

AMENDED IN ASSEMBLY JUNE 30, 2009

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 a methodology to adjust those amounts so that they reflect increases made pursuant to specified provisions of law. *The*

bill would require any adjustment made to per-unhoused-pupil grants for pupils who are qualifying individuals with exceptional needs pursuant to that methodology to be made on or after January 1, 2010.

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 *on or after January*
27 *1, 2010*, also shall be made to the per-unhoused-pupil who is a
28 qualifying individual with exceptional needs grant amounts
29 established pursuant to this subdivision. The Office of Public
30 School Construction shall recommend to the board a methodology
31 to adjust the per-unhoused-pupil grant amount for pupils who are
32 qualifying individuals with exceptional needs so that those

1 adjustments reflect increases made pursuant to subdivision (b) ~~and~~
2 *of Section 17072.11. Any adjustment made to per-unhoused-pupil*
3 *grants for pupils who are qualifying individuals with exceptional*
4 *needs pursuant to this methodology shall be made on or after*
5 *January 1, 2010.* The Office of Public School Construction shall
6 recommend this methodology no later than April 1, 2010.

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

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