

Policy 7210: Facilities Financing

Status: ADOPTED

Original Adopted Date: 02/01/1997 | **Last Revised Date:** 03/01/2021 | **Last Reviewed Date:** 03/01/2021

The Governing Board recognizes its responsibility to identify the most cost-efficient and effective method of financing when purchasing or modifying district facilities. Financing may be necessary when it is determined that school facilities must be built or expanded to accommodate an increased or projected increased enrollment or 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 of funding that will best serve district needs as identified in the district's master plan for school facilities.

Funding alternatives may include, but are not be limited to:

1. Levying developer fees pursuant to Education Code 17620 and Government Code 65995-65998
2. Forming a community facilities district pursuant to Government Code 53311-53368.3, the Mello-Roos Community Facilities Act
3. Forming a school facilities improvement district pursuant to Education Code 15300-15425
4. Issuing voter-approved general obligation bonds
5. Imposing a parcel tax pursuant to Government Code 50079
6. Using lease revenues for capital outlay purposes from surplus school property
7. Applying for state facilities funding pursuant to the Leroy F. Greene School Facilities Act (Education Code 17070.10-17079.30)

The district shall provide reports, maintain records, and provide for audits of the expenditure of state facilities funds as required by law and AR 3460 - Financial Reports and Accountability. (Education Code 41024)

As applicable, the district shall comply with BP 3470 - Debt Issuance and Management.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

Description

2 CCR 1859-1859.199	Leroy F. Greene School Facilities Act
CA Constitution Article 13D, Sections 1-6	Assessment and property related fee reform
Ed. Code 15100-17199.6	School bonds
Ed. Code 15122.5	Ballot statement
Ed. Code 15300-15327	School facilities improvement districts
Ed. Code 17000-17059.2	State School Building Lease-Purchase Law of 1976
Ed. Code 17060-17066	Joint venture school facilities construction projects
Ed. Code 17070.10-17079.30	Leroy F. Greene School Facilities Act
Ed. Code 17085-17096	State Relocatable Classroom Law of 1979
Ed. Code 17582	District deferred maintenance fund
Ed. Code 17620-17626	Levies against development projects by school districts
Ed. Code 17621	Procedures for levying fees
Ed. Code 41010-41024	Accounting system and audits
Gov. Code 50075-50077.5	Voter-approved special taxes
Gov. Code 50079	School districts; qualified special taxes
Gov. Code 53175-53187	Integrated Financing District Act
Gov. Code 53311-53368.3	Mello-Roos Community Facilities Act of 1982
Gov. Code 53753	Assessment notice and hearing requirements
Gov. Code 53753.5	Exemptions
Gov. Code 54954.1	Request for copy of agenda or agenda packet by member of public
Gov. Code 54954.6	New or increased tax or assessment; public meetings and hearings; notice
Gov. Code 6061	Manner of notice as prescribed in designated section
Gov. Code 6066	Two weeks' notice
Gov. Code 65864-65869.5	Development agreements
Gov. Code 65970-65981	School facilities
Gov. Code 65995-65998	Payment of fees against a development project
Gov. Code 66000-66008	Fees for development projects
Gov. Code 66016-66019	Procedures for adopting various fees

Gov. Code 66020-66025

[Protests, legal actions, and audits](#)

Gov. Code 8855

[Debt issuance and management](#)

H&S Code 33445.5

[Overcrowding of schools resulting from redevelopment](#)

H&S Code 33446

[School construction by redevelopment agency](#)

Management Resources

Description

Attorney General Opinion

79 Ops.Cal.Atty.Gen. 149 (1996)

Court Decision

Canyon North Co. v. Conejo Valley Unified School District (1993) 19 Cal.App.4th 243, 23 Cal.Rptr.2d 495

Court Decision

Dolan v. City of Tigard (1994) 114 S.Ct. 2309

Court Decision

Ehrlich v. City of Culver City (1996) 12 Cal.4th 854

Court Decision

Garlic Development Co. v. Hayward Unified School District (1992) 3 Cal.App.4th 320

Court Decision

Loyola Marymount University v. Los Angeles Unified School District (1996) 45 Cal.App.4th 1256

Court Decision

Nollan v. California Coastal Commission (1987) 107 S.Ct. 3141

Website

[CSBA District and County Office of Education Legal Services](#)

Website

[California State Controller](#)

Website

[Department of General Services, Office of Public School Construction](#)

Website

[California Department of Education](#)

Cross References

Code

Description

1330.1

[Joint Use Agreements](#)

3100

[Budget](#)

3100

[Budget](#)

3280

[Sale Or Lease Of District-Owned Real Property](#)

3280

[Sale Or Lease Of District-Owned Real Property](#)

3460

[Financial Reports And Accountability](#)

3460

[Financial Reports And Accountability](#)

3470	<u>Debt Issuance And Management</u>
3471	<u>Parcel Taxes</u>
5148.3	<u>Preschool/Early Childhood Education</u>
5148.3	<u>Preschool/Early Childhood Education</u>
7000	<u>Concepts And Roles</u>
7110	<u>Facilities Master Plan</u>
7131	<u>Relations With Local Agencies</u>
7150	<u>Site Selection And Development</u>
7150	<u>Site Selection And Development</u>
7211	<u>Developer Fees</u>
7211	<u>Developer Fees</u>
7212	<u>Mello-Roos Districts</u>
7213	<u>School Facilities Improvement Districts</u>
7214	<u>General Obligation Bonds</u>
7214	<u>General Obligation Bonds</u>
9000	<u>Role Of The Board</u>