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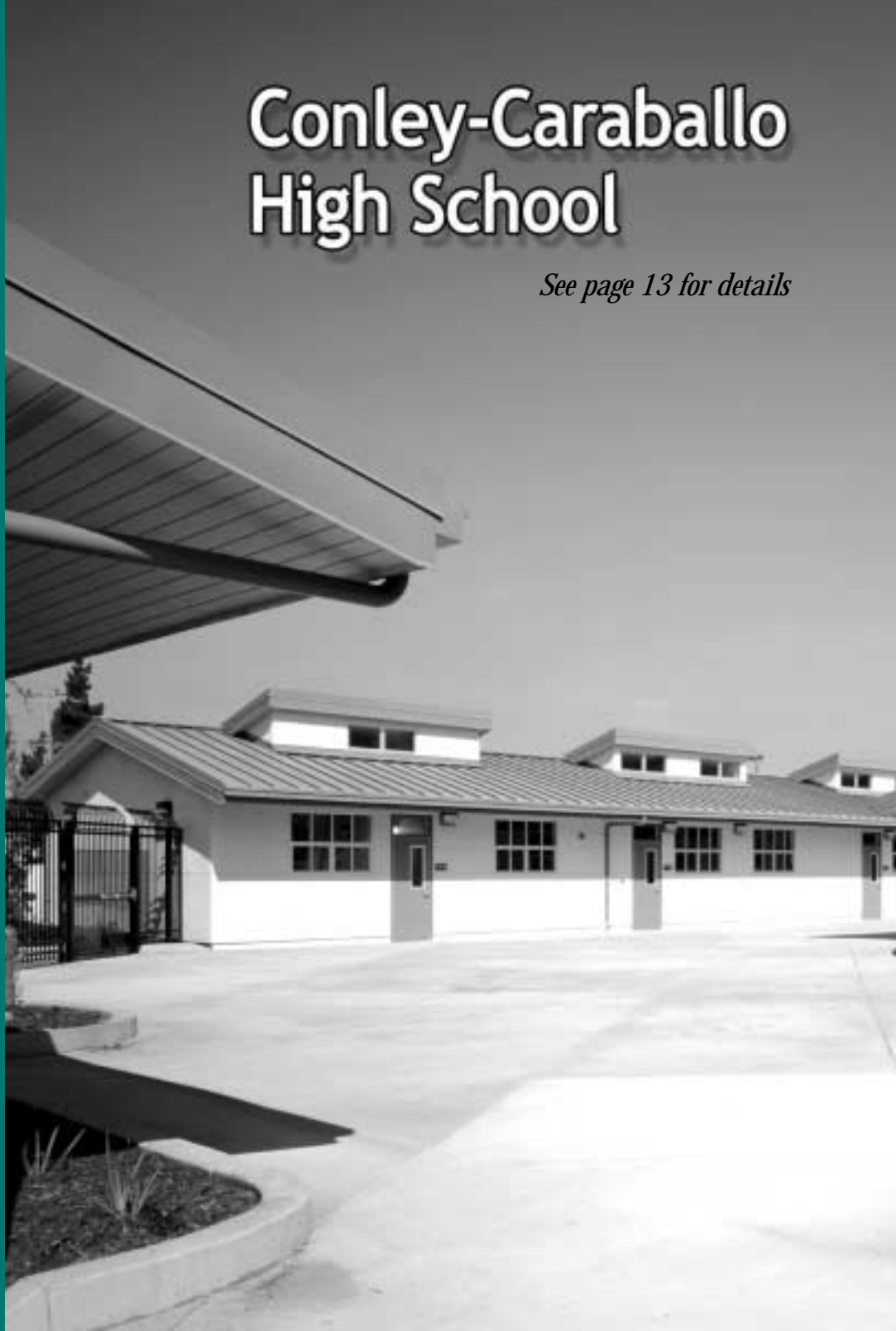
THE NEWSLETTER OF THE COALITION FOR ADEQUATE SCHOOL HOUSING

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Message From The Chair



Pamela T. Johnson, C.A.S.H. Chair

The Office of Public School Construction (OPSC) has proposed changes to the Financial Hardship Program. C.A.S.H. is concerned that the proposed changes diminish a school district's ability to manage capital resources in meeting the vast array of demands encountered at the local level.

