

Amend Regulation Section 1859.2

Section 1859.2. Definitions.

For the purpose of these regulations, the terms set forth below shall have the following meanings, subject to the provisions of the Act:

...

“Approved Application(s)” means a district has submitted, through OPSC Online, the application and all documents to the Office of Public School Construction that are required to be submitted with the application as identified in the General Information Section of Forms SAB 50-01; SAB 50-02; SAB 50-03; and SAB 50-04, as specified in Section 1859.2.

“Approved Application for Career Technical Education Facilities Project Funding” means an applicant has submitted, through OPSC Online, an *Application for Career Technical Education Facilities Funding*, Form SAB 50-10, including all required supporting documents as identified in the General Information Section of that Form, to the OPSC and the OPSC has accepted the application for processing.

...

“Form SAB 50-01” means the *Enrollment Certification/Projection*, Form SAB 50-01 (Revised ~~05/09~~ 12/25), and, when utilizing HSAA residency reporting, the High School Attendance Area Residency Reporting Worksheet (New 06/08), which are incorporated by reference-, and shall be submitted through OPSC Online.

“Form SAB 50-02” means the *Existing School Building Capacity*, Form SAB 50-02 (Revised ~~05/09~~ 12/25), which is incorporated by reference-, and shall be submitted through OPSC Online.

“Form SAB 50-03” means the *Eligibility Determination*, Form SAB 50-03 (Revised ~~03/25~~ 11/26), which is incorporated by reference-, and shall be submitted through OPSC Online.

“Form SAB 50-04” means the *Application For Funding*, Form SAB 50-04 (Revised ~~02/26~~ 11/26), which is incorporated by reference-, and shall be submitted through OPSC Online.

“Form SAB 50-05” means the *Fund Release Authorization*, Form SAB 50-05 (Revised ~~08/25~~ 11/26), which is incorporated by reference-, and shall be submitted through OPSC Online.

“Form SAB 50-06” means the *Expenditure Report*, Form SAB 50-06 (Revised ~~10/22~~ 12/25), which is incorporated by reference-, and shall be submitted through OPSC Online.

...

“Form SAB 50-09” means the *Application for Charter School Preliminary Apportionment*, Form SAB 50-09 (Revised ~~04/26~~ 11/26), which is incorporated by reference-, and shall be submitted through OPSC Online.

“Form SAB 50-10” means the *Application for Career Technical Education Facilities Funding*, Form SAB 50-10 (Revised ~~04/26~~ 11/26), which is incorporated by reference-, and shall be submitted through OPSC Online.

...

“Form SAB 57-75” means the *75 Years or Older Building Cost/Benefit Analysis*, Form SAB 57-75, (~~New 09/25~~ Revised 12/25), which is incorporated by reference-, and shall be submitted through OPSC Online.

“Form SAB 58-01” means the *Facility Hardship Cost Estimate*, Form SAB 58-01 (~~New 05/20~~ Revised 12/25), which is incorporated by reference-, and shall be submitted through OPSC Online.

...

“OPSC Online” means the online system that allows School Districts and applicants to electronically submit requests for funding and associated project documentation for all School Facility Program projects. Beginning January 1, 2027, School Districts and applicants shall submit all required forms and supporting documentation electronically through OPSC Online.

...

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

Reference: Sections 8974, 17009.5, 17017.6, 17017.7, 17021, 17047, 17050, 17051, 17070.15, 17070.51(a), 17070.54, 17070.59, 17070.71, 17070.77, 17071.10, 17071.25, 17071.30, 17071.33, 17071.35, 17071.40, 17071.75, 17071.76, 17072.10, 17072.12, 17072.18, 17072.30, 17072.33, 17073.16, 17073.25, 17074.10, 17074.16, 17074.30, 17075.10, 17075.15, 17077.30, 17077.35, 17077.40, 17077.42, 17077.45, 17078.52, 17078.56, 17078.72(k), 17079, 17079.10, 17280, 56026 and 101012(a)(8), Education Code; Section 53311, Government Code; and Sections 1771.3 in effect on January 1, 2012 through June 19, 2014 and 1771.5, Labor Code.

Adopt Regulation Section 1859.19

Section 1859.19. SFP Forms and Supporting Documentation Submittal

Beginning January 1, 2027, all forms and supporting documentation required for participation in the SFP shall be submitted electronically using OPSC Online. Supporting documentation may include, but is not limited to, enrollment information, approval letters, cost estimates, substantial progress checklists, formal correspondence, Financial Hardship Checklists, and Detailed Listings of Project Expenditures.

If a School District or applicant is unable to access OPSC Online, evidence must be submitted to OPSC that demonstrates circumstances beyond the control of the School District or applicant, which precluded the submittal of the required SAB Forms and/or supporting documentation through OPSC Online. Once access to OPSC Online is restored, School Districts and applicants must submit outstanding items by the next business day immediately following restored access to OPSC Online.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17070.35, Education Code.

Amend Regulation Section 1859.20

Section 1859.20. SFP Application for Determination of Eligibility.

A School District seeking a determination of eligibility for an SFP project shall complete and file the following documents electronically through with the OPSC Online:

- (a) For new construction, either districtwide, HSAA, or Super HSAA, or for modernization projects, the Form SAB 50-03.
- (b) For new construction projects, either districtwide, HSAA or Super HSAA, the Form SAB 50-01.
- (c) For new construction projects, the Form SAB 50-02.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17070.35, 17070.50, 17070.80, 17071.10, 17071.25, 17073.10 and 17073.25, Education Code.

Amend Regulation Section 1859.21

Section 1859.21. SFP Application for Funding.

A School District seeking funding for a modernization or new construction project shall complete and file the Form SAB 50-04 electronically with the through OPSC Online, the Form SAB 50-04.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17070.35, 17070.63, 17072.30, 17073.25 and 17074.15, Education Code.

Amend Regulation Section 1859.90.2

Section 1859.90.2. Priority Funding Process.

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

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

- (1) Statement that the request is to convert the unfunded approval to an Apportionment or to receive an approved advance release of funds; and
- (2) Acknowledgement that a complete and valid Form SAB 50-05 must be submitted and received by OPSC within 90 calendar days of Apportionment or approved advance release of funds request, except for a Career Technical Education Facilities Project in (a)(5), and that failure to do so will result in the rescission of the Apportionment or approved advance release of funds request without further Board action; and
- (3) Acknowledgement that a Grant Agreement must be submitted pursuant to Section 1859.90.4 and physically received by OPSC prior to, or concurrently with, the Form SAB 50-05 referenced in (a)(2); and
- (4) Acknowledgement that, if the School District submits the Form SAB 50-05 on or after July 1, 2013 and is required to submit an LCP third party report, pursuant to Section 1859.97(b), the report will be submitted to OPSC and DIR at least 60 days prior to submitting the Form SAB 50-05; and
- (5) For those receiving an Apportionment, acknowledgement that by participating in the priority funding process, the School District or Charter School is waiving its right to the timeline for fund release submittal described in Section 1859.90.
- (6) For a Career Technical Education Facilities Project that was granted an unfunded approval without the required CDE plan approval and/or required DSA-approved plans and specifications, the applicant's request must include:
 - (A) Acknowledgement that the applicant must submit the required approval(s) to OPSC within 12 months from the date of the Apportionment. If the required submittal(s) is not received within 12 months, the Apportionment shall be rescinded without further Board action pursuant to Section 1859.197(c)(1); and

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

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

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

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

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

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

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

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

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

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

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

. . .

Note: Authority cited: Section 17070.35, Education Code.

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