

May 29, 2026

TITLE 2. STATE ALLOCATION BOARD

NOTICE OF PROPOSED REGULATORY ACTION

THE STATE ALLOCATION BOARD PROPOSES TO ADOPT A NEW REGULATION SECTION AND AMEND VARIOUS REGULATION SECTIONS, ALONG WITH TWO ASSOCIATED FORMS, TITLE 2, CALIFORNIA CODE OF REGULATIONS, RELATING TO THE LEROY F. GREENE SCHOOL FACILITIES ACT OF 1998

PROPOSED AMENDMENTS TO THE FOLLOWING REGULATION SECTIONS:

- 1859.2, 1859.71.3, 1859.77.1, 1859.78.5, 1859.79, 1859.83, 1859.163.1, 1859.163.5, 1859.164.2, 1859.167.1 AND 1859.168

PROPOSED AMENDMENTS TO THE FOLLOWING FORMS:

- Form SAB 50-04, *Application For Funding*, (Rev. ~~42/25~~ 01/26), which is incorporated by reference and referenced in Regulation Section 1859.2
- Form SAB 50-09, *Application for Charter School Preliminary Apportionment*, (Rev. ~~42/25~~ 01/26), which is incorporated by reference and referenced in Regulation Section 1859.2

PROPOSED ADOPTION OF THE FOLLOWING REGULATION SECTION:

- 1859.78.10

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to amend the above-referenced regulation sections, including an associated form, as well as adopt new regulation sections, a new form, and two new Grant Agreements, contained in Title 2, California Code of Regulations (CCR). A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Office of Public School Construction (OPSC) no later than 15 days prior to the close of the written comment period. Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, OPSC, at its own motion or at the instance of any interested person, may adopt the proposals substantially as set forth above without further notice.

AUTHORITY AND REFERENCE CITATIONS

The SAB is proposing to amend the above-referenced regulation sections under the authority provided by Sections 17070.35, 17075.10, 17075.11, 17075.20, 17078.64 and 17078.74 of the Education Code. The proposal interprets and make specific 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, 17072.32, 17072.33, 17073.16, 17073.25, 17074.10, 17074.15, 17074.16, 17074.30, 17075.10, 17075.11, 17075.15, 17077.30, 17077.35, 17077.40,

17077.42, 17077.45, 17078.52, 17078.53, 17078.54, 17078.56, 17078.58, 17078.72, 17078.72(k), 17078.74, 17079, 17079.10, 17250.30, 17280, 56026, 101012(a)(8), 101122, 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.

INFORMATIVE DIGEST/POLICY OVERVIEW STATEMENT

The Leroy F. Greene School Facilities Act of 1998 established, through Senate Bill 50, Chapter 407, Statutes of 1998, the School Facility Program (SFP). The SFP provides a per-pupil grant amount to qualifying school districts for purposes of constructing school facilities and modernizing existing school facilities. The SAB adopted regulations to implement the Leroy F. Greene School Facilities Act of 1998, which were approved by the Office of Administrative Law and filed with the Secretary of State on October 8, 1999.

On November 5, 2024, a majority of California's voters approved the Kindergarten through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024 (Proposition 2). In addition to providing \$8.5 billion in bond authority for public Transitional Kindergarten through grade 12 school facilities, there are many provisions contained in Proposition 2 that require interpretation and inclusion in the existing School Facility Program (SFP) Regulations. Voter approval of Proposition 2 made provisions of Assembly Bill (AB) 247 (Muratsuchi, Chapter 81, Statutes of 2024) operative. In part, this bill added Education Code Sections 17077.35 and 17078.74 for the energy efficiency and career technical education supplemental grants, respectively.

Between February and July 2025, OPSC held six stakeholder meetings to inform the development of proposed regulations implementing these two provisions of Proposition 2. At its meeting on December 3, 2025, the SAB adopted proposed regulatory amendments, on an emergency basis, that implement additional provisions of AB 247 and Proposition 2. These two provisions are supplemental grants for Energy Efficiency and Career Technical Education (CTE).

