the current year.
- A list of the other school district(s) that chartered school(s) within your boundaries. Include the Charter School name(s) and total school enrollment. For the previous years, report the total enrollment for pupils attending schools chartered by another district, if known. If the information is not available, enter N/A. In this case, the OPSC will adjust the previous years' enrollment data based on a prorated basis of the rate of growth or decline of the previous years' enrollment.

Enter O if there are no pupils attending schools chartered by another district within your district boundaries for the current or previous years.

Districts reporting enrollment by HSAA residency should not report any pupils in this section.

Part C. Continuation High School (To be completed by school districts only.)

If reporting pupil enrollment data, report continuation high school pupils attending schools in the district or HSAA or Super HSAA for the current year and the three or seven prior years, as appropriate. If reporting HSAA pupil residency data, report continuation high school pupils residing in the HSAA or Super HSAA for the current year and the three or seven prior years, as appropriate. For purposes of projecting the enrollment, these pupils will be added to the enrollment data in Part A.

Part D. Special Day Class Pupils (To be completed by school districts or the county superintendent of schools.)

Report the pupils three to twenty-two years old enrolled or residing, as appropriate, within the district or HSAA or Super HSAA boundaries, attending the special day classes as shown and reported within the California Special Education Management Information System to the CDE in December prior to the latest CBEDS report. Report pupils as provided in Section 1859.2 for Non-Severely Disabled Individual with Exceptional Needs and Severely Disabled Individual with Exceptional Needs.

Part E. Special Day Class Enrollment (To be completed by county superintendent of schools only.)

Report the total Special Day Class pupils for the three or seven previous years, as appropriate, adjusted by the total pupils lost or gained due to a title transfer of a Special Education Program for each year

Part F. Birth Data

If requesting an adjustment to the enrollment projections based on changes in the birth-attendance rate, check the appropriate box to indicate county birth data or birth data by ZIP Codes served by the district. Enter county births by residence or district ZIP code births by residence as reported by the DHS for the current and eight previous years. If birth data is not available, check the "Estimate" box for the applicable year(s) and report the birth number as determined per Section 1859.42.1(b)(4) or Section 1859.42.1(c)(4). When submitting this form, if reporting district births by ZIP Code, provide a separate letter reporting all ZIP Codes served by the district and indicate the ZIP Codes, if any, for which the district is not reporting birth data pursuant to Section 1859.42.1(b)(2)(B) or Section 1859.42.1(c)(2)(B).

Part G. New Dwelling Units (To be completed by school districts only.)

The district may augment the enrollment projection based on the number of pupils that are anticipated as a result of proposed dwelling units included in approved and valid tentative or final subdivision maps. The district must submit the dwelling unit information and documentation outlined in the

**ENROLLMENT CERTIFICATION/PROJECTION
SCHOOL FACILITY PROGRAM**

SAB 50-01 (REV-05/09 XX/XX)

General Information section of this form.

Report the determined number of dwelling units in Part G.

Part H. District Student Yield Factor (To be completed by school districts only.)

Report the district's Student Yield Factor as defined in Section 1859.2, if different than the statewide average Student Yield Factors. The statewide average Student Yield Factors are as follows:

- Elementary School District.....0.5 students per dwelling unit
- High School District.....0.2 students per dwelling unit
- Unified School District.....0.7 students per dwelling unit

Should the district wish to use its own Student Yield Factor, a copy of the district's study that justifies the Student Yield Factor must be submitted with this form. Please see the General Information section for additional instructions.

Part I. Projected Enrollment

The methodology for calculating the district's projected enrollment is outlined in Sections 1859.42, 1859.42.1 and 1859.43.