The Financial Hardship policy review by OPSC was initiated at the request of the State Allocation Board (SAB). The impetus was concerns expressed by SAB members who learned that some districts may be given Hardship apportionments and later receive developer fees emanating from residential projects served by the schools built with Hardship funding. The SAB also recognized that some districts initiated borrowings through the issuance of Certificates of Participation (COPs) before or after the receipt of Hardship apportionments, which were used for projects

that may not have qualified for state funding.

The irony is that the review of the Hardship program coincided with the recognition by the SAB that Hardship

districts are building incomplete schools as a result of the high bid environment. Many districts have communicated with C.A.S.H. that they were forced to redesign projects, eliminating libraries, gymnasiums, multi-purpose rooms, administration buildings and other ancillary facilities in order to afford to move

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The C.A.S.H. Board's main objection to the OPSC proposal is the undue control that OPSC and the Board would have over the future income of school districts within the Financial Hardship Program. The current regulations allow for a reasonable measure of a district's ability to contribute toward the construction cost of a school and that contribution is established as a defined amount in advance. The proposed policy, if implemented, would redirect undetermined future developer fees and/or other local sources of capital funds toward one or more projects while offering no relief to the district for its unexpected project costs or the financial impacts of construction litigation.

C.A.S.H. believes that recognition must be given to a district's need to



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The CASH Register is published eleven times a year (January through November) by the Coalition for Adequate School Housing (C.A.S.H.) and distributed to C.A.S.H. members. Over 1,000 rapidly growing school districts, county offices of education, architects, attorneys, bond counsel, financial institutions, developers, contractors, consultants, inspectors, licensed professionals, manufacturers of portable classrooms, maintenance suppliers and others who are concerned about school construction issues hold C.A.S.H. memberships.

The CASH Register solicits articles on school facility-related topics from the membership. If you are interested in submitting an article, please send it or a letter of inquiry to: Editor, CASH Register editorial office, 1130 K Street - Suite 210, Sacramento, CA 95814. Sorry, we are unable to return or acknowledge unpublished manuscripts. The views expressed herein are those of the authors and not necessarily those of the Coalition for Adequate School Housing, its board, staff or general membership.

AB 300, DSA Seismic Safety Inventory

continue managing resources effectively to ensure achievement of local educational goals. The Financial Hardship regulations should not continue to place stringent spending caps on local school districts while, as proposed, usurping their authority to properly manage their local resources. Furthermore, the Financial Hardship regulations need to maintain the appropriate relationship between the developer fees being captured and the proper allocation of those fees, as locally determined, to the facilities being built in keeping with individual district's developer fee justification documents adopted by the district's board.

As part of the dialogue it was alleged that there may be districts and consultants that seek funding advantages by strategically planning entry into, and exiting from, the Hardship program around dates of district encumbrances of capital funding, contract signing, and the initiation of COPs. We firmly believe that districts and their consultants should not intentionally manipulate the State School Facility Program, and in particular the Financial Hardship Program. The financial review which is done by OPSC is intended in our view to maintain a balance between a district's ability to pay its fair share and the state's obligation to provide adequate resources that balances and recognizes the local dearth of funding compared to established need based upon common rules within the New Construction and Modernization programs. 

This is an update on the Seismic Safety Inventory report released by DSA in November 2002. At that time, C.A.S.H. informed its members of the DSA report, however, we have recently become aware of a change relating to that report and the listing of schools included in the study.

First, a little background.