The Energy Efficiency supplemental grant existed in the SFP in 2002, but the funds allocated for the grant were exhausted years ago. Proposition 2 amended provisions in Education Code Section 17077.35 to provide an increase of up to five percent of the state share, which covers the increased costs associated with including energy efficiency components in SFP New Construction, Modernization, and Charter School Facilities Program (CSFP) New Construction and Rehabilitation projects. There is no longer a set limit on the total amount of funding available for energy efficiency supplemental grants and the grants will be provided for qualifying applications as long as sufficient SFP New Construction or Modernization and CSFP New Construction or Rehabilitation bond authority is available.

The new CTE Supplemental Grant provides up to five percent of the state share of the Modernization base grant for qualifying Modernization projects or up to five percent of the state share of the CSFP Rehabilitation base grant for qualifying CSFP Rehabilitation projects that include CTE components at middle and high schools that meet specific criteria. The CTE supplemental grants are available for eligible Modernization and CSFP Rehabilitation projects and are separate from the Career Technical Education Facilities Program, which is its own program and has its own Proposition 2 funding (\$600 million in bond authority) under the SFP.

Attached to this Notice are the proposed regulations and two associated forms. The proposed regulations can also be reviewed on OPSC's website at: [Laws, Regulations for School](#)

[Construction Projects](#). Copies of the proposed regulations and the two associated forms will be mailed to any person requesting this information by using OPSC's contact information set forth below in this Notice. The proposed regulations amend the SFP Regulations under the California Code of Regulations, Title 2, Chapter 3, Subchapter 4, Group 1, State Allocation Board, Subgroup 5.5, Regulations relating to the Leroy F. Greene School Facilities Act of 1998.

Background and Problem Being Resolved

On July 3, 2025, OPSC opened a new CSFP filing round, pursuant to Regulation Section 1859.161, using the \$600 million authorized by the passage of Proposition 2. The filing round closed on October 30, 2025 in which OPSC received 116 applications from 91 charter schools requesting \$2.78 billion in state funding. This amount is well over the \$600 million authorized in Proposition 2. The applications submitted for the CSFP could be eligible for these two supplemental grants once the grants are approved and in effect.

The problem being resolved is implementing the new statutory authority for the SAB early on so school districts and county offices of education can plan and request the Energy Efficiency and CTE supplemental grants now for their projects. Although charter schools' applications have already been received by OPSC, with an early effective date of the regulations OPSC can include and calculate these two supplemental grants in the preliminary apportionments should the projects qualify for them. This would maintain equity and fairness in the SFP.

OPSC performed a search on whether the proposed regulatory amendments were consistent and compatible with existing State laws and regulations and did not identify any inconsistent or incompatible existing State laws or regulations. The proposed regulatory amendments are consistent with and implement provisions of statutory changes enacted with the passage of Proposition 2. Proceeding with the implementation of the proposed regulations will provide a positive impact on the state's economy, as well as the creation of an unknown number of jobs in the school construction industry. Once school districts request the release of state funds, manufacturing and construction-related industries such as architecture, engineering, trades and municipalities may expand based on the demand on these industries. School districts, county offices of education and applications for charter schools will also have the ability to take advantage of the new Proposition 2 provisions. The proposed regulations will maintain equity, consistency, and the integrity of the SFP.

Anticipated Benefits of the Proposed Regulations

There are benefits associated with the proposed regulations in that they implement the new statutory authority for the SAB so school districts and county offices of education can plan and request the Energy Efficiency and CTE supplemental grants now for their projects. Although charter schools' applications have already been received by OPSC, with an early effective date of the regulations OPSC can include and calculate these two supplemental grants in the preliminary apportionments should the projects qualify for them. This would maintain equity and fairness in the SFP.