**ENROLLMENT CERTIFICATION/PROJECTION
SCHOOL FACILITY PROGRAM**

SCHOOL DISTRICT	FIVE DIGIT DISTRICT CODE NUMBER (see California Public School Directory)
COUNTY	HIGH SCHOOL ATTENDANCE AREA (HSAA) OR SUPER HSAA (if applicable)

Check one: ☒ Fifth-Year Enrollment Projection ☐ Tenth-Year Enrollment Projection☐ Residency - COS Districts Only - (Fifth Year Projection Only)☐ Modified Weighting (Fifth-Year Projection Only)☐ Alternate Weighting - (Fill in boxes to the right):

3rd Prev. to 2nd Prev.	2nd Prev. to Prev.	Previous to Current

Part A1. TK Pupil Data

	7th Prev.	6th Prev.	5th Prev.	4th Prev.	3rd Prev.	2nd Prev.	Previous	Current
Grade	/	/	/	/	/	/	/	/
TK								

Part A2. K-12 Pupil Data

	7th Prev.	6th Prev.	5th Prev.	4th Prev.	3rd Prev.	2nd Prev.	Previous	Current
Grade	/	/	/	/	/	/	/	/
K								
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
TOTAL	0	0	0	0	0	0	0	0

Part B. Pupils Attending Schools Chartered By Another District

	7th Prev.	6th Prev.	5th Prev.	4th Prev.	3rd Prev.	2nd Prev.	Previous	Current

Part C. Continuation High School Pupils - (Districts Only)

	7th Prev.	6th Prev.	5th Prev.	4th Prev.	3rd Prev.	2nd Prev.	Previous	Current
Grade								
9								
10								
11								
12								
TOTAL	0	0	0	0	0	0	0	0

Part D. Special Day Class Pupils - (Districts or County Superintendent of Schools)

	Elementary	Secondary	TOTAL
Non-Severe			0
Severe			0
TOTAL	0	0	

Part E. Special Day Class Pupils - (County Superintendent of Schools Only)

	7th Prev.	6th Prev.	5th Prev.	4th Prev.	3rd Prev.	2nd Prev.	Previous	Current
	/	/	/	/	/	/	/	/

Part F. Birth Data - (Fifth-Year Projection Only)☐ County Birth Data ☐ Birth Data by District ZIP Codes☐ Estimate ☐ Estimate ☐ Estimate

	8th Prev.	7th Prev.	6th Prev.	5th Prev.	4th Prev.	3rd Prev.	2nd Prev.	Previous	Current

**Part G. Number of New Dwelling Units
(Fifth-Year Projection Only)****Part H. District Student Yield Factor
(Fifth-Year Projection Only)****Part I. Projected Enrollment****1. Fifth-Year Projection**

Enrollment/Residency - (except Special Day Class pupils)

TK-6	7-8	9-12.	TOTAL

Special Day Class pupils only - Enrollment/Residency

	Elementary	Secondary	TOTAL
Non-Severe			0
Severe			0
TOTAL	0	0	

2. Tenth-Year Projection

Enrollment/Residency - (except Special Day Class pupils)

TK-6	7-8	9-12.	TOTAL

Special Day Class pupils only - Enrollment/Residency

	Elementary	Secondary	TOTAL
Non-Severe			0
Severe			0
TOTAL	0	0	

I certify, as the District Representative, that the information reported on this form and, when applicable, the High School Attendance Area Residency Reporting Worksheet attached, is true and correct and that:

- I am designated as an authorized district representative by the governing board of the district.
- If the district is requesting an augmentation in the enrollment projection pursuant to Regulation Section 1859.42.1 (a), the local planning commission or approval authority has approved the tentative subdivision map used for augmentation of the enrollment and the district has identified dwelling units in that map to be contracted. All subdivision maps used for augmentation of enrollment are available at the district for review by the Office of Public School Construction (OPSC).
- This form is an exact duplicate (verbatim) of the form provided by the Office of Public School Construction. In the event a conflict should exist, then the language in the OPSC form will prevail.