AB 300 (signed by Governor Gray Davis in 1999) required DSA to conduct an inventory of K-12 public school buildings. The law required DSA to submit a report to the Legislature and Governor summarizing seismic risk and making recommendations to address seismic safety of public school buildings. DSA publicized its study on November 15, 2002 and sent a letter to school district superintendents notifying them of the report. At that time, districts were informed that each may request a specific listing of its schools. To obtain a copy of the report DSA suggests that you go to Google and type: "seismic safety inventory." The title of the report is "Seismic Safety Inventory of California Public Schools." At that web site you will only find the report, not a list of the schools that were in the DSA inventory. AB 300 prohibited DSA from identifying individual school sites in its report. When the report was released, school districts could obtain information only about their schools by requesting a list of their schools from DSA.

What has changed?

Currently, anyone is able to obtain the complete list of schools from DSA. Some school districts have been contacted by newspapers in their area questioning what the school district has done in response to the list of their

schools included in the DSA Seismic Safety Inventory.

How is the list obtained?

Currently the list of schools which includes approximately 9,000 buildings inventoried and designated by DSA as Category 1 (building types likely to perform well in future earthquakes) or Category 2 (building types not expected to perform as well) can be obtained by contacting DSA to request specific school district information only or the complete statewide list. At the September 28, 2005 C.A.S.H. monthly meeting Dennis Bellet from DSA stated that the list could be obtained by contacting him at dennis.bellet@dgs.ca.gov.

What does a Category 1 or Category 2 designation mean?

To understand the methodology and designations used by DSA it is best to read the Executive Summary and pages 11 and 12 of DSA's "Seismic Safety Inventory of California Public Schools." It is important to note that the DSA inventory was based on a "paper review" of a project's construction documents, not a physical review of the building itself. A Category 2 designation simply means the buildings should have "a seismic evaluation to determine if they can be expected to achieve a life-safety performance when subjected to earthquake ground motions equivalent to those specified for new design in the 1997 UBC" (quote from page 12 of the DSA report). The Category 2 designation does not impugn a school building. It indicates only

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End of Session Legislative Update

AB 315 (Hancock) – CHPS Standards

Status: Two-Year Bill

Summary: AB 315 would have required that in subsequent statewide school bonds, the SAB must adopt and districts must follow standards based on CHPS guidelines concerning energy efficiency, indoor air quality, etc. C.A.S.H. initially opposed the bill until the author: (a) addressed C.A.S.H.'s concerns about the lack of funding by including a funding mechanism similar to the SB 575 funding mechanism for fire sprinkler/detection systems, and (b) recognized the major issue of including modernization projects by limiting the bill to New Construction projects. In response to these amendments, C.A.S.H. changed its position to Support.

AB 491 (Goldberg) – Enrollment Projection Methodology

Status: To Governor

Summary: Authorizes a school district that has two or more schoolsites with a population density greater than 115 pupils per acre in kindergarten and grades 1 to 6, inclusive, or a schoolsite pupil population density that is greater than 90 pupils per acre in grades 7 to 12, inclusive, of the school site density recommended by the State Department of Education (SDE), to submit an application for school facilities funding to relieve overcrowding and authorizes these school districts to use an alternative enrollment projection methodology, and specifies that this alternative methodology must be jointly reviewed and approved or rejected by OPSC and the Department of Finance.

AB 494 (Montañez) – Multistory Buildings

Status: Two-Year Bill

Summary: Would have required the SAB to provide a supplemental grant equal to 50 percent of the replacement cost of a building if a school district proposes to demolish the building and replace it with a multistory building if the cost of demolition of the building and construction of a new multistory building, including site acquisition costs is less than the cost of providing a new school facility, including land, for the additional number of students housed as a result of the multistory replacement building. The construction of the new multistory building could be on the existing site or on a new site if the existing site is to be incorporated into the project in order to provide additional student housing. The bill would have required the SAB to establish additional requirements necessary to ensure that there is a sufficient increase in student capacity to justify the demolition of the building and replacement of the building with a new multistory building.