Additionally, the proposed regulations may have a positive impact on the state's economy, as well as the creation of an unknown number of jobs in the school construction industry, by facilitating funding for school construction. Once school districts request the release of state funds, manufacturing and construction-related industries such as architecture, engineering, trades and municipalities may expand based on the demand on these industries.

Summary of the Proposed Regulations

A summary of the proposed regulations is as follows:

Existing Regulation Section 1859.2 represents a set of defined words and terms used exclusively for these regulations. The proposed amendments revise the Forms SAB 50-04 and SAB 50-09 that align with the Energy Efficiency and CTE supplemental grants in Education Code Section 17077.35 and 17078.74.

Existing Regulation Section 1859.71.3 provides supplemental new construction funding to school districts that include energy efficient components in their SFP new construction projects. The proposed amendments differentiate between approved applications received by OPSC on or before October 30, 2024 and approved applications received by OPSC on or after October 31, 2024. For those approved applications received on or before October 30, 2024, school districts have the option to continue with their approved application already received and accept a full and final apportionment or withdraw its application and resubmit the approved application to be eligible for the new supplemental grant. For those approved applications received on or after October 31, 2024, school districts, county offices of education, and charter schools can apply for the energy efficiency supplemental grant using the new points-based scoring system with new eligibility criteria. The new system determines the percentage of supplemental grant funding allowed based on the Energy Code compliance approach and points achieved using the newly developed scoring system based on California Collaborative for High Performance Schools (CA-CHPS) created by the DSA and CA-CHPS for OPSC. There are two different compliance approaches and the points scoring rubric is separated by the type of compliance method. There is a non-substantive change in subsection (d)(2), last line, that changes "OPCS" to "OPSC."

Existing Regulation Section 1859.77.1 sets forth a school district's matching share requirement for new construction grants. This section differentiates a school district's matching share requirement based on two dates: applications received before October 31, 2024 and applications received on or after October 31, 2024. Applications received before October 31, 2024 require set matching share contributions for both state and local; applications received after October 31, 2024 will require a matching share contribution based on the methodology and calculation in Regulation Section 1859.70.5 and will be known as the Local Funding Adjustment Grant. The proposed amendments correct the Education Code section for this supplemental grant and an edit that is considered a non-substantive change.

Existing Regulation Section 1859.78.5 provides supplemental modernization funding to school districts that include energy efficient components in their SFP modernization projects. The proposed amendments differentiate between approved applications received by OPSC on or before October 30, 2024 and approved applications received by OPSC on or after October 31, 2024. For those approved applications received on or before October 30, 2024, school districts have the option to continue with the approved application already received and accept a full and final apportionment or withdraw its application and resubmit the approved application to be eligible for the new supplemental grant. For those approved applications received on or after October 31, 2024, school districts, county offices of education, and charter schools can apply for the energy efficiency supplemental grant using the new points-based scoring system with new eligibility criteria. The new system determines the percentage of supplemental grant funding allowed based on the Energy Code compliance approach and points achieved using the newly developed scoring system based on California Collaborative for High Performance Schools (CA-

CHPS) created by the DSA and CA-CHPS for OPSC. There are two different compliance approaches and the points scoring rubric is separated by the type of compliance method.

Adoption of Regulation Section 1859.78.10 sets forth qualifying criteria for approved applications received by OPSC on or after October 31, 2024, to request the CTE supplemental grant for the costs associated with enhancements of CTE components in existing middle and high schools. The criteria includes, but is not limited to, 1) at least one CTE component conforms to Education Code Section 17078.74(c); 2) the applicant certifies that CTE costs exceed available modernization funding and are necessary to maintain industry standards; and 3) the applicant is a local educational agency operating a comprehensive high school, has an active career technical advisory committee, and received a minimum plan score of 105 points from the California Department of Education on or after July 3, 2024. In addition, the CTE supplemental grant shall be the lesser of a five percent increase to the Modernization Grant or the costs for the CTE component of the qualifying modernization project. Equipment costs are eligible only if the equipment has an average useful life expectancy of at least 10 years.

