

December 12, 2025

TITLE 2. STATE ALLOCATION BOARD

NOTICE OF PROPOSED REGULATORY ACTION

THE STATE ALLOCATION BOARD PROPOSES TO AMEND VARIOUS REGULATION SECTIONS, ALONG WITH AN ASSOCIATED FORM; ADOPT A NEW FORM, 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, 1859.32, 1859.51, 1859.77.1, 1859.79, 1859.79.2, AND 1859.82.1

PROPOSED AMENDMENTS TO THE FOLLOWING FORM:

- Form SAB 50-04, *Application for Funding*, (Rev. ~~05/20~~ 08/25), which is incorporated by reference and referenced in Regulation Section 1859.2

PROPOSED ADOPTION OF THE FOLLOWING REGULATION SECTIONS:

- 1859.70.5, 1859.78.7.1, 1859.78.9.1, AND 1859.78.9.2

PROPOSED ADOPTION OF THE FOLLOWING FORM:

- Form SAB 57-75, *75 Years or Older Building Cost Estimate and Cost/Benefit Analysis (CBA)*, (New 06/25), which is incorporated by reference and referenced in Regulation Section 1859.2

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 and a new form, 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, 17070.59, 17073.16 and 17078.64 of the Education Code. The proposal interprets and make specific reference Sections 8974, 17009.5, 17017.6, 17017.7, 17021, 17047, 17050, 17051, 17052, 17070.15, 17070.51, 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, 17072.20, 17072.30, 17072.33, 17073.16, 17073.25, 17074.10, 17074.15, 17074.16, 17074.25, 17074.265, 17074.30, 17074.32, 17075.10, 17075.15, 17077.10, 17077.40, 17077.42, 17077.45, 17078.52, 17078.56, 17078.72, 17078.72(k), 17079, 17079.10, 17079.20, 17280, 17375, 42268, 42270, 56026, 100420, 100420(c), 100620, 100820, 101012(a)(8) and 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; Section 2052, Revenue and Taxation 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.

At its meeting on June 25, 2025, the SAB adopted proposed regulatory amendments, on an emergency basis, that align and implement provisions of Assembly Bill (AB) 247 (Muratsuchi, Chapter 81, Statutes of 2024) into the SFP regulations and include the following topics:

- 1) establishment of a points-based methodology and sliding scale to calculate the required state and local matching share for all SFP projects, regardless of whether the projects qualify for financial hardship assistance. AB 247 specifies the number of points awarded based on a school district's gross bonding capacity per enrollment; a school district's unduplicated pupil percentage as determined for purposes of the Local Control Funding Formula; whether a school district has an enrollment of 200 pupils or fewer; and whether the project includes the use of a project labor agreement. Based on the total number of points for a project, the required local matching share will be adjusted with no change to the total approved project cost. (Education Code Section 17070.59).
- 2) provides a modernization supplemental grant for projects with a scope of work that includes the demolition and replacement of building(s) at least 75 years of age or older. (Education Code Section 17074.265).
- 3) provides a modernization supplemental grant for projects that expand an existing gymnasium, multipurpose room, library, or school kitchen if the facility is 60 percent or less than the department's recommended size needed to serve the enrollment of the school, or constructing a new gymnasium, multipurpose room, library, or school kitchen if the site is lacking one or more of the specified facilities. (Education Code Section 17073.16).
- 4) provides a modernization supplemental grant for projects that retrofit an existing school facility to adequately house Transitional Kindergarten (TK) pupils or construct new TK classrooms if the site is lacking sufficient school facilities to house TK pupils. (Education Code Section 17073.16).

OPSC submitted the emergency regulations to the Office of Administrative Law (OAL) and the OAL approved the emergency regulations and filed them with the Secretary of State with an effective date of September 8, 2025. Attached to this Notice are the proposed regulations, along with 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,

along with 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

At its meeting on December 3, 2024, the SAB adopted recommendations implementing provisions of Proposition 2, which are contained in AB 247. In part, Proposition 2 provides \$8.5 billion in proceeds from the sale of bonds for the construction and modernization of Transitional Kindergarten (TK) through Grade 12 school facilities. Proposition 2 specifies that the \$8.5 billion will be allocated to the SFP as follows:

- New Construction = \$3.3 billion, of which up to ten percent (\$330 million) shall be available to small school districts.
- Modernization = \$4.0 billion, of which up to ten percent (\$400 million) shall be available to small school districts **and** up to \$115 million shall be available to address the remediation of lead in water.
- Charter School Facilities Program = \$600 million, and
- Career Technical Education Facilities Program = \$600 million.

