

AMENDED IN SENATE MAY 6, 2009  
AMENDED IN SENATE APRIL 23, 2009

**SENATE BILL**

**No. 334**

---

**Introduced by Senator Ducheny**

February 25, 2009

---

An act to amend Section 17072.10 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 334, as amended, Ducheny. School facilities: new construction grant eligibility: special education pupils.

The Leroy F. Greene School Facilities Act of 1998 requires the State Allocation 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.

The act requires the board to determine maximum total new construction grant eligibility of an applicant under a specified calculation that includes certain per-unhoused-pupil grant amounts, and authorizes the board to adjust the per-unhoused-pupil grant amounts by regulation for qualifying individuals with exceptional needs.

This bill would require an increase made to the per-unhoused-pupil grant amounts also to be made to the per-unhoused-pupil who is a qualifying individual with exceptional needs grant amounts and would require the Office of Public School Construction, *by April 1, 2010*, to recommend to the board ~~the amount of those adjustments~~ *a methodology to adjust those amounts* so that they reflect increases made pursuant to specified provisions of law.

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 17072.10 of the Education Code is  
2 amended to read:  
3 17072.10. (a) The board shall determine the maximum total  
4 new construction grant eligibility of an applicant by multiplying  
5 the number of unhoused pupils calculated pursuant to Article 3  
6 (commencing with Section 17071.75) in each school district with  
7 an approved application for new construction, by the  
8 per-unhoused-pupil grant as follows:  
9 (1) Five thousand two hundred dollars (\$5,200) for elementary  
10 school pupils.  
11 (2) Five thousand five hundred dollars (\$5,500) for middle  
12 school pupils.  
13 (3) Seven thousand two hundred dollars (\$7,200) for high school  
14 pupils.  
15 (b) The board annually shall adjust the per-unhoused-pupil  
16 apportionment to reflect construction cost changes, as set forth in  
17 the statewide cost index for class B construction as determined by  
18 the board.  
19 (c) Regulations adopted by the board prior to July 1, 2000, that  
20 adjust the amounts identified in this section for qualifying  
21 individuals with exceptional needs, as defined in Section 56026,  
22 as amended after July 1, 2000, in consideration of the  
23 recommendations provided pursuant to Section 17072.15, shall  
24 continue in effect. An increase made to the per-unhoused-pupil  
25 grant amounts set forth in subdivision (a), including, but not limited  
26 to, those made pursuant to Section 17072.11, also shall be made  
27 to the per-unhoused-pupil who is a qualifying individual with  
28 exceptional needs grant amounts established pursuant to this  
29 subdivision. The Office of Public School Construction shall  
30 recommend to the board ~~the amount of the adjustments to be made~~  
31 ~~to a methodology to adjust~~ the per-unhoused-pupil grant amount  
32 for pupils who are qualifying individuals with exceptional needs  
33 so that those adjustments reflect increases made pursuant to  
34 subdivision (b) and Section 17072.11. *The Office of Public School*

1 *Construction shall recommend this methodology no later than*  
2 *April 1, 2010.*

3 (d) The board may establish a single supplemental  
4 per-unhoused-pupil grant in addition to the amounts specified in  
5 subdivision (a) based on the statewide average marginal difference  
6 in costs in instances where a project requires multilevel school  
7 facilities due to limited acreage. The application of a school district  
8 shall demonstrate that a practical alternative site is not available.

9 (e) For a school district having an enrollment of 2,500 or less  
10 for the prior fiscal year, the board may approve a supplemental  
11 apportionment of up to seven thousand five hundred dollars  
12 (\$7,500) for any new construction project assistance. The amount  
13 of the supplemental apportionment authorized pursuant to this  
14 subdivision shall be adjusted in 2008 and every year thereafter by  
15 an amount equal to the percentage adjustment for class B  
16 construction.