APPLICATION FOR CHARTER SCHOOL PRELIMINARY APPORTIONMENT

SCHOOL FACILITY PROGRAM

SAB 50-09 (REV ~~01/26~~11/26)

GENERAL INSTRUCTIONS

Pursuant to Regulation Section 1859.19, the School District must submit all Board-required forms and supporting documentation for a valid and complete Application using OPSC Online.

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

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

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

For new construction and rehabilitation projects,

- Verification of the Charter School's written notification to the School District of its intent to apply for State funding pursuant to Education Code Section 17078.53(b) for a Charter School applying on its own behalf.
- A narrative describing the proposed project. Include the estimated general scope of the project intended, the number of classrooms being rehabilitated and/or constructed, the grade level of the pupils that will be served in the rehabilitated and/or constructed classrooms, estimated opening date of the school, the Charter School General Location, if the project will include new construction or rehabilitation of existing facilities, and if the facilities are of permanent or portable construction.

For new construction projects,

- Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03 (if not previously submitted by the School District).
- If the Charter School is applying for a Preliminary Apportionment on its own behalf, a School District board resolution certifying to the number of the School District's unhoused pupils, pursuant to Section 1859.162.1(a), that the project will house, the supporting documentation used to generate this number, and the school board meeting minutes that recorded the approval of the certification.
- For School Districts applying on behalf of a Charter School, supporting documentation for arriving at the number of the School District's unhoused pupils that will be housed in the Charter School project, pursuant to Section 1859.162.2(b), as reported in Section 4(b) of this form).
- An estimated recommended site size letter from the CDE.
- An Appraisal or Preliminary Appraisal of the property, or documentation supporting the Median Cost of the property, if requesting site acquisition funds. See Section 1859.163.2(a).
- Supporting documentation for relocation expenses and/or Department of Toxic Substances Control (DTSC) costs, if requesting amounts other than the 15 percent standard allowance. See Section 1859.163.2(b).
- A cost estimate for site development using the actual data for the specific site or the historical data of School Facility Program projects within the School District or adjacent School Districts within the General Location, if requesting amounts other than the standard allowance of $70,000 per acre. See Section 1859.163.1(a)(3).

For purposes of determining an amount for site acquisition pursuant to Section 1859.164.2(b), the following documents must be submitted with this form (as appropriate):

- Contingent site approval letter from the CDE.
- Preliminary appraisal of property.

For rehabilitation projects,

- For a Charter School submitting a Preliminary Apportionment for rehabilitation on its own behalf, an agreement between the School District and the Charter School for use of the facilities to be rehabilitated. The agreement must have been discussed and approved at a School District board meeting.
- A drawing of the school site that identifies all classrooms and subsidiary facilities and specifies the square footage and age of each building that will be included in the project.

Requests for new construction or rehabilitation funding are available only to applicants that have current financial soundness status from the California School Finance Authority. Applicants may apply for a separate amount for the design and for the new construction site acquisition on the same project for a Preliminary Charter School Apportionment previously approved by the Board. Applicants may apply for a separate amount for the design of the project by submittal of Form SAB 50-05.

For a complete list of the application submittal guidelines, consult the Access Charter School Facilities Funding web page at www.dgs.ca.gov/OPSC/Services.

If the Charter School or School District is requesting a Preliminary Apportionment for new construction after the initial baseline new construction eligibility was approved by the Board and the School District's current California Basic Education Data System (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 the OPSC with this form. The School District must also update its new construction eligibility by separation of Special Day Class from regular K–12 grade level pupils by submitting a revised Form SAB 50-02 and Form SAB 50-03, if it has not already done so. A Small School District with 2,500 or less enrollment as defined in Section 1859.2 will have its new construction eligibility adjusted as provided in Section 1859.51(j).