Proposition 2 also makes numerous changes to the SFP as follows:

- Requires the submittal of a five-year school facilities master plan as a condition of participating in the SFP;
- Establishes a points-based methodology for calculating the local contribution a school district is required to make to be eligible to receive state funding;
- Requires school districts participating in the SFP New Construction or Modernization programs after November 5, 2024, to submit an updated report of the school district's existing school building capacity;
- Authorizes additional state funding for the replacement of school buildings that are at least 75 years old;
- Establishes several new supplemental grants (minimum essential facilities, energy efficiency, career technical education, and TK)
- Authorizes the SAB to provide interim housing assistance funding or any other assistance following specified natural disasters;
- Provides specified assistance to school districts with a school facility on a military installation, small school districts, and for the testing and remediation of specified lead levels in water fountains and faucets used for drinking or preparing food on school sites; and
- Increases the maximum level of total bonding capacity allowable for a school district to be automatically eligible for financial hardship assistance.

The problem being resolved is not necessarily a problem but an opportunity to replenish the SFP with \$8.5 billion in bond authority and to implement Proposition 2 provisions in the SFP. As indicated above, the proposed regulations set forth the new points-based methodology and sliding scale calculation and also provide school districts with unique funding opportunities to qualify for the 75-year old or older supplemental grant as well as the minimum essential facilities and TK supplemental grants. These additional funding opportunities provide enhancements to

existing facilities, as well as the construction of new facilities, thereby increasing the life expectancy of these facilities. The additional funding also covers the expected increased costs of construction for the inclusion of these types of facilities in school districts projects.

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 several 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 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. The SAB has the opportunity to administer the SFP with new Proposition 2 provisions that make program modifications beneficial to school districts and to replenish the SFP with \$8.5 billion in bond authority. The proposed regulations provide school districts with a points-based methodology and sliding scale to calculate the required state and local matching share contribution for all SFP projects, and there are additional modernization supplemental funding opportunities for projects such as the demolition and replacement of buildings at least 75 years of age or older; for projects that expand an existing gymnasium, multipurpose room, library, or school kitchen; and for projects that retrofit an existing school facility to house TK pupils or construct new TK classrooms if the site is lacking sufficient school facilities to house TK pupils. In addition, there is 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.

The proposed regulations are therefore determined to be consistent and compatible with existing State laws and regulations. Proceeding with the implementation of the proposed regulations maintains the integrity of the SFP funding process, as well as equity amongst school district projects.

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 define additional specific words, terms, and forms, as well as further define existing words and terms essential to these regulations for purposes of implementing Proposition 2 provisions in the SFP Regulations.

Existing Regulation Section 1859.32 sets forth the definitive criteria and guidelines for excluding specific permanent and portable classrooms from the district's gross classroom inventory. The proposed amendment provides an additional criterion that excludes the counting of classrooms

funded through the California Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program from the district's gross classroom inventory.

Existing Regulation 1859.51 outlines the criteria for adjusting a district's new construction baseline eligibility. The proposed amendment adds an additional adjustment to reduce the new construction baseline by the number of pupils housed in TK classrooms constructed from funding provided under the SFP modernization program.

Proposed adoption of Regulation Section 1859.70.5 establishes a points-based determination and sliding scale for the required state and local contributions for SFP projects. This will be known as the Local Funding Adjustment Grant. There are four criteria for determining the number of points awarded for a project: 1) a school district's gross bonding capacity per enrollment; 2) a school district's unduplicated pupil percentage as determined for purposes of the Local Control Funding Formula; 3) a school district that has an enrollment of 200 pupils or fewer; and 4) whether the project includes the use of project labor agreement. This is in alignment with Education Code Section 17070.59. This section establishes the submittal timing and deadlines for providing the information necessary to make the funding adjustment.

Existing Regulation Section 1859.77.1 sets forth a school district's matching share requirement for new construction grants. The proposed amendments differentiate 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 of the new regulation section above (Regulation Section 1859.70.5) and will be known as the Local Funding Adjustment Grant. This is in alignment with Education Code Section 17070.59. Additionally, there are several minor edits that are considered non-substantive changes.

Proposed adoption of Regulation Section 1859.78.7.1 provides a modernization supplemental grant for projects with a scope of work that includes the demolition and replacement of buildings at least 75 years of age or older. This section sets forth the eligibility criteria and grant calculations for this supplemental grant. The grant amount is aligned with the new construction per pupil grant amount and will be adjusted annually based on the change in the Class B Construction Cost Index as approved by the SAB each January. Recipients of this grant will receive an alternate per-pupil grant amount than provided under the current modernization program and must replace the building that generated the eligibility for this grant. The regulation also requires the replacement of portable buildings with permanent buildings. This is in alignment with Education Code Sections 17074.25 and 17074.265.

Proposed adoption of Regulation Section 1859.78.9.1 provides a modernization supplemental grant for projects that either expand an existing gymnasium, multipurpose room, library, or school kitchen if the facility is 60 percent or less than the department's recommended size needed to serve the enrollment of the school, or construct a new gymnasium, multipurpose room, library, or school kitchen if the site is lacking one or more of the specified facilities. This section sets forth the minimum essential facilities eligibility criteria and grant calculation. The grant will be adjusted annually based on the change in the Class B Construction Cost Index as approved by the SAB each January. This is in alignment with Education Code Sections 17073.16 and 17074.25.