NAME OF DISTRICT REPRESENTATIVE (PRINT OR TYPE)

SIGNATURE OF DISTRICT REPRESENTATIVE

DATE

TELEPHONE NUMBER

EMAIL ADDRESS

ATTACHMENT C

UNION HILL ELEMENTARY SCHOOL DISTRICT

10879 Bartlett Dr. Grass Valley, CA 95945
530.273.0647
unionhillschooldistrict.org

Scott Mikal-Heine, Superintendent



September 23, 2025

To:

Office of Public School Construction
State Allocation Board
707 3rd Street, 6th Floor
West Sacramento, CA 95605

RE: Proposition 2 Implementation – Call for Clarity, Equity, and Preservation of the Small School District Set-Aside

Dear OPSC Staff and Honorable Members of the State Allocation Board,

I write to you on behalf of Union Hill School District to voice serious concerns regarding the current implementation path for Proposition 2 (AB 247) — specifically the treatment of the small school district set aside, and the proposed changes discussed at the September 18, 2025 stakeholder meeting ([Meeting Resources Here](#)).

I commend the State Allocation Board and OPSC staff for the vision and inclusion of small districts in Prop 2. However, recent proposals deviate from that intent and pose both philosophical and operational threats to small LEAs across California. Union Hill has acted in good faith, moving swiftly through complex requirements despite limited capacity — and we are deeply concerned that this new proposal effectively nullifies our efforts and punishes proactive planning.

Problematic Proposals

At the September stakeholder meeting, two critical changes were suggested:

1. A delayed timeline — prohibiting funding awards to small LEAs until November 2026 or later.
2. A reset of application order — reopening submissions on a single date, abandoning the first-come, first-served principle.

Together, these changes represent a step backward — reintroducing bureaucracy and uncertainty that the small district set aside was designed to eliminate.

Union Hill's Good Faith, Local Control-Aligned Effort

In anticipation of Prop 2 funds, Union Hill School District completed a rigorous Facilities Master Plan, engaging the community, staff, and stakeholders over the course of a year. As a rural, TK–8 district with no



dedicated facilities division, this was a heavy lift — led by administrators and staff already wearing multiple hats. We also did it the right way:

- We completed our application in alignment with early OPSC guidance and were led to understand that readiness and application date would be respected.
- We did not cut corners. Our plan was vetted and publicly prioritized in board meetings.
- We communicated frequently with our community, in full transparency, around the timeline and expectations.

We also made costly infrastructure investments out of necessity, such as the emergency structural repair in Building A (originally constructed in 1937). When districts like ours wait 20+ years for state modernization dollars, we should not be asked to wait another 3–5 years for policy clarity.

Alignment with State Policy Goals

Resetting the clock now contradicts not just the carve-out intent — but also the principles underlying the Local Control Funding Formula (LCFF) and Local Control and Accountability Plans (LCAPs):

“Spend dollars received today on students here, today.”

Union Hill exemplifies this principle — allocating annual LCFF funds with the urgency of serving current students. We respectfully ask: Shouldn’t Prop 2 follow the same ethos?

Technical and Practical Issues

Allow me to also articulate several logistical and capacity-based problems with the proposed “November 2026 open-date” approach:

- Planning Paralysis: Districts will be unable to budget or design with confidence, as funding clarity won’t emerge until 2027 or later.
- Application Tsunami: A flood of small LEA applications will potentially overwhelm OPSC, DSA, and CDE — clogging the pipeline and adding likely processing delays.
- Equity Reversal: The proposal favors inaction and penalizes readiness. Completed applications, including ours, in queue, will be effectively discarded.

