

Mendocino Unified School District

New Construction

Facilities Financing

When it is determined that school facilities must be built or expanded to accommodate a increased or projected increased enrollment, the Governing Board shall consider appropriate methods of financing for the purchase of school sites and the construction of buildings. In addition, financing may be needed 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.

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

Board Policy 7210

Approved 10/16/03

These 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 or sale of property for capital outlay purposes from surplus school property.

[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)