Existing Regulation Section 1859.79 sets forth a district's modernization matching share contribution for approved applications received on or before April 29, 2002 (20 percent district share/80 percent state share) and for approved applications received after April 29, 2002 and on or before October 30, 2024 (40 percent district share/60 percent state share). The section also stipulates that for approved applications received on or after October 31, 2024, a district's modernization matching share contribution will be determined based on Education Code Sections 17070.59 and 17074.16 and adjusted for the Local Funding Adjustment Grant using the methodology and calculation in Regulation Section 1859.70.5. The proposed amendments correct the Education Code section for the energy efficiency supplemental grant and there are several minor edits that are considered non-substantive changes.

Existing Regulation Section 1859.83 provides additional school project funding (Excessive Cost Hardship Grants) for which school districts may apply as a result of unusual circumstances that create excessive project costs. The proposed amendments allow for the inclusion of funding provided by the CTE supplemental grant to be used in the calculations to determine Excessive Cost due to Geographic Location. Funding provided by the energy efficiency supplemental grant is already included in the determination formula. There are other supplemental grants added to this section that include funding, such as the 75 Years or Older Building, Minimum Essential Facilities, and the Transitional Kindergarten supplemental grants. Further, there was a statutory authority lapse for Excessive Cost Hardship grants; however, the authority was restored with the addition of Education Code Section 17075.11, which applies retroactively to applications submitted on or after October 31, 2024. There are minor edits that are considered non-substantive changes.

Existing Regulation Section 1859.163.1 establishes construction cost funding caps for Preliminary Charter School Apportionment determinations, based upon grade level(s) of the project and urban or non-urban location. The apportionment for charter school construction costs shall be the lesser of the funding cap amount or the total of specific cost components related to the size, scope, grade levels and location of the project. The proposed amendments add subsection (8) to allow applicants to reserve funding for the energy efficiency supplemental grant as part of the Preliminary Charter School Apportionment for New Construction. In addition, amendments are made to subsections (a), (a)(9), and (a)(10) to indicate the calculation for determining the Preliminary Charter School Apportionment, the inflator factor, and the matching share through the form of lease payments include the energy efficiency reservation. Subsection

(a)(8) has a minor edit that reflects the word “Section” in front of 1859.163.1(a)(1). This is considered a non-substantive change.

Existing Regulation Section 1859.163.5 provides the calculation that determines a Preliminary Charter School Rehabilitation Apportionment based on the eligible square footage included in the project and additional supplemental grants. This section also 1) clarifies the calculation of supplemental grants, and the requirements and calculations for initiating and enforcing a Labor Compliance Program as well as for prevailing wage monitoring and enforcement; and 2) aligns CSFP rehabilitation supplemental grants with Education Code requirements, specifically Section 17078.54(d). The proposed amendments add: 1) subsections (a)(7) and (a)(8) to allow applicants to request and reserve funding for energy efficiency and CTE components as part of a Preliminary Charter School Apportionment for Rehabilitation; and 2) subsection (a)(6) to allow applicants to request and reserve funding for accessibility and fire code requirements as part of a Preliminary Charter School Apportionment for Rehabilitation upon conversion from a Preliminary Charter School Apportionment to a Final Charter School Apportionment. In addition, subsections (a)(9) and (a)(10) are renumbered because of the newly added subsections identified in this section above, and there are a few minor edits that are considered non-substantive in nature.

Existing Regulation Section 1859.164.2 sets forth criteria for the release of funds to charter school entities from preliminary charter school apportionments. “Advance” releases of funds are authorized for specified design costs and site acquisition costs. Qualified charter schools must maintain financial soundness and fund releases must occur within specified time limits. The proposed amendments make minor changes by aligning the renumbering of subsections with those in Regulation Sections 1859.163.1 and 1859.163.5.