AB 512 (Senate Education Committee) – Education Omnibus Bill

Status: To Governor

Summary: (a) Clarifies that county superintendents' visits shall be conducted during the school day when students and staff are present and acknowledges that a certain minimal amount of disruption is unavoidable because County Superintendents must question students and staff to determine whether sufficient instructional materials are available and the school facilities are in good repair; (b) affirms that

county superintendents must complete their instructional materials reviews by the fourth week of the school year. Since instructional materials, but not facilities, are mentioned, it can be interpreted to mean facilities are not required to be reviewed by the fourth week of the school year; (c) clarifies the list of schools ranked in deciles one to three, inclusive, on the 2003 base API that is compiled by CDE. The substantive effect of this amendment is that county-operated special education programs will be formally removed from the list on the CDE website.

AB 539 (Daucher) – Cost Index

Status: Two-Year Bill

Summary: This bill would have authorized inflation adjustments to school facility construction and modernization apportionments at the time of bid opening or nine months after the apportionment, whichever comes first. C.A.S.H. supports AB 539.

AB 952 (Coto) – Sale of Surplus Property

Status: To Governor

Summary: This bill would allow specified districts to deposit the proceeds from the sale or lease of surplus property into the district's General Fund. C.A.S.H. opposes AB 952. While recognizing that many districts are seeking budget flexibility in these lean fiscal times, it is a cornerstone of C.A.S.H.'s philosophy to ensure that funding intended for capital purposes is not used for operations.

AB 1097 (Mullin) – Lease-Leaseback

Status: To Governor

Summary: Last year the Governor vetoed AB 1486 (Dutra) regarding lease-leaseback; which had been carefully negotiated between a number of interests. This year Assembly Member Mullin reintroduced the same measure as AB 1162. The bill was moving

through the legislative process until August 18, when the bill was amended to eliminate the lease-leaseback language and to address the unrelated eminent domain issue resulting from a recent federal Supreme Court decision. The language reappeared with a twist less than a week before the end of session. AB 1097 (Mullin), an unrelated bill, was gutted and a new version of lease-leaseback was inserted. The new version would exempt from many of the procedural details, any school district that enters into a Project Labor Agreement (PLA). If signed by Governor Schwarzenegger, it would be the first statutory recognition of PLAs in school facility law.

AB 1297 (Evans) – Indoor Air Quality

Status: Vetoed by Governor

Summary: Would (a) require inspection of heating, ventilation and air-conditioning (HVAC) systems by contractors or school district employees who have been certified by The Testing, Adjusting, and Balancing Bureau, The National Environmental Balancing Bureau, or the Associated Air Balancing Council; (b) require that, "In performing maintenance or repairs on an HVAC system, a school district shall utilize contractors or school district employees who have been certified by one of the following organizations to maintain and repair HVAC systems: (1) The International Training Institute for the Sheet Metal and Air Conditioning Industry, (2) The North American Technical Excellence, (3) The National Inspection, Testing and Certification Corporation, or any other organization that is accredited by the American National Standards Institute (ANSI) to issue an HVAC Mastery Certification." C.A.S.H. opposes AB 1297 because the requirement to hire consultants or train existing school district staff certified by specified organizations to issue HVAC inspection reports and perform maintenance and repairs will cost school districts hundreds of thousands and

potentially millions of dollars; moreover, the bill contains no funding provision at a time when schools are struggling to provide basic educational services.

AB 1358 (Mullin) – Charter Schools/Acquisition of Proposed School Sites

Status: Signed by Governor (Secretary of State, Chapter 229, Statutes of 2005)

Summary: This bill requires charter schools to comply with the same requirements as school districts regarding the acquisition or leasing of property for a new school site that is within two miles of an airport runway. These requirements include notice to the California Department of Education. Upon receipt of the notice, CDE is required to notify the Department of Transportation (Caltrans) in writing of the proposed acquisition, and Caltrans is required to investigate the proposed school site and submit a report of its findings and recommendations concerning acquisition of the site to CDE. State or local funds may not be apportioned or expended for acquisition of a proposed school site if Caltrans' recommendation does not favor its acquisition.

