

April 2, 2026

TO: ALL SCHOOL DISTRICTS, COUNTY SUPERINTENDENTS, AND OTHER INTERESTED PARTIES

TITLE 2. STATE ALLOCATION BOARD

NOTICE OF PROPOSED EMERGENCY REGULATORY ACTION

In accordance with Assembly Bill 1302, Chapter 713, Statutes of 2006, enclosed are proposed emergency regulations adopted by the State Allocation Board (SAB) at its meeting on January 28, 2026. The proposed regulations, including five associated forms, and the Finding of Emergency are attached to this Notice. These documents can also be accessed on the Office of Public School Construction's (OPSC) website at: [Laws, Regulations for School Construction Projects](#).

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.

This bill added Education Code Section 17070.54 and requires that as a condition of participating in the SFP, school districts must submit to the Office of Public School Construction (OPSC) a five-year school facilities master plan, or an updated five-year school facilities master plan, approved by the governing board of the school district. School district also means a county office of education based on Education Code Section 17070.15(q). In part, Proposition 2 requires:

- School districts include specified minimum elements as part of the five-year school facilities master plan, including an inventory of existing facilities, sites, and property.
- OPSC, in consultation with the California Department of Education (CDE), to develop guidelines that school districts may utilize to guide the development of the master plan.
- The State Controller's Office to include instructions in the K-12 audit guide to verify that all required components are included in participating school districts' master plans.
- School districts to update their school facilities master plans to reflect any changes in enrollment, capacity, or other areas, as appropriate for purposes of participating in the SFP.

At its meeting on January 28, 2026, the SAB adopted proposed regulatory amendments, on an emergency basis, that implement the five-year school facilities master plan provision of AB 247 and Proposition 2 in the SFP. The January 2026 item sets forth the timing of when to submit the school facilities master plan to OPSC based on the submittal date and project type, such as new requests for New Construction and Modernization applications for design and/or site funding; Facility Hardship Program and Seismic Mitigation Program applications (health and safety

projects); Career Technical Education Facilities Program applications; Charter School Facilities Program applications; and Natural Disaster Assistance applications (health and safety projects).

Background and Problem Being Resolved

At its December 3, 2024 meeting, the SAB adopted policies for SFP applications received on or after October 31, 2024. The December 2024 policy item outlined the timing of when to submit the school facilities master plan to OPSC based on the submittal date and project type, such as Facility Hardship and Seismic Mitigation Program applications, and New Construction and Modernization funding applications (including projects already SAB-approved for separate design/site). Early guidance from the SAB was necessary to inform school districts who submitted applications on or after October 31, 2024, and/or who are currently planning to submit applications for funding. Stakeholder input and feedback has been critical to inform regulation development and implementation. Although the submittal of the five-year school facilities master plan is required to participate in the SFP, Proposition 2 does not specify when the required master plan must be submitted to OPSC.

A series of stakeholder meetings were held on February 13, April 10, August 28, and November 6, 2025. Once stakeholders had the opportunity to provide input and feedback on the five-year school facilities master plan topic, OPSC presented proposed regulatory changes to the SAB for consideration as formal regulations and then those regulations would be submitted to the Office of Administrative Law (OAL) for review. There still remains Proposition 2 provisions to be incorporated into the SFP Regulations and as these topics are vetted with stakeholders, formal regulations will be presented to the SAB for consideration and then submitted to OAL for review.

The problem being resolved is not just implementing the statutory authority for school districts to submit five-year school facilities master plans but implementing when master plans must be submitted with funding applications for the different programs. Each program and project type has unique circumstances surrounding when applications can be submitted to OPSC versus when they may be processed by OPSC to the SAB for approval. Accordingly, the regulations account for these unique circumstances by adjusting the timing of when the master plan should be submitted by to allow school districts to plan and prepare for submittal. The proposed regulations address applications received by OPSC on and after October 31, 2024, and set forth requirements and conditions of the five-year school facilities master plan, as well as specificity concerning the information that must be included in the master plan. This is in alignment with Education Code Section 17070.54.

OPSC, on behalf of the SAB, will notify school districts and other interested parties of its intent to submit the proposed regulatory amendments to the OAL in April, pursuant to Government Code Section 11346.1(a)(2). The proposed regulations will be attached, including the five associated forms. The documents may also be viewed on OPSC's website at: [Laws, Regulations for School Construction Projects](#), then scroll down to "SFP," Pending Regulatory Changes under January 28, 2026 Emergency Regulations, and click on the AB 1302 Emergency Notice, Finding of Emergency, the proposed regulation text, and the five associated forms (SAB 50-04, SAB 50-09, SAB 50-10, SAB 195 and SAB 50-MP).

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 update the revision dates for the Forms SAB 50-04, SAB 50-09, SAB 50-10, and SAB 195. It also defines the new Form SAB 50-MP and the term “Master Plan,” that align with Education Code Section 17070.54.

Proposed adoption of Regulation Section 1859.18 sets forth how long a master plan is considered valid based on when the local governing board of a school district approved the master plan, relative to the required time frame for submittal of the master plan for the associated funding application. A school district may submit additional funding applications without resubmitting the valid master plan. However, there are conditions of when a master plan must be updated by a school district within five years from the original master plan’s approval by the school board when changes in enrollment, capacity, or other areas have materially affected components, which is in alignment with Education Code Section 17070.54(f). This section also sets forth the required components of a complete master plan and provides clarifying details to ensure consistent compliance with the statutory components.