SPECIFIC INSTRUCTIONS

A preliminary application may be submitted by either a School District on behalf of a Charter School or a Charter School on its own behalf if the Charter School has notified both the superintendent and the governing board of its intent to do so in writing at least 30 days prior to submission of the preliminary application. See Education Code Section 17078.53 (b)(1) and (2). The notice shall be submitted to the School District in writing in such a way that allows for verification of the received date. The notice shall also include a request for a School District certification pursuant to Section 1859.162.1(a), a request for an update in the School District's enrollment pursuant to Section 1859.162.1(b) and must indicate to the School District the number of pupils the Charter School intends to apply for. If the School District's eligibility is filed on a HSAA basis, the proposed project shall be constructed within the boundaries of that attendance area for which the eligibility is adjusted pursuant to Section 1859.162.2.

Prior to submitting a request for a preliminary apportionment, the appropriate chartering entity must have either approved a charter petition or a material revision to a charter for the school the application references.

1. Type of Application

Check the appropriate box that indicates the type of request the applicant is applying for with this form. If the applicant is requesting a determination of eligible site acquisition costs from a Preliminary Charter School Apportionment previously approved by the Board, complete boxes 2, 3, 4 and the site acquisition data in 5b.

2. Type of Project

a. Select the type of project that best represents this application request.
b. Enter the name of the School District where the Charter School is physically located.

3. Number of Classrooms/Useable Acres

Enter the:

- Estimated number of classrooms in the proposed project.
- Existing Useable Acres (if rehabilitation or new construction on an existing site).
- Estimated Proposed Useable Acres to be acquired for the project.

4. Additional Project Information—New Construction Only

a. Enter the number of pupil grants, by grade level, to be housed in the project.
b. Enter the number of the School District's unhoused pupils to be housed in the project pursuant to Section 1859.162.1(a) or 1859.162.2(b).
c. Is this request an addition to an existing site? Yes or No. If yes, enter school name.

5. Increase in Preliminary Apportionment—New Construction Only

Complete the appropriate Sections if the applicant is requesting an increase in the Preliminary Apportionment for the items listed. Refer to Sections 1859.163.1 and 1859.163.2.

a. Check the box if the applicant requests additional funding due to multilevel construction. See Section 1859.163.1(a)(2).
b. Site Acquisition:
   1) Enter 50 percent of the appraised value or the preliminary appraised value or the Median Cost of the property. See Section 1859.163.2(a). If the purchase price of the site is being determined using the median cost of the Charter School General Location enter the nearest street intersection to the Charter School site.
   2) To determine an allowance for relocation cost and DTSC cost, the applicant may request 15 percent of the property value determined above or specific or historic values of these costs. See Section 1859.163.2(b). If specific or historic values are reported, the applicant must submit appropriate documentation to support the amount reported.
   3) Enter 50 percent of the amount allowable for hazardous material/waste removal and/or remediation for the site acquired. This amount may not exceed the limit set in Section 1859.163.2(d).
c. To determine an allowance for site development, the applicant may request $70,000 per proposed Usable Acres or a specific or historic value of the estimated costs. See Section 1859.163.1(a)(3). If specific or historic estimated costs are used, the applicant must submit the appropriate cost estimate of the proposed work conforming to Section 1859.76.

   In addition, check the box if the applicant is requesting General Site Development pursuant to Section 1859.163.1(a)(4).
d. Check the box if the proposed project is eligible for an increase due to geographic location. See Section 1859.163.1(a)(7).
e. Check the box if this request is for a small size project. See Section 1859.163.1(a)(5).
f. Check the box if the proposed project qualifies for an urban location allowance. See Section 1859.163.1(a)(6).
g. Check the box if the proposed project is eligible for an increase due to energy efficiency. See Section 1859.163.1(a)(8).

6. Additional Project Information—Rehabilitation Only

Enter the square footage of the non-toilet area and toilet area contained in the rehabilitation project.

