

California  
Educational  
Facilities  
Authority



---

**Bond Financing  
Program Application**

---

915 Capitol Mall, Suite 590  
Sacramento, California 95814  
Phone: (916) 653-2872  
Fax: (916) 653-2179

# CALIFORNIA EDUCATIONAL FACILITIES AUTHORITY (CEFA)

## BOND FINANCING PROGRAM

### APPLICATION

Please use a tab system to provide the following information about the applicant. For further information about eligibility and program fees please visit CEFA on the internet at [www.treasurer.ca.gov/cefa](http://www.treasurer.ca.gov/cefa).

#### Information to be provided by applicant

##### TAB 1 Contact Information:

Legal Name of Applicant: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City, State & Zip Code: \_\_\_\_\_  
County: \_\_\_\_\_  
Contact Person / Title: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_  
Campus Location: \_\_\_\_\_

##### TAB 2 Project Information:

Provide the following information about the projects:

- A. A list and description of the projects that will be financed with bond proceeds
- B. A brief description of how the projects are eligible under California Education Code, Section 94110
- C. A list of any environmental benefits associated with the proposed project(s), if applicable (e.g. use of sustainable design principles; LEED certification; incorporation of renewable energy sources and/or the conservation of resources; improved: energy efficiency, air quality, water quality, etc.)

##### TAB 3 Accreditation:

Provide copies of latest accreditation letters from the Western Association of Schools and Colleges, State Bar Examiners and/or any other accreditations and affiliations.

##### TAB 4 Financial Information:

Provide copies of your consolidated audited financial statements for the three most recent fiscal years.

Briefly discuss "going concern" or any substantive year-to-year changes or trends in the revenues and expenditures and assets and liabilities for the prior three years. Also, briefly discuss management's financial outlook for the institution over the next three years, including the effects of this proposed financing.

**TAB 5 Exhibits:**

Please complete the following exhibits:

- A Legal Status Questionnaire
- B Religious Questionnaire  
Religious Certification and Acknowledgement
- C California Environmental Quality Act (CEQA)
- D Iran Contracting Act (to be completed by the Underwriter)

**Informational Items:**

Other Informational Items can be provided by the Underwriter Counsel and Lead Underwriter and submitted under a separate cover.

**Application Certification:**

Please transfer the following certification language onto letterhead and have the appropriate official sign and date the certification.

I, (name of signatory), as (name of position), an authorized officer of (name of applicant), certify that, to the best of my knowledge, the information contained in this application is true and accurate, and I further certify that no Event of Default currently exists under any prior loan agreement between (name of applicant) and the Authority.

\_\_\_\_\_  
By (Print Name)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

## Exhibit A

### Legal Status Questionnaire

#### Applicant Name:

##### 1. Financial Viability

Disclose any legal or regulatory action or investigation that may have a material impact on the financial viability of the project or the applicant. The disclosure should be limited to actions or investigations in which the applicant or the applicant's parent, subsidiary, or affiliate involved in the management, operation, or development of the project has been named a party.

Response:

##### 2. Fraud, Corruption, or Serious Harm

Disclose any legal or regulatory action or investigation involving fraud or corruption, or health and safety where there are allegations of serious harm to employees, the public, or the environment. The disclosure should be limited to actions or investigations in which the applicant or the applicant's current board member (except for volunteer board members of non-profit entities), partner, limited liability corporation member, senior officer, or senior management personnel has been named a defendant within the past ten years.

Response:

*Disclosures should include civil or criminal cases filed in state or federal court; civil or criminal investigations by local, state, or federal law enforcement authorities; and enforcement proceedings or investigations by local, state or federal regulatory agencies. The information provided must include relevant dates, the nature of the allegation(s), charters, complaint or filing, and the outcome.*

I/We attest that we have provided full disclosure as indicated in *response* to the items #1 and #2 above.

---

Signature of Principal, CEO, or Lead Administrator

---

Date

---

Print or Type Name

---

Signature of President or Chair of Governing Board

---

Date

---

Print or Type Name

## Exhibit B

### Religious Questionnaire

1. Does the applicant offer a broad curriculum in secular subjects?
2. Please list the secular subjects offered in the applicant's curriculum.
3. Is the information and coursework used to teach secular subjects neutral with respect to religion, neither promoting nor opposing any particular religion or religion in general?
4. Is the academic content of courses in secular subjects typical of comparable courses provided in non-religious institutions for higher education?
5. Please describe the academic content of the applicant's courses in secular subjects (which you may do by submitting a course catalog).
6. Does or will any portion of the project being financed or refinanced include any facility, place or building used or to be used (for any period during the useful life of the facility, place or building) for sectarian instruction or as a place for religious worship or for any class that includes instruction information or coursework that promotes or opposes a particular religion or religious beliefs?
7. Will any portion of the project being financed or refinanced include any facility, place or building used or to be used (for any period during the useful life of the facility, place or building) in connection with any part of the programs of a school or department of theology or divinity (including, without limitation, dining and residence halls, academic and student center complexes and other common use facilities)?
8. If the answer to the question above is "yes," please provide a description of that portion of the project and describe how, and the extent to which, that portion of the project is, or will be, used in connection with programs of a school or department of theology or divinity as compared to other uses.
9. Does the applicant restrict the admission of a student based on his or her race or ethnicity?