Proposed adoption of Regulation Section 1859.18.1 establishes the required time frames by which school districts submit a complete master plan. The master plan requirement applies to applications submitted to OPSC on and after October 31, 2024. However, time was needed to develop these proposed regulations that the SAB approved a framework of submittal dates for completed master plans on December 3, 2024, along with a process for submittal of governing board resolutions acknowledging the master plan requirement. The school board resolution must also acknowledge the Apportionment may be rescinded for failure to submit the completed and valid master plan timely. This section implements the SAB’s previously approved framework and expands it to other SFP programs. There is a non-substantive change in subsection (e)(2); correcting (f)(1) to (e)(2) since there is no subsection (f) in this section.

Existing Form SAB 50-04, *Application for Funding*, (Rev. ~~4/25~~ 01/26), (incorporated by reference) is submitted by school districts to apply for State funding for new construction and modernization projects. The proposed amendments add a certification on page 12 that incorporates the requirements of the five-year school facilities master plan, such as the date the governing board approved the master plan and the date it was submitted to OPSC. School districts will need to check a box as to whether the master plan has not been materially altered, has been materially altered, or the application is subject to an alternative master plan submittal timeline required in Regulation Section 1859.18.1.

Existing Form SAB 50-09, *Application for Charter School Preliminary Apportionment*, (Rev. ~~4/25~~ 01/26), (incorporated by reference) is the form for charter school entities to apply for preliminary apportionments for qualifying projects. The proposed amendments add a certification on page 6 that incorporates the requirements of the five-year school facilities master plan, such as the date the governing board approved the master plan and the date it was submitted to OPSC. School districts will need to check a box as to whether the master plan has not been materially altered, has been materially altered, or the application is subject to an alternative master plan submittal timeline required in Regulation Section 1859.18.1.

Existing Form SAB 50-10, *Application for Career Technical Education Facilities Funding*, (Rev. ~~4/14~~ 01/26), (incorporated by reference) is submitted by school districts/Local Educational

Agencies to apply for funding under the Career Technical Education Facilities Program. The proposed amendments add a certification on page 4 that incorporates the requirements of the five-year school facilities master plan, such as the date the governing board approved the master plan and the date it was submitted to OPSC. School districts will need to check a box as to whether the master plan has not been materially altered, has been materially altered, or the application is subject to an alternative master plan submittal timeline required in Regulation Section 1859.18.1.

Existing Form SAB 195, *Application for Natural Disaster Assistance*, (~~New 08/25~~ Rev. 01/26), (incorporated by reference), is submitted by school districts to apply for funding for either interim housing assistance following a natural disaster, or other assistance following a natural disaster, pursuant to Education Code Section 17075.20. This form provides sections wherein a school district may provide a narrative for each respective interim housing or other assistance request. The proposed amendments add a certification on page 9 that incorporates the requirements of the five-year school facilities master plan, such as the date the governing board approved the master plan and the date it was submitted to OPSC. School districts will need to check a box as to whether the master plan has not been materially altered, has been materially altered, or the application is subject to an alternative master plan submittal timeline required in Regulation Section 1859.18.1.

Proposed adoption of Form SAB 50-MP, *Five-Year Master Plan Checklist*, (New 01/26), (incorporated by reference), was created to assist school districts and OPSC in verifying that all required components are included in the submitted master plan. OPSC acknowledges that school districts have created their master plans in various formats. School districts are able to submit their master plans as a PDF document, or as an external website link with Uniform Resource Locators (URL). There are fields to enter page numbers if the school district submits the master plan in PDF format, or URL information if the master plan is web-based. OPSC proposes that school districts be required to complete and submit this form along with the completed master plan.

SUBMISSION OF COMMENTS

Government Code Section 11346.1(a)(2) requires that, at least five working days prior to submission of the proposed emergency action to the OAL, the adopting agency provide a Notice of the Proposed Emergency Action to every person who has filed a request for notice of regulatory action with the agency. After submission of the proposed regulation to the OAL, the OAL shall allow interested persons five calendar days to submit comments on the proposed regulation as set forth in Government Code Section 11349.6.

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 the OAL within five days after the SAB submits the regulation to the OAL for review.

Please reference submitted comments as regarding “Proposed Emergency Regulatory Amendments for the School Facility Program,” addressed to:

Reference Attorney

Mailing Address: Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

E-mail Address: staff@oal.ca.gov

Fax No.: (916) 323-6826

For the status of the SAB submittal to the OAL for review, and the end of the five-day written submittal period, please consult the website of 1) the OAL at www.oal.ca.gov under the heading “Emergency Regulations,” and 2) OPSC at: [Laws, Regulations for School Construction Projects](#), then scroll down to School Facility Program “Pending Regulatory Changes; January 28, 2026 Emergency Regulations (Five-Year School Facilities Master Plan).”

Pursuant to Title I, Section 55, please send a copy of written comments regarding the proposed regulatory action, as well as requests for a copy of the proposed regulatory action, and questions concerning the substance of the proposed regulatory action, addressed to:

Lisa Jones, Regulations Coordinator

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

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

AGENCY CONTACT PERSONS

General or substantive questions regarding this Notice of Proposed Emergency 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.