

RESOLUTION NO. 18-30

ADOPTION OF CHANGES TO PERMANENT REGULATIONS FOR THE STATE CHARTER SCHOOL FACILITIES INCENTIVE GRANTS PROGRAM (CFDA#84.282D) AND AUTHORIZING THE RULEMAKING PROCESS

December 11, 2018

WHEREAS, on behalf of the State of California, the California School Finance Authority (Authority) was awarded a grant for \$49,250,000 in 2004, a grant for approximately \$46,132,000 in 2009, and a grant for \$50,000,000 in 2014 through the United States Department of Education entitled the State Charter School Facilities Incentive Grants Program, CFDA #84.282D (Program); and

WHEREAS, Section 17180(o) of the Education Code provides that the Authority shall adopt regulations and guidelines relating to grant programs it administers; and

WHEREAS, from time to time, there are changes in law or policy related to charter schools that necessitate changes to our program regulations; and

WHEREAS, the Authority is proposing to implement amendments to the Program regulations, including updating the following sections: (1) Section 10177. Eligible Applicant – prohibits for-profit charter schools from being deemed eligible for an award; and (2) Section 10182. Evaluation Criteria – school choice points assignment criteria refined to capture the grade level comparison used to assign points in this category.

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

Section 1. The proposed amended permanent regulations for the Program are hereby approved in substantially the form presented to the Authority by Authority staff. The Executive Director, or the Chair of the Authority or his or her designee in the Executive Director's absence, is hereby authorized, for and on behalf of the Authority, to submit such regulations, with any and all required supporting documentation, to the Office of Administrative Law and proceed as required under the Administrative Procedure Act.

Section 2. The Executive Director, or the Chair of the Authority or his or her designee in the Executive Director's absence, is hereby authorized and directed to take such actions, including making or causing to be made such changes to the regulations 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, or the Chair of the Authority or his or her designee in the Executive Director's absence, 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: December 11, 2018