7. Increase in Preliminary Apportionment—Rehabilitation Only

a. Check the box if the proposed project is eligible for an increase due to geographic location. See Section 1859.163.5(a)(4).
b. Check the box if this request is for a small size project. See Section 1859.163.5(a)(2).
c. Check the box if the proposed project qualifies for an urban location allowance. See Section 1859.163.5(a)(3).
d. Check the box if the rehabilitation project includes new two-stop elevator(s). Elevator(s) are allowed only if required by the DSA. See Section 1859.163.5(a)(5).
e. Enter the number of additional stops on new DSA required elevator(s) beyond two.
f. Check the box if the proposed project is eligible for an increase due to accessibility and fire code requirements. See Section 1859.163.5(a)(6)
g. Check the box if the proposed project is eligible for an increase due to energy efficiency. See Section 1859.163.5(a)(7).
h. Check the box if the proposed project is eligible for an increase due to career technical education components. See Section 1859.163.5(a)(8).

8. Project Progress Dates

Complete this section:

a. Enter the date(s) the construction contract(s) was awarded for this project(s). If a construction contract has not been executed, enter N/A. (If the space provided is not sufficient for all applicable contract dates, please list all dates on a separate attachment to this form.)
b. Enter the issue date for the Notice to Proceed for the construction phase of the project, or enter N/A if a Notice to Proceed has not been issued.

c. If a construction contract was awarded prior to January 1, 2012, check the appropriate box to indicate if you have initiated and enforced a Labor Compliance Program (LCP) approved by the Department of Industrial Relations (DIR) pursuant to Labor Code Section 1771.7 for this project.

9. Prevailing Wage Monitoring and Enforcement Costs

If the construction contract(s) for this project was awarded on January 1, 2012 through June 19, 2014, check the appropriate box to indicate which of the following methods was or is being used to meet the requirement for prevailing wage monitoring and enforcement pursuant to Labor Code Section 1771.3 in effect on January 1, 2012 through June 19, 2014:

- DIR Public Works administration and enforcement
- A DIR-approved internal LCP
- A collective bargaining agreement that meets the criteria set forth in Labor Code Section 1771.3(b)(3) in effect on January 1, 2012 through June 19, 2014.

10. Priority Order

Enter the priority order of this application in relation to other applications for Preliminary Charter School Apportionment submitted on the same date by the same applicant within the same School District.

11. Charter School Information

a. Enter the Charter School enrollment currently being served by the applicant for the purpose of calculating if the Charter School is Small, Medium, or Large. See Section 1859.2.
b. Indicate if the entity operating the Charter School operates as not for profit. If yes, must comply with the definition of Non-Profit Entity in Section 1859.2. See Section 1859.164.1(c).
c. Enter the locale code of the Charter School as identified in the definitions for "Rural," "Suburban," or "Urban." See Section 1859.2.
d. To determine if the Charter School is low income, enter the percentage of pupils at the Charter School identified as being eligible for the Free/Reduced Lunch Program. See Section 1859.2 and 1859.164.1(a).
e. If the Charter School has submitted an additional application for this project, enter the application number for that project.

12. Certification

The authorized representative for the Charter School, or the School District representative on behalf of the Charter School must complete this certification section.

- Part A – The authorized representative for the Charter School, must complete this section if filing on its own behalf; or,
- Part B – The authorized School District representative must sign and date if filing on behalf of the Charter School.

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The School District or Charter School named below applies to the State Allocation Board via the Office of Public School Construction for a Preliminary Charter School Apportionment under the provisions of Chapter 12.5, Part 10, Division 1, Article 12, commencing with Section 17078.50, et seq, of the Education Code and the Regulations thereto.

