

RESOLUTION NO. 09-18

**RESOLUTION APPROVING
PROPOSED AMENDMENTS TO THE REGULATIONS FOR THE
STATE CHARTER SCHOOL FACILITIES INCENTIVE GRANTS PROGRAM AND
AUTHORIZING STAFF TO CONDUCT THE RULEMAKING PROCESS AND
DISTRIBUTE FOR PUBLIC COMMENT**

WHEREAS, on behalf of the State of California, the California School Finance Authority (Authority) was awarded a grant for \$49,250,000 in 2004 and a grant for approximately \$46,132,000 in 2009 through the United States Department of Education entitled the State Charter School Facilities Incentive Grants Program, CFDA #84.282D (Federal Grant); and

WHEREAS, Section 17078.57 of the Education Code states that the Authority shall adopt regulations establishing uniform terms and conditions that shall apply equally to all applicants seeking grant funding; and

WHEREAS, the Authority is proposing to amend the Federal Grant regulations to identify a new preference point criteria to provide a possible 20 points for school choice, to clarify the funds allocated for the 2004 grant award and the funds allocated for the 2009 grant award, and to make additional clarifying changes; and

WHEREAS, Authority staff intends to conduct the rulemaking process, including submitting the draft form of the proposed amended regulations to the Office of Administrative Law and distribute for public comment.

NOW, THEREFORE, BE IT RESOLVED that

Section 1. The Authority adopts the amended regulations and authorizes the Chair and Executive Director of the Authority, and each of them, for and on behalf of the Authority, to conduct the rulemaking process with the Office of Administrative Law, and to submit the regulations and the supporting documentation for public comment required by law; and

Section 2. The Chair and the Executive Director of the Authority, and each of them, are hereby authorized and directed to take such actions, including making or causing to be made such changes to the regulations and such steps to the rulemaking process as may be required for approval of the regulations by the Office of Administrative Law, and to execute and deliver any and all documents and take any and all steps that they may deem necessary or advisable in order to effectuate the purposes of this resolution.

Section 3. This resolution shall take effect immediately upon its approval.

Date of Adoption: _____

CERTIFICATE OF THE EXECUTIVE DIRECTOR
(Attesting to Action of the Authority)
Sacramento, California

I, Katrina Johantgen, Executive Director of the California School Finance Authority, hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 09-16 approving proposed amendments to the regulations for the State Charter School Facilities Incentive Grants Program (CFDA #84.282D) and authorizing staff to conduct the rulemaking process. The resolution was approved at a meeting of the California School Finance Authority held at 915 Capitol Mall, Conference Room 241, Sacramento, California 95814, on December 7, 2009, for which meeting all members of said Authority had due notice; and that at the meeting the staff recommendation was adopted by the following votes:

AYES:

NOES:

ABSTAINS:

ABSENT:

I further certify that the original minutes of said meeting and a copy of the original Resolution adopted at said meeting are on file in the California School Finance Authority office; and that the Resolution has not been amended, modified, or rescinded in any manner since the date of its adoption, and the same is now in full force and effect.

IN WITNESS WHEREOF, I have executed this certificate and affixed the seal of the California School Finance Authority hereto.

(seal)

December 7, 2009

Katrina Johantgen, Executive Director