

MEMORANDUM

Date: January 9, 2013

Staff Summary No. 4

To: Members, California School Finance Authority

From: Katrina M. Johantgen, Executive Director

Re: Resolution No. 13-01 Approving Amendments to the Regulations for the Charter School Facilities Credit Enhancement Program and Authorizing the Rulemaking Process

In 2010, the California School Finance Authority (Authority) received an \$8.3 million credit enhancement grant through the U.S. Department of Education's Credit Enhancement for Charter School Facilities Program (CFDA # 84.354A). At this time staff is proposing changes to the regulations that guide the Charter School Facilities Credit Enhancement Grant Program (Program). The changes have been highlighted below by Section number:

Section 10192– Purpose

- Clarifies language.

Section 10193– Definitions

- Subsection (d): Clarification that an “awardee” will receive a “reservation” of Program funds and not an actual grant award.
- Subsection (f): Clarifies Charter Authorizer.

Section 10194 – Applicant Eligibility Criteria

- Subsection (c): This change clarifies that the eligibility criteria applies to all entities listed as an Applicant in section 10193.
- Subsection (d): Corrects the description of classroom-based instruction criteria to align with the California Education Code.

Section 10195 – Eligible Use of Program Funds and Maximum Award

- Subsection (b): Clarifies reference to Section 10195(a).
- Subsections (d), (e), and (f): Clarifies language.

Section 10196 – Application Review and Evaluation Criteria

- Subsection (b)(1): Clarifies language.
- Subsections (b)(2) and (b)(3): Clarifies Sentence Structure.
- Subsection (d): Clarifies Sentence Structure.

Section 10197 – Content of Application

- Subsections (l) and (m): Clarifies language.

Recommendation: Staff recommends the members adopt Resolution 13-01 approving amendments to the regulations for the Charter School Facilities Credit Enhancement Grant Program. If adopted, the Chair and Executive Director of the Authority, and each of them, for and on behalf of the Authority, are authorized to initiate the rulemaking file with the Office of Administrative Law, and to submit the regulations and the supporting documentation for public comment required by law. Additionally, 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.