

RESOLUTION NO. 15-33

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

October 23, 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 in and continue regular dialogs with key stakeholders regarding the topics of concern which would potentially result in new regulatory changes; and

WHEREAS the Authority adopted emergency regulations at its March 11, 2015 board meeting; and

WHEREAS the Authority adopted emergency readopt regulations at its September 9, 2015 board meeting; 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, Section 47614.5(m) of the Education Code provides that the Authority may adopt permanent regulations to implement this Program; and

WHEREAS the Authority intends to have the amended permanent regulations in effect prior to the Final Apportionment for the 2015-16 funding round; and

WHEREAS the Authority current emergency regulations will expire on October 27, 2015 and a readopt is necessary for additional time to submit a Certificate of Compliance to the Office of Administrative Law; 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.

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

Section 1. The proposed permanent regulations 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: October 23, 2015