Existing Regulation Section 1859.167.1 specifies that the amount of the Final Charter School Apportionment may not be increased for site acquisition costs exceeding those calculated under Section 1859.163.1(b), nor increased for useable acres for the project in excess of the previously approved recommended site size by the California Department of Education. The proposed amendments: 1) allow applicants to request funding for energy efficiency and CTE components for a Final Charter School Apportionment for a CSFP Rehabilitation project; and 2) provide clarification that the CSFP Rehabilitation Grant will be used in place of the Modernization Grant to calculate the funding provided by Sections 1859.78.5 and 1859.78.10, and that funding provided by Section 1859.78.10(b)(2) will be 50 percent of the OPSC-approved costs for the CTE scope of work, inclusive of equipment, included in an Approved Application for a CSFP Rehabilitation project.

Existing Regulation Section 1859.168 specifies that the Preliminary Charter School Apportionment, once it is converted to a Final Charter School Apportionment, is subject to the district matching share requirement and that the matching share requirement may be met through lease payments. The proposed amendment deletes the words “Section 1859.77.1 and” because the matching share requirement for Preliminary Charter School Apportionments remains a 50 percent local matching share that may be paid through lease payments in lieu of the matching share.

Existing Form SAB 50-04, *Application For Funding*, (Rev. ~~12/25~~ 01/26), (incorporated by reference) is submitted by school districts to apply for State funding for new construction and modernization projects. The proposed amendments incorporate the provisions of Proposition 2 outlined in this Finding of Emergency, such as the supplemental grants for energy efficiency and CTE for new construction and modernization projects. Since the revision date of 12/25, this form

includes approved language from an intervening regulatory action approved by the Office of Administrative Law (OAL) [OAL File #2026-0424-01E] which changes the revision date to 01/26.

Existing Form SAB 50-09, *Application for Charter School Preliminary Apportionment*, (Rev. ~~12/25~~ 01/26, (incorporated by reference) is the form for charter school entities to apply for preliminary apportionments for qualifying projects. The proposed amendments incorporate and align with the proposed amendments that are reflected in the regulatory text. Since the revision date of 12/25, this form includes approved language from an intervening regulatory action approved by the OAL [OAL File #2026-0424-01E] which changes the revision date to 01/26.

Statutory Authority and Implementation

Education Code Section 17070.35. (a) In addition to all other powers and duties as are granted to the board by this chapter, other statutes, or the California Constitution, the board shall do all of the following: (1) Adopt rules and regulations, pursuant to the rulemaking provisions of the Administrative Procedure Act, Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, for the administration of this chapter.

Government Code Section 15503. Whenever the board is required to make allocations or apportionments under this part, it shall prescribe rules and regulations for the administration of, and not inconsistent with, the act making the appropriation of funds to be allocated or apportioned. The board shall require the procedure, forms, and the submission of any information it may deem necessary or appropriate. Unless otherwise provided in the appropriation act, the board may require that applications for allocations or apportionments be submitted to it for approval.

Determination of Inconsistency or Incompatibility with Existing State Regulations

On July 3, 2025, OPSC opened a new CSFP filing round, pursuant to Regulation Section 1859.161, using the \$600 million authorized by the passage of Proposition 2. The filing round closed on October 30, 2025 in which OPSC received 116 applications from 91 charter schools requesting \$2.78 billion in state funding. This amount is well over the \$600 million authorized in Proposition 2. The applications submitted for the CSFP could be eligible for these two supplemental grants once the grants are approved and in effect.

Implementing the new statutory authority for the SAB early on provides school districts and county offices of education time to plan and request the Energy Efficiency and CTE supplemental grants now for their projects. Although charter schools' applications have already been received by OPSC, with an early effective date of the regulations OPSC can include and calculate these two supplemental grants in the preliminary apportionments should the projects qualify for them. This would maintain equity and fairness in the SFP.

