**Facilities** BP 7210(a)

**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 Executive Director or designee shall research funding alternatives and recommend to the Board the method that would best serve College and Career Advantage (CCA) Regional Occupational Program (ROP) needs as identified in CCA’s master plan for school facilities.

*(cf. 7110 - Facilities Master Plan)*

These funding alternatives may include, but not be limited to forming a school facilities improvement district pursuant to Education Code 15300-15425.

*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 especially:*

*17621 Procedures for levying fees*

*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*

*Legal Reference continued: (see next page)*

BP 7210(b)

**FACILITIES FINANCING** (continued)

*Legal Reference: (continued)*

*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/*

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