ATTACHMENT C

UNION HILL ELEMENTARY SCHOOL DISTRICT

10879 Bartlett Dr. Grass Valley, CA 95945
530.273.0647
unionhillschooldistrict.org

Scott Mikal-Heine, Superintendent



-
- Loss of Bond Access: Districts will miss multiple bond sales (Spring 2026, Fall 2026, Spring 2027) and potentially be pushed into 2028–2029 before construction dollars are released.
 - Timeline Breakdown: DSA and CDE approval cycles alone make this proposal unworkable for modernization schedules.
-

Our Call to Action

We urge OPSC and the State Allocation Board to:

1. Honor the queue: Process completed small district applications in the order received, with prioritization for hardship and readiness.
 2. Reject the reset: Do not press "reset" on the queue — it erodes trust and fairness.
 3. Maintain equity: Ensure that the small school carve-out remains a vehicle for access, not a bureaucratic bottleneck.
 4. Offer clarity now: Ambiguity in timelines creates budget paralysis for small LEAs and defeats Prop 2's purpose.
 5. Avoid the land rush model: "First come, first served" may not be perfect, but it's far better than a blind dash with no historical recognition of work already done.
-

Union Hill is a proud district with over 156 years of service to students in Nevada County. As a charter *and* traditional school system, we understand adaptability and accountability. We have planned responsibly, engaged authentically, and acted early — all under the assumption that Prop 2 would honor those efforts.

Please restore a clear, fair, timely pathway for funding.

Respectfully

Scott Mikal-Heine

Superintendent
Union Hill School District
smikal@uhsd.k12.ca.us
(530) 273-0647

ATTACHMENT C

UNION HILL ELEMENTARY SCHOOL DISTRICT

10879 Bartlett Dr. Grass Valley, CA 95945

530.273.0647

unionhillschooldistrict.org

Scott Mikal-Heine, Superintendent



CC:

- Members of the State Allocation Board
- Assembly Education Committee
- Scott Lay, Nevada County Superintendent of Schools
- Union Hill School Board of Trustees
- Yuri Calderon, Executive Director, Small School Districts Association, SSDA
- Ivan Carillo, Senior Director of Policy and Governmental Relations, Association of CA School Administrators.



September 25, 2025

Joshua Potter, Operations Manager
Office of Public School Construction
707 Third Street
West Sacramento, CA 95605

Joshua:

We respectfully submit the following recommendation regarding the Small School District Set Aside Funds within the School Facility Program (SFP).

SAB 50-12: Project Recission

Section 9 of the SAB 50-12 currently requires districts to withdraw a previously submitted application with the same scope of work upon submittal of the SAB 50-12. This presents a significant risk for districts, as they must withdraw an application already in line without knowing whether their project will receive funding from the \$400 million allocation. Given the anticipated volume of applications and their variability in funding, it may take OPSC considerable time to evaluate and determine which projects fall within the available funds.

To address this issue, we recommend revising Section 9 to provide districts with two options:

- **Option 1:** Return previously submitted funding application Project # _____
- **Option 2:** If the District's project falls within the \$400 million, the District certifies that they will withdraw the previously submitted application with the same scope as the application included in this SAB 50-12. If the project falls beyond the \$400 million, the District will retain its original place in line.

We believe this adjustment is critical to protecting districts from unnecessary risk while still ensuring the integrity of the application process.

New Construction Eligibility: Update Requirement

Under the current proposed regulations, districts must update their new construction eligibility using the 2026/27 CBEDS in order to participate in the Small District Set Aside Program. However, because the loss of even a few students from one year to the next can significantly affect eligibility, we recommend that districts be allowed the option of using either the 2025/26 or 2026/27 CBEDS.

OPSC has explained that the requirement to use 2026/27 CBEDS is intended to align the five year eligibility lock with the five year reservation of funds. In practice, however, new construction eligibility is typically reviewed at the time an application is processed. Under this process, if a district chooses to use its 2025/26 new construction eligibility already filed with OPSC, the two five year locks would still align, meeting the intent of the Program.