After conducting a review, the SAB has concluded that these are the only regulations on this subject, and therefore, the proposed regulations are neither inconsistent nor incompatible with existing State laws and regulations. The proposed regulations are within the SAB's authority to enact regulations for the SFP under Education Code Section 17070.35 and Government Code Section 15503.

Documents Incorporated by Reference

- *Form SAB 50-04*, (Rev. ~~42/25~~ 01/26), referenced in Regulation Section 1859.2 and is incorporated by reference.
- *Form SAB 50-09*, (Rev. ~~42/25~~ 01/26), referenced in Regulation Section 1859.2 and is incorporated by reference.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The Executive Officer of the SAB has determined that the proposed regulations do not impose a mandate or a mandate requiring reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. It will not require local agencies, school districts or charter schools to incur additional costs in order to comply with the proposed regulations.

DISCLOSURES REGARDING THE PROPOSED REGULATORY ACTION

The Executive Officer of the SAB has made the following initial determinations relative to the required statutory categories:

- The SAB has made an initial determination that there will be no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- The SAB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- There will be no non-discretionary costs or savings to local agencies.
- The proposed regulations create no costs to any local agency or school district requiring reimbursement pursuant to Section 17500 et seq., or beyond those required by law, except for the required district contribution toward each project as stipulated in statute.
- There will be no costs or savings in federal funding to the State.
- The proposed regulations create no costs or savings to any State agency beyond those required by law.
- The SAB has made an initial determination that there will be no impact on housing costs.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Impact to Businesses and Jobs in California

The proposed regulations promote transparency because school districts and the school district community have been collaborating on the proposed regulations through a series of stakeholder meetings. The Energy Efficiency supplemental grant existed in the SFP in 2002, but the funds allocated for the grant were exhausted years ago. Proposition 2 amended provisions in Education Code Section 17077.35 to provide an increase of up to five percent of the state share, which covers the increased costs associated with including energy efficiency components in SFP New Construction, Modernization, and Charter School Facilities Program (CSFP) New Construction and Rehabilitation projects. There is no longer a set limit on the total amount of funding available for energy efficiency supplemental grants and the grants will be provided for qualifying applications as long as sufficient SFP New Construction or Modernization and CSFP New Construction or Rehabilitation bond authority is available.

The new CTE Supplemental Grant provides up to five percent of the state share of the Modernization base grant for qualifying Modernization projects or up to five percent of the state share of the CSFP Rehabilitation base grant for qualifying CSFP Rehabilitation projects that include CTE components at middle and high schools that meet specific criteria. The CTE supplemental grants are available for eligible Modernization and CSFP Rehabilitation projects.

In addition, the proposed regulations will not negatively impact the creation of jobs, the creation of new businesses, and the expansion of businesses in California. It is not anticipated that the proposed regulations will result in the elimination of existing businesses or jobs within California. Additionally, the proposed regulations expand the SFP while maintaining program integrity and equity amongst school district projects.

Benefits to Public Health and Welfare, Worker's Safety, and the State's Environment

- The proposed regulations promote transparency because school districts and the school district community have been collaborating on the proposed regulations through a series of stakeholder meetings.
- There are continued benefits to the health and welfare of California residents and worker safety. School districts, charter schools, and local educational agencies utilize construction and trades employees to work on school construction projects and although this proposed regulation does not directly impact worker's safety, existing law provides for the availability of a skilled labor force and encourages improved health and safety of construction and trades employees through proper apprenticeship and training. Further, public health and safety is enhanced because a properly paid and trained workforce will build school construction projects that are higher quality, structurally code-compliant and safer for use by pupils, staff, and other occupants on the site.
- There is no impact to the State's environment from the proposed regulations.

The SAB finds the proposed regulations fully consistent with the stated purposes and benefits.

