

SANTA ANA UNIFIED SCHOOL DISTRICT

BP 7210(a)

Facilities

Facilities Financing

When it is determined that school facilities must be built or expanded to accommodate an increased or projected increased enrollment, the Governing Board shall consider appropriate methods of financing for the purchase of school sites and the construction of buildings. In addition, financing may be needed 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 that would best serve District needs as identified in the District's master plan for school facilities. (cf. 7110 - Facilities Master Plan)

These funding alternatives may include, but 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.
5. Imposing a qualified parcel tax pursuant to Government Code 50079.
6. Using lease revenues for capital outlay purposes from surplus school property.

Legal Reference:

EDUCATION CODE

15100-17059.2	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	Leroy F. Greene School Facilities Act of 1998
17085-17095	State Relocatable Classroom Law of 1979
17582	District deferred maintenance fund
17620-17626	Levies against development projects by school districts
17621	Procedures for levying fees

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GOVERNMENT CODE

6061 One time notice
 6066 Two weeks' notice
 50075-50077 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 Mailed notice to property owners
 54954.6 New or increased tax or assessment; public meetings and hearings; notice
 65864-65867 Development agreements
 65970-65980.1 School facilities development project
 65995-65998 Payment of fees against a development project
 66000-66008 Fees for development projects
 66016-66018.5 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

1859-1859.106 School facility program

COURT DECISIONS

Loyola Marymount University v. Los Angeles Unified School District (1996) 45 Cal. App. 4th 1256
 Ehrlich v. City of Culver City (1996) 12 Cal. 4th 854
 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

Department of General Services, Office of Public School Construction:
<http://www.dgs.ca.gov/opsc/>

Adopted: 7-02 Santa Ana, CA