

Facilities

FACILITIES FINANCING

BP 7210 (a)

The Board of Trustees recognizes its responsibility to identify the most cost-efficient and effective method of financing when purchasing or modifying district facilities. Financing may be necessary ~~W~~ when it is determined that school facilities must be built or expanded to accommodate an increased or projected increased enrollment, ~~the Board of Trustees shall consider appropriate methods of financing for the purchase of school sites and the construction of buildings. In addition, financing may be needed~~ or when safety considerations and educational program improvements require the replacement, reconstruction, or modernization of existing facilities.

The Superintendent or designee shall research funding alternatives and recommend to the Board the method of funding that ~~would~~ will best serve district needs as identified in the district's master plan for school facilities.

(cf. 7110 - Facilities Master Plan)

~~These f~~ Funding alternatives may include, but are not be limited to:

1. Levying developer fees pursuant to Education Code 17620 and Government Code 65995-65998

(cf. 7211- Developer Fees)

2. Forming a community facilities district pursuant to Government Code 53311-53368.3, the Mello-Roos Community Facilities Act

(cf. 7212 - Mello-Roos Districts)

3. Forming a school facilities improvement district pursuant to Education Code 15300-15425

(cf. 7213 - School Facilities Improvement Districts)

4. Issuing voter-approved general obligation bonds

(cf. 7214 - General Obligation Bonds)

5. Imposing a ~~qualified~~ parcel tax pursuant to Government Code 50079

(cf. 3471 - Parcel Taxes)

6. Using lease revenues for capital outlay purposes from surplus school property

(cf. 3280 - Sale or Lease of District-Owned Real Property)

7. ~~State School Facility Program~~ Applying for state facilities funding pursuant to the Leroy F. Greene School Facilities Act (Education Code 17070.10-17079.30)

The district shall provide reports, maintain records, and provide for audits of the expenditure of state facilities funds as required by law and AR 3460 - Financial Reports and Accountability. (Education Code 41024)

(cf. 3460 - Financial Reports and Accountability)

As applicable, the district shall comply with BP 3470 - Debt Issuance and Management.

(cf. 3470 - Debt Issuance and Management)

8. ~~General Fund~~

Legal Reference:

EDUCATION CODE

15100-17059.2 ~~17199.2~~ 17199.6 School bonds, especially:

15122.5 Ballot statement

15300-15425 School facilities improvement districts

17000-17059.2 State School Building Lease-Purchase Law of 1976

17060-17066 Joint venture school facilities construction projects

17070.10-~~17076.10~~ 17079.30 Leroy F. Greene School Facilities Act of 1998

17085-17095.6 State Relocatable Classroom Law of 1979

17582 District deferred maintenance fund

17620-17626 Levies against development projects by school districts especially:

17621 Procedures for levying fees

41024 Accounting system and audits

GOVERNMENT CODE

6061 ~~One time~~ Manner of notice as prescribed in designated section

6066 Two weeks' notice

8855 Debt issuance and management

50075-50077.5 Voter-approved special taxes

50079 School districts; qualified special taxes

53175-53187 Integrated Financing District Act

53311-53368.3 Mello-Roos Community Facilities Act of 1982

53753 Assessment notice and hearing requirements

53753.5 Exemptions

54954.1 Maileding of agenda notice to property owners

54954.6 New or increased tax or assessment; public meetings and hearings; notice

~~65864-65867~~ 65869.5 Development agreements

FACILITIES FINANCING, continued
Legal Reference, continued:

BP 7210 (c)

GOVERNMENT CODE

~~65970-65980.1~~ **65981** School facilities development project
65995-65998 Payment of fees against a development project
66000-66008 Fees for development projects
66016-~~66018.5~~ **66019** Development project fees
66020-66025 Protests and audits

HEALTH AND SAFETY CODE

33445.5 Overcrowding of schools resulting from redevelopment
33446 School construction by redevelopment agency

CALIFORNIA CONSTITUTION

Article 13D, Sections 1-6 Assessment and property related fee reform

~~UNCODIFIED STATUTES~~

~~17696-17696.98~~ ~~Greene Hughes School Building Lease Purchase Bond Law of 1986~~

CODE OF REGULATIONS, TITLE 2

1859-1859.406 **199** School facility program

COURT DECISIONS

Ehrlich v. City of Culver City (1996) 12 Cal.4th 854
Loyola Marymount University v. Los Angeles Unified School District (1996) 45 Cal.App.4th 1256
Dolan v. City of Tigard (1994) 114 S.Ct. 2309
Canyon North Co. v. Conejo Valley Unified School District (1993) 19 Cal.App.4th 243, 23 Cal.Rptr.2d 495
Garlic Development Co. v. Hayward Unified School District (1992) 3 Cal.App.4th 320, 4-Cal.Rptr.2d 897
Nollan v. California Coastal Commission (1987) 107 S.Ct. 3141

ATTORNEY GENERAL OPINIONS

79 Ops.Cal.Atty.Gen. 149 (1996)

Management Resources:

WEB SITES

California Department of Education: www.cde.ca.gov

California State Controller: www.sco.ca.gov

Department of General Services, Office of Public School Construction:

<http://www.opsc.dgs.ca.gov>

Policy
adopted: January 8, 2008
revised: _____

SAN JACINTO UNIFIED SCHOOL DISTRICT
San Jacinto, California