EFFECT ON SMALL BUSINESSES

It has been determined that the proposed regulations will not have a negative impact on small businesses in the ways identified in subsections (a)(1)–(4) of Section 4, Title 1, CCR. The proposed regulations only apply to school districts, local education agencies, and charter schools for purposes of funding school facility projects. Manufacturing and construction-related industries such as architecture, engineering, trades and municipalities may expand based on the demand on these industries. This may include new [small] businesses, or the expansion of [small] businesses, which have a positive impact on the state's economy and may also create an unknown number of jobs.

SUBMISSION OF COMMENTS, DOCUMENTS AND ADDITIONAL INFORMATION

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, email or fax, relevant to the proposed regulatory action. Written comments submitted via U.S. mail, email or fax must be received at OPSC no later than July 13, 2026 end of day. The express terms of the proposed regulations as well as the Initial Statement of Reasons are available to the public.

Written comments, submitted via U.S. mail, email or fax, regarding the proposed regulatory action, requests for a copy of the proposed regulatory action or the Initial Statement of Reasons, and questions concerning the substance of the proposed regulatory action should be addressed to:

Lisa Jones, Regulations Coordinator

Mailing Address: Office of Public School Construction
707 Third Street, 3rd Floor
West Sacramento, CA 95605

E-mail Address: lisa.jones@dgs.ca.gov

Fax No.: (916) 375-6721

AGENCY CONTACT PERSONS

General or substantive questions regarding this Notice of Proposed Regulatory Action may be directed to Ms. Lisa Jones at (279) 946-8459. If Ms. Jones is unavailable, these questions may be directed to the backup contact person, Mr. Michael Watanabe, Deputy Executive Officer, at (279) 946-8463.

ADOPTION OF REGULATIONS

Please note that, following the public comment period, the SAB may adopt the regulation substantially as proposed in this notice or with modifications, which are sufficiently related to the originally proposed text and notice of proposed regulatory activity. If modifications are made, the modified text with the changes clearly indicated will be made available to the public for at least 15 days prior to the date on which the SAB adopts the regulations.

The modified regulation(s) will be made available and provided to: all persons who testified at and who submitted written comments at the public hearing, all persons who submitted written comments during the public comment period, and all persons who requested notification from the agency of the availability of such changes. Requests for copies of any modified regulations should be addressed to the agency's regulation coordinator identified above. The SAB will accept written comments on the modified regulations during the 15-day period.

SUBSTANTIAL CHANGES WILL REQUIRE A NEW NOTICE

If, after receiving comments, the SAB intends to adopt the regulation with modifications not sufficiently related to the original text, the modified text will not be adopted without complying anew with the notice requirements of the Administrative Procedure Act.

RULEMAKING FILE

Pursuant to Government Code Section 11347.3, the SAB is maintaining a rulemaking file for the proposed regulatory action. The file currently contains:

1. A copy of the text of the regulations for which the adoption is proposed in ~~strikeout~~/underline.
2. A copy of this Notice.
3. A copy of the Initial Statement of Reasons for the proposed adoption.

4. The factual information upon which the SAB is relying in proposing the adoption.

As data and other factual information, studies, reports or written comments are received they will be added to the rulemaking file. The file is available for public inspection at OPSC during normal working hours. Items 1 through 3 are also available on OPSC's Internet Web site at: [Laws, Regulations for School Construction Projects](#) then scroll down to School Facility Program, Pending Regulatory Changes, February 25, 2026 Non-Emergency Regulations, and click on the links entitled 45-day Public Notice, Initial Statement of Reasons, Proposed Regulation Text, Forms SAB 50-01 through 50-04 and Forms SAB 50-09 and 195.

ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the SAB must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. There were no alternatives considered. The SAB is charged with ensuring that the provisions of Proposition 2 are implemented in the SFP in a timely manner.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available, and copies may be requested from the agency's regulation coordinator named in this notice or may be accessed on the website listed above.