Facilities

FACILITIES FINANCING

The Governing Board recognizes its responsibility to identify the most cost-efficient and effective method of financing when purchasing or modifying district facilities. Financing may be necessary when it is determined that school facilities must be built or expanded to accommodate an increased or projected increased enrollment, or when safety considerations and educational program improvements require the replacement, reconstruction or modernization of existing facilities.

The Superintendent or designee shall research funding alternatives and recommend to the Board the method of funding that will best serve district needs as identified in the district's master plan for school facilities.

Funding alternatives may include, but not be limited to:

1. Levying developer fees pursuant to Education Code 17620 and Government Code 65995-65998
2. Forming a community facilities district pursuant to Government Code 53311- 53368.3, the Mello-Roos Community Facilities Act
3. Forming a school facilities improvement district pursuant to Education Code 15300- 15425
4. Issuing voter-approved general obligation bonds
5. Imposing a qualified parcel tax pursuant to Government Code 50079
6. Using lease revenues for capital outlay purposes from surplus property
7. Applying for state facilities funding pursuant to the Leroy F. Greene School Facilities Act (Education Code 17070.10-17079.30)

The district shall provide reports, maintain records, and provide for audits of the expenditure of state facilities funds as required by law and AR 3460 - Financial Reports and Accountability. (Education Code 41024)

As applicable, the district shall comply with BP 3470 - Debt Issuance and Management

Legal Reference:

State	**Description**
2 CCR 1859-1859.199	Leroy F. Greene School Facilities Act
CA Constitution Article 13D, Section 1-6	Assessment and property related fee form
Ed. Code 15100-17199.6	School Bonds
Ed. Code 15122.5	Ballot Statement
Ed. Code 15300-15327	School facilities improvement districts

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Legal Reference:

State	**Description**
Ed. Code 17000-17059.2	State School Building Lease-Purchase Law of 1976
Ed. Code 17060-17066	Joint venture school facilities construction projects
Ed. Code 17070.10-17079.30	Leroy F. Greene School Facilities Act
Ed. Code 17085-17096	State Relocatable Classroom Law of 1979
Ed. Code 17582	District deferred maintenance fund
Ed. Code 17620-17626	Levies against development projects by school districts
Ed. Code 17621	Procedures for levying fees
Ed. Code 41010-41024	Accounting system and audits
Gov. Code 50075-50077.5	Voter-approved special taxes
Gov. Code 50079	School districts; qualified special taxes
Gov. Code 53175-53187	Integrated Financing District Act
Gov. Code 53311-53368.3	Mello-Roos Community Facilities Act of 1982
Gov. Code 53753	Assessment notice and hearing requirements
Gov. Code 53753.5	Exemptions
Gov. Code 54954.1	Request for copy of agenda or agenda packet by member of public
Gov. Code 54954.6	New or increased tax or assessment; public meetings and hearings; notice
Gov. Code 6061	Manner of notice as prescribed in designated section
Gov. Code 6066	Two weeks' notice
Gov. Code 65864-65869.5	Development agreements
Gov. Code 65970-65981	School facilities
Gov. Code 65995-65998	Payment of fees against a development project
Gov. Code 66000-66008	Fees for development projects
Gov. Code 66016-66019	Procedures for adopting various fees
Gov. Code 66020-66025	Protests, legal actions, and audits
Gov. Code 8855	Debt issuance and management
H&S Code 33445.5	Overcrowding of schools resulting from redevelopment
H&S Code 33446	School construction by redevelopment agency
Management Resources	**Description**
Attorney General Opinion	79 Ops.Cal.Atty.Gen. 149 (1996)
Court Decision	Canyon North Co. v. Conejo Valley Unified School District (1993) 19 Cal.App.4th 243, 23 Cal.Rptr.2d 495
Court Decision	Dolan v. City of Tigard (1994) 114 S.Ct. 2309
Court Decision	Ehrlich v. City of Culver City (1996) 12 Cal.4th 854
Court Decision	Garlic Development Co. v. Hayward Unified School District (1992) 3 Cal.App.4th 320
Court Decision	Loyola Marymount University v. Los Angeles Unified School District (1996) 45 Cal.App.4th 1256
Court Decision	Nollan v. California Coastal Commission (1987) 107 S.Ct. 3141

Facilities

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Legal Reference:

Management Resources	**Description**
Website	CSBA District and County Office of Education Legal Services
Website	California State Controller
Website	Department of General Services, Office of Public-School Construction
Website	California Department of Education

WESTMINSTER SCHOOL DISTRICT
Westminster, California

Policy Adopted: July 5, 1990
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