

**New Construction**

**General Obligation Bonds**

The Governing Board desires to provide adequate facilities in order to enhance curriculum and to help the district achieve its vision for educating district students. To that end, the Board may order an election on the question of whether bonds shall be issued for school facilities when in the Board's judgment it is advisable and in the best interest of district students.

The Board shall determine the appropriate size of the bond in accordance with law.

**Bonds Requiring 55% Approval by Local Voters**

The Board may decide to pursue the authorization and issuance of bonds by approval of 55% majority of the voters pursuant to Article 13A, Section 1(b)(3) and Article 16, Section 18(b) of the California Constitution. If two-thirds of the Board agree to such an election, the Board shall vote to adopt a resolution to incur bonded indebtedness if approved by a 55% majority of the voters. (Education Code [15266](#))

The bond election may only be ordered at a primary or general election, a regularly scheduled local election or a statewide special election. (Education Code [15266](#))

Bonded indebtedness incurred by the district shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities or the acquisition or lease of real property for school facilities. (California Constitution Article 13A, Section 1(b)(3) and 1(b)(3)(A))

Bond measures requiring 55 % approval b local voters shall include the following accountability requirements: (California Constitution Article 13A, Section 1(b)(3))

1. A requirement that proceeds from the sale of the bonds be used only for the purposes specified above and not for any other purposes including teacher and administrative salaries and other school operating expenses
2. A list of specific school facility projects to be funded and certification that the Board has evaluated safety, class size reduction and information technology needs in developing that list
3. A requirement that the Board conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed
4. A requirement that the Board conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects

**Bonds Requiring 66.67% Approval by Local Voters**

**Bonds** shall be sold for the purpose of raising money for the following purposes: (Education Code [15100](#))

1. Purchasing school lots
2. Building or purchasing school buildings
3. Making of alterations or additions to school building(s) other than as may be necessary for current maintenance, operation or repairs
4. Repairing, restoring or rebuilding of any school building damaged, injured or destroyed by fire or other public calamity
5. Supplying of school buildings and grounds with furniture, equipment or necessary apparatus of a permanent nature
6. Permanent improvement of school grounds
7. Refunding of any outstanding valid indebtedness of the district, evidenced by bonds or of state school building aid loans
8. Carrying out of sewer or drain projects or purposes authorized in Education Code [17577](#)
9. Purchase of school buses with a useful life of at least 20 years

10. Demolition or razing of any school building with the intent to replace it with another school building, whether in the same location or in any other location

Except for refunding any outstanding indebtedness, any of the purposes listed above may be united and voted upon as a single proposition by order of the Board and entered into the minutes. (Education Code [15100](#))

Legal Reference:

EDUCATION CODE

[15100-15254](#) Bonds for school districts and community college districts

[15264-15288](#) Strict Accountability in Local School Construction Bonds Act of 2000

[17577](#) Sewers and drains

[47614](#) Charter school facilities

ELECTIONS CODE

[324](#) General election

[328](#) Local election

[341](#) Primary election

[348](#) Regular election

[356](#) Special election

[357](#) Statewide election

[1302](#) School district election

GOVERNMENT CODE

[1090-1098](#) Prohibitions applicable to specified officers

[1125-1129](#) Incompatible activities

53580-53595.55 Bonds

CALIFORNIA CONSTITUTION

Article 13A, Section 1 Tax limitation

Article 16, Section 18 Debt limit