ATTACHMENT C

Program Commencement Date: Extension

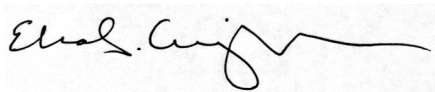
Regarding the proposed commencement date of November 2, 2026, for the Small School District Set Aside Funds, we recommend extending the start date to **December 1, 2026**:

- The CBEDS date of October 7, 2026, allows very little time for districts to update new construction eligibility and decide whether to keep their original place in line (based on their current lock or eligibility previously filed with OSPC) or move forward with their updated eligibility required to participate in the Small District Set Aside program.
- Many districts may also wish to involve their Governing Board in this decision. Because most small districts only hold one Board meeting per month, the November 2 date may not provide enough time for discussion and formal action.

A December 1, 2026 commencement date would give districts adequate time for Board consideration and informed decision making.

Thank you for your time and thoughtful consideration of these recommendations. We remain committed to working collaboratively with OPSC to ensure the Small School District Set Aside Fund fulfills its purpose of supporting California's smallest and most underserved school communities.

Sincerely,

A handwritten signature in black ink, appearing to read "Elona S. Cunningham", written over a light gray rectangular background.

Elona S. Cunningham

September 25, 2025

Office of Public School Construction
707 Third Street
West Sacramento, CA 95605

Re: Stakeholder comments on small school district set aside.

Dear OPSC Staff,

At the September 18th stakeholder meeting it was proposed that all small school districts be forced to wait until November of 2026 and that then all small districts would have the opportunity to submit for funding all together at that time. This idea poses serious problems which we would like to illuminate:

1. Lack of ability to plan. If the application date is pushed to November 2026, no one will know whether they will be funded until all of those applications are received and processed, which is likely to be no sooner than spring of 2027. In the meantime, small districts will effectively be on hold with no idea whether they will be funded or not.
2. No clear process for prioritization. Since it is likely that the quantity of small district applications will exceed the available funding from the Prop. 2, small district set aside, how does OPSC plan to prioritize who is funded and who is not?
3. Overwhelming government resources. If all of the small school district applications are presented at once, the enormous volume of applications will overwhelm OPSC staff and will take many months to process. Similarly, as the funded districts prepare plans and submit them to the Division of the State Architect and the Department of Education, those agencies in their turn will be overwhelmed and backlogged.
4. Small school districts will be unfairly excluded from early funding. If all application processing does not begin until November of 2026, it is likely that it will be 5 or 6 months, or more, before these applications can be processed and sent to the State Allocation Board for funding. This means that these districts will miss the spring 2026 bond sale, the fall 2026 bond sale, and the spring 2027 bond sale. Even assuming the processing is fast enough to meet the deadline for the fall 2027 bond sale that means that no small school district will receive funds earlier than January of 2028. For those districts that receive planning funds in January of 2028, it is likely to be at least a year to receive DSA and CDE approval, which means requesting construction funds no sooner than January of 2029 and the soonest they could

ATTACHMENT C

possibly get construction funding would be late in 2029, and most likely much later than that.

5. Small school districts that have been actively planning to participate in state funding will be penalized and their early action effectively nullified. Processing applications in date order recognizes that some districts have spent enormous time and energy to prepare to participate in the program. Those efforts will effectively be wasted by allowing all comers to submit on the same day in November 2026.

While taking applications in date order received may not be a perfect system, it is superior to the current proposal, and we would recommend that OPSC return to that original system.

Sincerely,



Alexis Persinger, AIA
Principal

Persinger Architects



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October 2, 2025

Ms. Rebecca Kirk
Executive Officer, Office of Public School Construction
707 Third Street
West Sacramento, CA 95605

Subject: Proposition 2 Stakeholder Comments – Small School District Program (Sept. 18, 2025 Stakeholder Meeting)

Dear Ms. Kirk:

The Coalition for Adequate School Housing (CASH) appreciates the opportunity to provide feedback on the implementation of Proposition 2, the 2024 state school bond. This letter addresses the Small School District Program item presented by the Office of Public School Construction (OPSC) at the Stakeholder Meeting on September 18, 2025. This program will be particularly helpful for small Financial Hardship districts that submit a separate “Design Only” request followed by a subsequent adjusted grant application, ensuring bond authority is available when the district completes planning and has a shovel-ready project.

