

AMENDED IN SENATE MAY 23, 2011
AMENDED IN SENATE MARCH 24, 2011

SENATE BILL

No. 891

Introduced by Senator Lowenthal

February 18, 2011

~~An act to add Section 17070.32 to the Education Code, relating to school facilities. An act to amend Section 15490 of the Government Code, relating to school facilities.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 891, as amended, Lowenthal. School facilities: construction: ombudsman.

Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the State Allocation Board (board) to allocate to applicant school districts, prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition. ~~Existing law requires the State Department of Education, upon request of a school district, to provide assistance in the evaluation and utilization of existing school facilities and the justification of the need for schoolsites, new facilities, and the rehabilitation or replacement of existing facilities, in accordance with board regulations. Existing law authorizes the board to appoint an assistant executive officer, employ additional staff members and secure office space and furnishings to support the assistant executive officer, and fix the salary and compensation of the assistant executive officer.~~

~~Existing law, the Field Act, requires the Department of General Services to supervise the design and construction of a school building or the reconstruction or alteration of, or addition to, a school building,~~

if not exempted, to ensure that plans and specifications comply with rules, regulations, and building standards and to ensure that the work of construction is performed in accordance with the approved plans and specifications.

Existing law requires the Department of General Services to assign one full-time position within the Office of Public School Construction for the purposes of providing advisory assistance to school districts regarding the process of site acquisition for projects for which the State Allocation Board has approved specified funding and of formulating recommendations for administrative or statutory revision to the manner in which schoolsites are acquired and submitting those recommendations to the board. Existing law requires the Department of General Services to establish a screening unit or other mechanism within the Office of Public School Construction to ensure that the office responds in a timely manner to any inquiry regarding the status of an application for specified project funding regarding site acquisition and related environmental assessment and remediation.

This bill would, instead, authorize the board to appoint an ombudsman, employ additional staff members and secure office space and furnishings to support the ombudsman, and fix the salary and compensation of the ombudsman. This bill would require the board to appoint an ombudsman, who would report directly to the board, to provide assistance and guidance to school districts as their construction projects proceed through approvals from the State Department of Education, the Department of Toxic Substances Control, the Division of the State Architect, and the Office of Public School Construction.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 15490 of the Government Code is
- 2 amended to read:
- 3 15490. (a) There is in the state government the State Allocation
- 4 Board, consisting of the Director of Finance, the Director of
- 5 General Services, a person appointed by Governor, and the
- 6 Superintendent of Public Instruction. The board shall also include
- 7 three Members of the Senate appointed by the Senate Committee
- 8 on Rules, two of whom shall belong to the majority party and one
- 9 of whom shall belong to the minority party, and three Members

1 of the Assembly appointed by the Speaker of the Assembly, two
2 of whom shall belong to the majority party and one of whom shall
3 belong to the minority party.

4 (b) The members of the board and the Members of the
5 Legislature meeting with the board shall receive no compensation
6 for their services but shall be reimbursed for their actual and
7 necessary expenses incurred in connection with the performance
8 of their duties.

9 (c) The Director of General Services shall provide assistance
10 to the board as the board requires. The board may, by a majority
11 vote of all members, do one or more of the following:

12 (1) Appoint an employee to report directly to the board as
13 ~~assistant executive officer ombudsman. The ombudsman shall~~
14 *provide assistance and guidance to school districts as their*
15 *construction projects proceed through approvals from the State*
16 *Department of Education, the Department of Toxic Substances*
17 *Control, the Division of the State Architect, and the Office of Public*
18 *School Construction.*

19 (2) Fix the salary and other compensation of the ~~assistant~~
20 ~~executive officer ombudsman.~~

21 (3) Employ additional staff members, and secure office space
22 and furnishings, as necessary to support the ~~assistant executive~~
23 ~~officer ombudsman~~ in the performance of his or her duties.

24 ~~SECTION 1. Section 17070.32 is added to the Education Code,~~
25 ~~to read:~~

26 ~~17070.32. The board shall appoint an ombudsman who shall~~
27 ~~report directly to the board and provide assistance and guidance~~
28 ~~to school districts as their construction projects proceed through~~
29 ~~approvals from the State Department of Education, the Department~~
30 ~~of Toxic Substances Control, the Division of the State Architect,~~
31 ~~and the Office of Public School Construction.~~