Proposed adoption of Regulation Section 1859.78.9.2 provides a modernization supplemental grant for projects that either retrofit an existing school facility to adequately house TK pupils or construct new TK classrooms if the site is lacking sufficient school facilities to house TK pupils. This section sets forth the eligibility criteria and calculation for this supplemental grant to construct new or retrofit existing space into TK classrooms. The grant will be adjusted annually based on the change in the Class B Construction Cost Index as approved by the SAB each January. This is in alignment with Education Code Sections 17073.16 and 17074.16.

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 proposed amendments stipulate 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. Additionally, there are several minor edits that are considered non-substantive changes.

Existing Regulation Section 1859.79.2 sets forth guidelines for eligible and ineligible expenditures related to the use of modernization grant funds. The proposed amendments provide that modernization grant funds may now be used on additional square footage constructed with funding for 75 year old or older buildings, minimum essential facilities (gymnasium, multipurpose room, library, or school kitchen), and the retrofit of existing school facilities or the construction of new TK classrooms to house TK pupils, as well as any additional square footage constructed to meet the minimum requirements of Title 5, California Code of Regulations. Prior to AB 247 and Proposition 2, the construction of new building area was not typically allowable. Additionally, there are several minor edits that are considered non-substantive changes.

Existing Regulation Section 1859.82.1 sets forth the criteria as to general factors generating facility hardship program eligibility as well as placing limits on program eligibility including, but not limited to performance of routine maintenance or repair, issues resulting from the deferment of routine maintenance or repair, lack of current code compliance, or the addition of components that were not previously existing, and the required information that must be contained in the industry specialist's report/findings. The proposed amendments add the square footage per pupil as well as the minimum/maximum square footage for multipurpose room (excluding food service) and for school kitchen for elementary school pupils, middle school pupils and high school pupils. The addition of these facilities was also necessary for purposes of determining the funding formula for providing the supplemental grants in Regulation Section 1859.78.9.1.

Existing Form SAB 50-04, *Application for Funding*, (Rev. ~~05/20~~ 08/25), (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 new matching share requirements for new construction and modernization projects, including the Local Funding Adjustment Grant, and the modernization supplemental grants for 75 year old or older buildings, minimum essential facilities (gymnasium, multipurpose room, library, and school kitchen), and the TK supplemental grant to retrofit existing school facilities or construct new TK classrooms to house TK pupils. These amendments are necessary to collect the information needed to calculate the Local Funding Adjustment Grant.

Proposed adoption of the Form SAB 57-75, *75 Years or Older Building Cost Estimate and Cost/Benefit Analysis (CBA)*, (New 06/25), and its instructions, (incorporated by reference) is submitted by school districts and sets forth the specificity of how to utilize the form for submittal. This form will serve as the cost estimate for preparing the cost-benefit analysis required in the statute.

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

The SFP is replenished with \$8.5 billion in bond authority and Proposition 2 provisions are/will be implemented in the SFP. The proposed regulations set forth the new points-based methodology and sliding scale calculation and also provide school districts with unique funding opportunities to qualify for the 75-year old or older supplemental grant as well as the minimum essential facilities and TK supplemental grants. These additional funding opportunities provide enhancements to existing facilities, as well as the construction of new facilities, thereby increasing the life expectancy of these facilities. The additional funding also covers the expected increased costs of construction for the inclusion of these types of facilities in school districts projects.

After conducting a review, the SAB has concluded that these are the only regulations on this subject area, 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. ~~05/20~~ 08/25), referenced in Regulation Section 1859.2 and is incorporated by reference.
- *75 Years or Older Building Cost Estimate and Cost Benefit Analysis (CBA)*, (New 06/25), 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 or school districts 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 SAB has the opportunity to administer the SFP with new Proposition 2 provisions that make program modifications beneficial to school districts and replenishes the SFP with \$8.5 billion in bond authority. The proposed regulations set forth the new points-based methodology and sliding scale calculation and also provide school districts with unique funding opportunities to qualify for the 75-year old or older supplemental grant as well as the minimum essential facilities and TK supplemental grants. These additional funding opportunities provide enhancements to existing facilities, as well as the construction of new facilities, thereby increasing the life expectancy of these facilities. The additional funding also covers the expected increased costs of construction for the inclusion of these types of facilities in school districts 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 aligning with the statute, as well as maintain 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. The SAB has the opportunity to administer the SFP with new Proposition 2 provisions that make program modifications beneficial to school districts and replenishes the SFP with \$8.5 billion in bond authority.
- 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 and local education agencies 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 has 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 January 26, 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, and click on the links entitled 45-day Public Notice, Initial Statement of Reasons and Proposed Regulation Text.

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. The alternative to these proposed regulations would be the SAB take no action and be in violation of the statute (AB 247). The SAB is charged with ensuring that the provisions of Proposition 2 are implemented timely in the SFP.

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.