AB 1451 (Montañez) – MTYRE

Status: Two-Year Bill

Summary: This bill would have increased the eligibility for state school construction funding for most school districts by eliminating current reductions to eligibility calculations required if a district: 1) receives multi-track year round education (MTYRE) grants, or 2) does not have sufficient MTYRE schools. C.A.S.H. supported the bill because it would have restored eligibility (by eliminating the 6% "hit") to districts that do not operate schools serving at least 30% of K-6 ADA on MTYRE schedules, and because it would allow districts to build off of MTYRE schedules.

SB 327 (Lowenthal) – Piggyback Contracts

Status: To Governor

Summary: SB 327 would prohibit school districts from authorizing public projects and public works contracts without advertising for bids and defines personal property, which is authorized to be purchased without advertising for bids, to include among other things relocatable classrooms. SB 327 then defines "relocatable classroom" as any building with an integral floor structure which is capable of being readily moved and transported over public streets without the separation of the roof and floor from the building, and includes the delivery, installation, maintenance, repair, and removal thereof. C.A.S.H. opposes SB 327 because the bill limits the ability of districts to provide cost and time-efficient solutions to their facilities needs.

SB 1035 (Hollingsworth) – Routine Restricted Maintenance Account

Status: Two-Year Bill

Summary: C.A.S.H. opposed SB 1035 because it would have allowed school districts to use up to one-third of a district's Routine Restricted Maintenance Account (RRMA) funds for the purpose of school cleaning and custodial services - the result would be that less funding would be available for completion of critical maintenance projects. Under existing law, school districts are prohibited from using RRMA funds for cleaning or custodial services to ensure adequate funding is available to complete maintenance projects. Cleaning and custodial services, the importance of which is highlighted by the approval of SB 892 (Chapter 909, Statutes of 2003) concerning restroom cleanliness, are intended to be funded from a school district's general fund. While both the "maintenance" and "custodial" functions are important, the objective of

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Recycling Goes the Extra Mile

By Carole Pharr


Palo Alto Unified School District has been working with the City of Palo Alto Utilities and Salas O'Brien Engineers, Inc. to reduce energy and water usage at the District campus sites through Energy Management System expansions and retro commissioning. In addition, several schools extended their conservation efforts to include recycling efforts as part of the overall efforts to ensure sustainable facilities and reduce operation costs for the District.

"PASCO (Palo Alto Sanitation Co.) has recognized Walter Hays Elementary on more than one occasion of the great recycling job they are doing," says Ruta Henard, school secretary.

This two-acre site is home to some

487 students at the kindergarten to fifth grade level.

The lunchtime recycling program was introduced two years ago by Barbara Lindsay, a fourth grade teacher at the school. Earlier this year, Targe Lindsay, a teachers' aide with the school, and her husband went to the Palo Alto Recycling Center for support. They were given 25 of the old style curb recycling crates which are now obsolete. Those crates are used in the classrooms, the lunch room, and the staff and faculty offices. This year the program includes the first through fifth grade students and will be introduced to the kindergarteners in November when they will be staying at school through

lunch. At the same time both the administration and support staff, along with the students, are recycling anything from toner and ink cartridges to mixed paper. At lunchtime the students focus on aluminum, metal cans, foil containers, plastic drinking bottles, and sheet foil. On August 30 the school principal announced that the time had come to introduce the next step, a compost bin. Food scraps and garden trimmings will be composted and will pave the way for a school garden. Earth Day is being celebrated each and every day at Walter Hays Elementary rather than once a year. 

Carole Pharr is with C.A.S.H. member Salas O'Brien Engineers, Inc. in San Jose, California.

C.A.S.H. Board Seeking Nominations for Director

The C.A.S.H. Board of Directors Nominating Committee is now accepting nominations for a position on the Board.

The Committee is seeking nominations from private sector members. Terms are for two years and will begin in February 2006. Self-nominations are encouraged.

Nominees currently should be active in C.A.S.H. and highly experienced in K-12 school facilities and maintenance programs.