☐ SCHOOL DISTRICT APPLYING ON BEHALF OF CHARTER SCHOOL ☐ CHARTER SCHOOL APPLYING ON ITS BEHALF	PRELIMINARY APPLICATION NUMBER
PROPOSED PROJECT NAME	PROJECT TRACKING NUMBER
COUNTY	HIGH SCHOOL ATTENDANCE AREA (IF APPLICABLE)
SCHOOL BOARD APPROVAL DATE OF CHARTER PETITION OR MATERIAL REVISION	

1. Type of Application—Check Only One

☐ New Construction Preliminary Charter School Apportionment
☐ Site Acquisition Costs [Section 1859.164.2(b)]
☐ Rehabilitation Preliminary Charter School Apportionment

2. Type of Project

a. ☐ Elementary School
☐ Middle School
☐ High School

b. Name of School District where the Charter School project will be physically located: _____

3. Number of Classrooms/Useable Acres

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

4. Additional Project Information—New Construction Only

a. Project Capacity
TK–6 _____
7–8 _____
9–12 _____
Non-Severe _____
Severe _____

b. School District's Unhoused Pupils to be housed in the Charter School
TK–6 _____
7–8 _____
9–12 _____
Non-Severe _____
Severe _____

c. Addition to existing site? ☐ Yes ☐ No
If yes, enter school name: _____

5. Increase in Preliminary Apportionment—New Construction Only

a. ☐ Multilevel Construction
b. Site Acquisition:
(1) 50 percent appraised value or median cost: $ _____
Enter the nearest street intersection to the Charter School General Location if determined by median cost:
_____
(2) Relocation/DTSC Cost:
☐ 15 percent
☐ 50 percent of specific or historical cost: $ _____
(3) Hazardous material clean-up: $ _____
c. Site Development
☐ $70,000 per proposed useable acre
☐ 50 percent of specific or historical cost: $ _____
☐ General Site
d. ☐ Geographic Percent Factor: _____ %
e. ☐ Small Size Project
f. ☐ Urban Allowance
g. ☐ 5 percent Energy Efficiency

6. Additional Project Information—Rehabilitation Only

Square Footage of Project:
Non-Toilets Facilities (sq. ft.): _____
Toilet Facilities (sq. ft.): _____

7. Increase in Preliminary Apportionment—Rehabilitation Only

a. ☐ Geographic Percent Factor: _____ %
b. ☐ Small Size Project
c. ☐ Urban/Security/Impacted Site
d. ☐ Number of 2-Stop Elevators: _____
e. ☐ Number of Additional Stops: _____
f. ☐ 3 percent Accessibility/Fire Code
g. ☐ 5 percent Energy Efficiency
h. ☐ 5 percent Career Technical Education Components

8. Project Progress Dates

a. Construction Contract(s) awarded on: _____
(If the space provided is not sufficient for all applicable contract dates, please list all dates on a separate attachment to this form.)
b. Notice to Proceed issued on: _____
c. If the Construction Contract was awarded prior to January 1, 2012, have you

initiated and enforced an LCP approved by the DIR pursuant to Labor Code Section 1771.7 for this project? ☐ **Yes** ☐ **No**

9. Prevailing Wage Monitoring and Enforcement Costs:
If the Construction Contract(s) was awarded on January 1, 2012 through June 19, 2014, please indicate which method was or is being used to meet the prevailing wage monitoring requirements, pursuant to LC Section 1771.3 in effect on January 1, 2012 through June 19, 2014:

☐ DIR Public Works administration and enforcement
☐ DIR Approved District LCP
☐ Collective bargaining agreement, pursuant to Labor Code Section 1771.3(b)(3) in effect on January 1, 2012 through June 19, 2014

10. Priority Order # _____

11. Charter School Information

a. Current Charter School enrollment: _____
b. Is Charter School not for profit? ☐ Yes ☐ No
c. Enter locale code of Charter School: _____
d. Free/Reduced Lunch: _____%
e. Additional Application Number: # _____

12. Certification

I certify that the information reported on this form is true and correct and that:

☐ I am an authorized representative of the Charter School designated by the governing board or equivalent authority of the Charter School and have notified both the Superintendent and the governing board of the School District in writing, at least 30 days prior to the date of this application, of our intent to submit a preliminary application (complete Part A below); or,

☐ I am an authorized School District representative submitting this application on behalf of a Charter School pursuant to Education Code Section 17078.53 (c)(1) (complete Part B below). If this box is checked the following certifications shall apply to the School District.

