

RESOLUTION NO. 15-07

**ADOPTION OF PROPOSED EMERGENCY REGULATIONS FOR THE
CHARTER SCHOOL FACILITY GRANT PROGRAM
AND AUTHORIZING THE EMERGENCY RULEMAKING PROCESS**

March 11, 2015

WHEREAS, the administration of the Charter School Facility Grant Program (Program) was transferred to the California School Finance Authority (Authority) commencing with the 2013-14 fiscal year pursuant to AB 86 (Chapter 48, Statutes of 2013); and

WHEREAS, the Program provides annual assistance with facilities rent and lease costs for pupils in California's charter schools; and

WHEREAS the Authority adopted emergency regulations at its July 17, 2013 board meeting; and

WHEREAS the Authority adopted permanent regulations at its June 11, 2014 board meeting, and the Office of Administrative Law approved the permanent regulations on August 6, 2014; and

WHEREAS, at the June 11, 2014 board meeting, the board directed staff to engage with key stakeholders regarding the topics of concern which would potentially result in new regulatory changes; and

WHEREAS the Authority staff has consulted with key stakeholders regarding the regulations since their adoption by the board; and

WHEREAS the Authority staff has considered input from key stakeholders as well as other factors in the development of proposed amended regulations; and

WHEREAS the amended regulations also include the amended Application Form, CSFA Form 740-01; and

WHEREAS, Section 47614.5(m) of the Education Code provides that the Authority shall adopt emergency regulations to implement this Program; and

WHEREAS, the Authority has determined that an emergency rulemaking action is necessary in order to have the amended regulations in effect prior to the 2014-15 funding round (scheduled to close on May 12, 2015); and

WHEREAS, Education Code Section 17175 authorizes the board to delegate to the executive director or any other official or employee of the authority any powers and duties that the authority deems proper; and

NOW, THEREFORE, BE IT RESOLVED by the California School Finance Authority as follows:

Section 1. The proposed emergency regulations and CSFA Form 740-01 are hereby adopted and approved.

Section 2. The Executive Director is 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 permanent 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 the Executive Director 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.

Section 4. This resolution expires one year after the adoption date. Extensions must be approved by the Authority in a public meeting.

Date of Adoption: March 11, 2015

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

MARCH 11, 2015

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.15-07, adopting the emergency regulations for the Charter School Facility Grant Program and authorizing the emergency rulemaking process, as adopted at a meeting of the California School Finance Authority held at 915 Capitol Mall, Conference Room 587, Sacramento, California, on March 11, 2015, for which meeting all of the 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:

This resolution of intent expires one year after the adoption date. Extensions must be approved by the Authority in a public meeting.

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)

Katrina Johantgen, Executive Director

March 11, 2015