Candidates must possess the following qualities:

- ✓ ability to speak publicly on the needs of C.A.S.H.
- ✓ ability to take positions on issues
- ✓ ability to provide leadership with the C.A.S.H. membership
- ✓ experience with attending meetings and membership on committees
- ✓ ability to provide the time commitment

Board positions require a significant time commitment. Such commitments will include, but are not limited to, the following

- ✓ attendance at C.A.S.H. monthly meetings in Sacramento
- ✓ attendance and participation at the three-day C.A.S.H. Annual Conference in February
- ✓ attendance and participation at the two-day Spring and Fall conferences
- ✓ attendance and participation at day-and-a-half quarterly board meetings
- ✓ various workshop and committee assignments
- ✓ other special meetings or subcommittees as assigned

Please send a letter of nomination outlining your qualifications to:

C.A.S.H. Board of Directors Nominating Committee
1130 K Street, Suite 210, Sacramento, CA 95814
Attention: Greg Golik
Fax to: (916) 448-7495
Email to: ggolik@m-w-h.com

NOMINATIONS SHOULD BE RECEIVED NO LATER THAN MONDAY, OCTOBER 31, 2005.

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that a review of historical plan documents suggests that some older schools (pre-1976) should be evaluated.

What else should I know about the DSA study and the inventory?

DSA acknowledges that while they made every effort to ensure the accuracy of the information in its report, the data is limited by the following:

1. The inventory may contain a number of buildings that may have been demolished, retrofitted or sold.
2. The inventory may have omitted a number of non-wood frame buildings that were constructed between 1933 and 1978.

Furthermore, some school districts have found schools on their list that are not part of their school district. That could be due to a number of factors including school district reorganizations, unifications, or other limitations in the methodology utilized in conducting the inventory.

In DSA's 2002 letter to school district superintendents they highlight that, **"Inclusion of a school building in the inventory is NOT, by itself, a determination of the safety of the building....School districts should be advised that only a detailed evaluation by structural engineers can determine whether a building is expected to be safe during an earthquake or if a retrofit is needed."** 

DSA Subcommittee Meets to Consider Playground Access Issues

The Division of the State Architect (DSA) Advisory Board created the Universal Design Committee to review access compliance issues. The Universal Design Committee is comprised of DSA Advisory Board Committee members and experts in access compliance.

The DSA Universal Design Committee met on September 15, 2005 and, among other issues, discussed the Committee's proposed regulations to require school design professionals to include school playground access issues when they submit school construction plans to DSA for approval, and require school maintenance personnel to use certain "impact attenuation materials".


The Committee's staff analysis states that, "Architects, landscape architects, contractors and school district maintenance personnel do not fully understand how to design, build or maintain play areas with the use of Engineered Wood Fiber and are thus creating inaccessible playgrounds for children with disabilities." The Committee's proposed regulations establish particular requirements for designing, building, and maintaining school playground structures.

The critical aspect of the Committee's proposed regulations is the provision that would require altered or newly-constructed play areas to be inspected by a certified safety inspector, and "require an inspection certificate to be provided at the completion of the alteration or new construction of the playground to be submitted to the district and the DSA's project file for this site." The chair argued that, as a result of the design community's and school maintenance staff's failure to adequately address playground access issues, school districts will be vulnerable to litigation unless

steps are taken to address this inadequacy.

The first issue that the Committee discussed was whether or not DSA is required to review playgrounds at all. The school district representative on the Committee argued that DSA is not required to review playground areas for access compliance. The chairman and the DSA representative argued that DSA is required to review playground areas, if not on a "structural" basis, then on a "path of travel" basis. The remainder of the meeting centered on a discussion between members of the Committee and representatives of companies that manufacture impact attenuation materials, who provided testimony to the Committee concerning the hardship that this proposal creates for their industry.