- A resolution or other appropriate documentation supporting this application under Article 12, Chapter 12.5, Part 10, Division 1, Title 2, commencing with Section 17078.50, et. seq., of the Education Code was adopted by the School District's Governing Board or the governing board or other equivalent authority of the Charter School on, _____; and,
- Prior to submitting this application the Charter School and School District have considered existing facilities in accordance with Education Code Section 17078.53(e); and,
- For a Charter School applying for a rehabilitation Preliminary Apportionment on its own behalf, the Charter School and School District have entered into an agreement to rehabilitate School District existing facilities and the agreement has been discussed and approved at a regularly scheduled school board meeting; and,
- For a Charter School applying for a new construction Preliminary Apportionment on its own behalf, the Charter School and School District have complied with Section 1859.162.1 pertaining to the certification of the number of un-housed students the project will house; and,
- The applicant has or 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 applicant 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,
- The applicant will comply with all laws pertaining to the construction of its school building; and,
- All contracts entered 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,
- The applicant has or will comply with the Public Contract Code regarding all laws governing the use of force account labor; and,
- This applicant 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 applicant understands that the lack of substantial progress toward increasing the pupil capacity of its facilities within the timelines prescribed for a Preliminary Charter School Apportionment shall because for rescission of the Preliminary Charter School Apportionment; and,
- The applicant acknowledges this request may 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,
- If the Preliminary Charter School Apportionment is requested for the construction of school facilities on leased land, the applicant has or will execute a lease agreement for the leased property that meets the requirements of Section 1859.22; and,
- The applicant understands that when the Preliminary Charter School Apportionment is converted to a Final Charter School Apportionment, the funding available for the Final Charter School Apportionment is subject to the provisions of Section 1859.167; and,
- The statements set forth in this application and supporting documents are true and correct to the best of my knowledge and belief; and,
- This form is an exact duplicate (verbatim) of the form provided by the OPSC. In the event a conflict should exist, then the language in the OPSC form will prevail; and,
- The applicant 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 applicant 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 applicant 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 applicant 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 applicant has complied with Education Code Section 17070.75(e) by establishing a facilities inspection

system to ensure that each of its schools is maintained in good repair.

- This certification must be completed for school district applicants, but may remain blank for independent charter school applicants. As applicable, the district certifies that a Five-Year School Facilities Master Plan, pursuant to Education Code Section 17070.54, was approved by the governing board of the school district on _____ and was filed with OPSC on _____. Pursuant to SFP Regulation Section 1859.18(b), the district certifies that:

☐ There are no material changes to components of the Master Plan required in SFP Regulation Section 1859.18(d) since the date of governing board approval of the Master Plan, or

☐ There has been a material change(s) to components of the Master Plan required in SFP Regulation Section 1859.18(d) since the date of governing board approval of the Master Plan, and an updated Master Plan or governing board resolution to acknowledge and address these changes has been included as a component of this application, or

☐ This application is subject to an alternative Master Plan submittal timeline pursuant to SFP Regulation Section 1859.18.1 and a governing board resolution acknowledging any apportionment may be rescinded for failure to submit a valid Master Plan by the required timeline has been included as a component of this application.

Part A. Charter School Filing on its Own Behalf

NAME OF REPRESENTATIVE		TITLE
ADDRESS		
TELEPHONE	FAX NUMBER	E-MAIL
SIGNATURE OF AUTHORIZED CHARTER SCHOOL REPRESENTATIVE		DATE

Part B. School District Filing on Behalf of Charter School

SIGNATURE OF AUTHORIZED DISTRICT REPRESENTATIVE	DATE