

**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 that would best serve district needs as identified in the district's master plan for school facilities.

*(cf. 7110 - Facilities Master Plan)*

These funding alternatives may include, but not be limited to:

1. Levying developer fees pursuant to Education Code 17620 and Government Code 65995-65998

*(cf. 7211- Developer Fees)*

2. Forming a community facilities district pursuant to Government Code 53311-53368.3, the Mello-Roos Community Facilities Act

*(cf. 7212 - Mello-Roos Districts)*

3. Forming a school facilities improvement district pursuant to Education Code 15300-15425

*(cf. 7213 - School Facilities Improvement Districts)*

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 school 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: (next page)*

**METHODS OF FINANCING** (continued)*Legal Reference:***EDUCATION CODE**

15100-17059.2 *School bonds, especially:*  
 15122.5 *Ballot statement*  
 15300-15425 *School facilities improvement districts*  
 17000-17059.2 *State School Building Lease-Purchase Law of 1976*  
 17060-17066 *Joint venture school facilities construction projects*  
 17070.10-17076.10 *Leroy F. Greene School Facilities Act of 1998*  
 17085-17095 *State Relocatable Classroom Law of 1979*  
 17582 *District deferred maintenance fund*  
 17620-17626 *Levies against development projects by school districts*  
 17621 *Procedures for levying fees*

**GOVERNMENT CODE**

6061 *One time notice*  
 6066 *Two weeks' notice*  
 50075-50077 *Voter-approved special taxes*  
 50079 *School districts; qualified special taxes*  
 53175-53187 *Integrated Financing District Act*  
 53311-53368.3 *Mello-Roos Community Facilities Act of 1982*  
 53753 *Assessment notice and hearing requirements*  
 53753.5 *Exemptions*  
 54954.1 *Mailed notice to property owners*  
 54954.6 *New or increased tax or assessment; public meetings and hearings; notice*  
 65864-65867 *Development agreements*  
 65970-65980.1 *School facilities development project*  
 65995-65998 *Payment of fees against a development project*  
 66000-66008 *Fees for development projects*  
 66016-66018.5 *Development project fees*  
 66020-66025 *Protests and audits*

**HEALTH AND SAFETY CODE**

33445.5 *Overcrowding of schools resulting from redevelopment*  
 33446 *School construction by redevelopment agency*

**CALIFORNIA CONSTITUTION**

*Article 13D, Sections 1-6 Assessment and property related fee reform*

**UNCODIFIED STATUTES**

17696-17696.98 *Greene-Hughes School Building Lease-Purchase Bond Law of 1986*

**CODE OF REGULATIONS, TITLE 2**

1859-1859.106 *School facility program*

**COURT DECISIONS**

*Loyola Marymount University v. Los Angeles Unified School District* (1996) 45 Cal.App.4th 1256  
*Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854  
*Dolan v. City of Tigard* (1994) 114 S.Ct. 2309  
*Canyon North Co. v. Conejo Valley Unified School District* (1993) 19 Cal.App.4th 243, 23 Cal.Rptr.2d 495  
*Garlic Development Co. v. Hayward Unified School District* (1992) 3 Cal.App.4th 320, 4 Cal.Rptr.2d 897  
*Nollan v. California Coastal Commission* (1987) 107 S.Ct. 3141

**ATTORNEY GENERAL OPINIONS**

79 Ops.Cal.Atty.Gen. 149 (1996)

*Management Resources: (see next page)*

**METHODS OF FINANCING** (continued)

*Management Resources:*

*WEB SITES*

*Department of General Services, Office of Public School Construction:* <http://www.dgs.ca.gov/opsc/>

Policy  
adopted: April 14, 1997  
revised: September 25, 2001  
revised: May 25, 2021

**VISALIA UNIFIED SCHOOL DISTRICT**  
Visalia, California