## Exhibit B (Continued)

### Religious Certification and Acknowledgement

I, (name of signatory), hereby certify that I am the (name of position) of (name of applicant), and am authorized to, and do hereby, certify that: (1) (name of applicant) offers a broad curriculum in secular subjects; and (2) the information and coursework used to teach secular subjects is neutral with respect to religion and neither promotes nor opposes any particular religion or religion in general, and the academic content of classes in secular subjects is typical of that provided in nonreligious institutions for higher education.

I acknowledge that in connection with the financing requested (including new financing or refinancing), (name of applicant) will be required to covenant that no bond proceeds will be used to finance any facility, place, or building used or to be used for sectarian instruction, as a place for religious worship, or primarily in connection with any part of a program of a school or department of theology or divinity, or to finance any class that includes instruction information or coursework that promotes or opposes a particular religion or religious beliefs, in each case through the useful life of the facility, place or building.

---

By (Print Name)

---

Signature

---

Title

---

Date

## Exhibit C

### California Environmental Quality Act (CEQA)

#### California Educational Facilities Authority Checklist

All Applicants for CEFA financings must submit documentation demonstrating compliance with Division 13 commencing with Section 21000 of the Public Resources Code (CEQA Requirements):

If the project is subject to CEQA Requirements, provide the following documentation or justification for each project:

- Notice of Determination Received (Attach Copy)
- Notice of Exemption Received (Attach Copy)
- Other documents evidencing compliance (e.g. permits, local authority approval documents, printed authorizations, OSHPD Plan Review status, etc.)
- Project is considered a Special Situation (see Title 14 California Code of Regulation, Sections 15180-15190) (Provide written justification of compliance with applicable section.)

Additionally, please provide a listing of the following for these documents:

Name of approving Agency: \_\_\_\_\_

Date approval given: \_\_\_\_\_

If project is not subject to CEQA Requirements provide a written justification and rationale using one of the following categories:

- Is not a Project as defined by CEQA Requirements (see Title 14 California Code of Regulation, Section 15378)
- Project is Statutorily Exempt (see Title 14 California Code of Regulation, Sections 15260-15285)
- Project is Categorical Exempt (see Title 14 California Code of Regulation, Sections 15300-15333)



Exhibit D

STATE OF CALIFORNIA  
CALIFORNIA EDUCATIONAL FACILITIES AUTHORITY  
Iran Contracting Act

Pursuant to Public Contract Code sections 2200-2208, an applicant at the time of bid or proposal for a new contract, or renewal of an existing contract may be ineligible to bid on, submit a proposal for, or enter into or renew a contract with a public entity for goods or services of one million dollars or more, if the applicant is identified on a list created by the Department of General Services under Public Contract Code section 2203(b) as a person engaging in investment activities in Iran as described in Public Contract Code section 2202.5(a) or is a financial institution described in Public Contract Code section 2202.5(b) as extending twenty million dollars or more in credit for 45 days or more to a person that will use the credit to provide goods or services in the energy sector in Iran and is identified on the list created by the Department of General Services. The applicant is required to complete this certification and submit it to the California Educational Facilities Authority.

At the time an application for financing is submitted, the applicant must also include a certification from its selected underwriter(s) that either the underwriter(s) is not identified on the Department of General Services' list created pursuant to Public Contract Code section 2203(b) as described above and is not a financial institution as described above or that it has received written permission from the California Educational Facilities Authority to enter into a bond purchase agreement, or similar agreement, pursuant to Public Contract Code section 2203(c).

Please check **one** of the following two paragraphs and sign below:

- 1.  We are not currently identified on a list created by the Department of General Services pursuant to Public Contract Code section 2203(b) as a person engaging in investment activities in Iran as described in Public Contract Code section 2202.5(a), nor are we a financial institution described in Public Contract Code section 2202.5(b) as extending twenty million dollars or more in credit for 45 days or more to a person that will use the credit to provide goods or services in the energy sector in Iran and is identified on the list created by the Department of General Services pursuant to Public Contract Code section 2203(b).

OR

- 2.  We are identified on a list created pursuant to Public Contract Code section 2203(b), but we have received written permission from the California Educational Facilities Authority to enter into a bond purchase agreement, or similar agreement, pursuant to Public Contract Code section 2203(c). A copy of the written permission from California Educational Facilities Authority is included with this certification.

**CERTIFICATION:**

**I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the applicant to the clause listed above. This certification is made under the laws of the State of California.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
Firm Name

## Informational Items

Certain information must be provided when the application is submitted. Either the Underwriter Counsel or the Lead Underwriter can provide these items.

### Information to be provided by Underwriter Counsel

Provide the following:

- Appendix A from preliminary official statement

### Information to be provided by Lead Underwriter

Provide the following:

- Details of the bond structure, credit enhancement, etc.
- Estimated sources and uses information
- Debt service schedule
- Distribution list for the financing team\*
- A time and responsibility schedule
- Rating letter(s)

*\*Financing team participants are subject to approval by the Authority and the State Treasurer's Office (STO). The Authority and the STO may require additional participants be added to the financing team.*