

MEMORANDUM

Staff Summary No. 12

Date: October 28, 2021

To: Members of the California School Finance Authority

From: Katrina M. Johantgen, Executive Director

Re: Resolution 21-34 Adoption of Proposed Permanent Regulations for the Charter School Facility Grant Program

The Charter School Facility Grant Program or SB 740 Program (Program) provides annual assistance with facilities rent and lease costs for pupils in California's charter schools. Since 2013-14, the California School Finance Authority (Authority) has made changes to the regulations that guide this Program. The Authority is requesting approval of these most recent revisions based on feedback from stakeholders and to improve Program efficiencies. Upon board approval, the changes will become part of the permanent regulations once approved by the Office of Administrative Law. These proposed amendments provided clarity to applicants needing a material revision to their charter petition regarding preference in admission.

Authority staff will file a Notice of Publication, as required under the Regular Rulemaking Action, to adopt the proposed changes into amended permanent regulations. The Authority intends to proceed with the Regular Rulemaking Action and Certificate of Compliance upon the Authority Board's approval of the following proposed amended permanent regulations:

Section 10170.3. Eligible Applicant

(d)(2) –Add “One of the following must be met in order to demonstrate preference:” and the following paragraphs in the subsection: “(A) Education Code Section 47614.5(c)(2)(A) directly referenced regarding preference in the admission section of the current charter petition, or;” and “(B) Students from the said public elementary school must be specifically listed as receiving preference in the admission section of the current charter petition.”

Recommendation: Authority staff recommends the Board adopt Resolution 21-34, approving the amended permanent regulations for the administration of the Charter School Facility Grant Program. If approved, the Executive Director will include the Resolution demonstrating the Board approval with the rulemaking file to the Office of Administrative Law.

Key: A draft of the Program's proposed regulations is included below. Reddish-brown (~~e.g., EXAMPLE~~) and blue text with no underline (e.g., EXAMPLE) are edits that were previously approved at the Authority's September 30, 2021 Board Meeting. New proposed additions are underlined in light-blue text (e.g., EXAMPLE).