Priority Application Filing Periods

At the meeting on June 26, 2025, OPSC proposed establishing three priority application submission windows for a Preliminary Small School District Program Apportionment. The first proposed window would prioritize applications for small school districts who have never participated in the SFP New Construction or Modernization programs, or have not participated in either program in a to-be-determined amount of time. CASH *opposed* this recommendation, which would prioritize a subset of eligible projects at some small school districts over eligible projects at other small school districts.

At the meeting on September 18, 2025, OPSC indicated that they were removing this proposal. CASH supports this removal and thanks OPSC for their responsiveness to our concerns on this very important issue.

New Construction Eligibility Lock

OPSC proposed to begin accepting applications for the Small School District Program beginning November 2, 2026, and that all applications would be required to update their New Construction eligibility using the *current enrollment year* that corresponds to the date of the application submittal. This would inhibit the use of a pre-existing three-year or five-year eligibility lock that pre-dates the year of the application. CASH *opposes this proposal*.

CASH *recommends* that applicants be permitted to utilize an existing eligibility lock that pre-dates submittal of the Small School District Program funding application.

Prior to Proposition 2, school districts with enrollment of 2,500 or less were not required to update their enrollment projections – if it would result in a loss of eligibility – for a period of three years from the date the eligibility is approved by the State Allocation Board. Proposition 2 extended the eligibility lock period from three to five years.



We understand the logic behind OPSC's proposal, which would align the five-year lock period with the potential *maximum* statutory timeline to convert from a preliminary to final apportionment. Under this program, projects have four years to convert from a preliminary to a final apportionment, with the option to request a one-year extension. OPSC intends to avoid the circumstance of an eligibility lock expiring between a preliminary and final apportionment, resulting in a potential reduction of eligibility before the project can be constructed. However, many districts will convert to final apportionments in less than five years.

State law clearly specifies that an adjustment to enrollment projections at a small district "shall not result in a loss of ongoing eligibility to that school district for a period of five years from the date of approval of eligibility by the board." Proposition 2 did not create new limitations on the use of the eligibility lock, and the statute does not justify invalidating an existing eligibility lock that pre-dates the bond measure.

Due to their size, small districts may experience small shifts in enrollment that can have disproportionately significant impacts on enrollment projections. The eligibility lock is intended to protect small districts from this disruption and provide security to plan important facilities projects. Such districts should be able to utilize the eligibility to which they are entitled under the provisions of current law, including the use of a pre-existing eligibility lock. As such, districts would accept the risk of converting within the timeline of their existing eligibility lock or face a potential reduction in eligibility at their final apportionment stage if the lock expires.

Return of Prior Applications

Section 9 of the proposed *Form SAB 50-12* "Application for Small District Program Preliminary Apportionment" requires the application number for "return of an application with the same scope of work that was previously submitted to OPSC prior to the effective date of the regulations for the Small District Program." Some future applicants to the Small School District Program will have previously submitted a similar application (a "duplicate application") under the regular School Facility Program.

CASH recommends that rescission of another application with the same scope of work should not occur until the school district receives confirmation from OPSC that their application is within bond authority for the Small School District Program and is guaranteed funding. Requiring rescission of a prior application any earlier, such as at submission of the *Form SAB 50-12*, would significantly disadvantage a small school district and could mean they do not receive any funding for a project to which they are entitled *and* for which they submitted an application within bond authority.

We thank you for the opportunity to provide these thoughts for your consideration, and we look forward to further collaboration.

Sincerely,

Rebekah Kalleen
 CASH Legislative Advocate

cc: Michael Watanabe, Deputy Executive Officer, Office of Public School Construction
 Brian LaPask, Chief of Program Services, Office of Public School Construction