In testimony to the Committee, C.A.S.H. informed the Committee that our members, the design community and maintenance and operations personnel in particular, will be the end users if this proposed change is approved, and consequently, expressed concern about the unfunded costs and complexity associated with the Committee's proposal. The Committee Chair responded to the concerns stating that "this is a civil rights issue." The Committee did delete the provision of the Committee's proposed regulations that requires an inspection and a certificate to be provided at the completion of the alteration or newly-constructed playground.

To read the DSA Universal Design Committee's proposed regulations concerning playgrounds, please visit the Division of the State Architect website at <http://www.dsa.dgs.ca.gov/default.htm>.  ~Jan Padilla



Electric and Magnetic Fields (EMF) Working Group Meeting

On Tuesday, September 27, 2005, the California Department of Education (CDE) convened a working group to “identify and frame issues and concerns” regarding electric and magnetic fields (EMF) and to discuss its Electromagnetic Field Setback Exemption Protocol. C.A.S.H. was asked to participate.

The group consisted of CDE officials including Kathleen Moore, the director for facilities, along with representatives from schools, utilities, the Department of Health Services (DHS), and other interested parties.

Health Study Regarding EMFs

The issue of whether EMFs, which are emitted at various levels from electrical power lines, substations, and other internal school site sources, are harmful to human health continues to be debated on a local, state and national level. The national average 24-hour exposure to EMFs is 1.25 milligauss (mG).

DHS conducted an EMF risk evaluation study at the request of the

California Public Utilities Commission (CPUC). Three reviewers who are experts in the field were asked to review EMF studies done over the past ten years and provide as a numerical “degree of certainty (on a scale of 0 to 100) how “real” the risks associated with EMFs in past studies were.

The reviewers differed in their opinions as to whether and to what degree there may be a correlation between EMFs and childhood leukemia, brain cancer, Lou Gehrig’s disease and miscarriage. DHS is making no recommendations at this time and the CPUC does not plan to issue any statement on what EMF levels may be considered safe in the near future. The study information is available at www.dhs.ca.gov/ehib/emf.

Setback Issues for High Density Urban Areas

The California Code of Regulations, Title 5, contains school site approval regulations with regard to new schools proposed near electric transmission lines. It requires that school buildings

be placed at the following distances from power lines [CCR Title 5 14010(c)]:

- 100 feet for 50-133 kV line
- 150 feet for 220-230 kV line
- 350 feet for 500-550 kV line

The setbacks are a problem for facility siting, particularly in high density urban areas where power lines run throughout cities and available properties for schools are scarce. School districts have fewer options available for school sites because of the setbacks and in some cases are forced to design and build schools with multiple floors on sites in order to meet facility standards.

CDE Setback Exemption

In July of 2004, CDE issued an Electromagnetic Field Setback Exemption Protocol which outlined the major steps school districts should follow to request a Title 5 exemption to Section 14010(c). CDE is seeking input from the working group and will decide how to proceed (rulemaking or more informal process) to finalize the policy over the course of the next few months.

The exemption request would identify special circumstances that require the entire site to be used with minimal setbacks, and show that the selection of an alternative site would trigger costly eminent domain proceedings, among other things.

A site specific EMF plan must be developed that will be used by the School Facilities Planning Division (SPFD) to consider an exemption to the setbacks. The district would be required to consult with the local utility and retain an “EMF consultant” who would study the site and evaluate all potential sources of EMF and develop a list of site mitigations to be completed by the district.

Finally, the school district board is required to pass a resolution requesting an exemption to Title 5 that certifies that all mitigation measures in the plan will be completed and there will be no student use of the facility before that work is done. *Most troubling, is that the*

resolution passed by the school board must also certify that "student health and safety will not be affected" by the exemption.

Given that no state agency has been willing to say what levels of EMF are "safe" or acceptable, there would be no basis upon which school districts could provide a certification on the health risks of an exemption to the protocol.


CDE officials have stated that changes may still be made to the protocol in the coming months. The working group will assist CDE in formulating the policy expected to be finalized by the end of the calendar year, or early next year at the latest.

Working Group Issues

Members of the working group pointed out that the CDE has been using the 1.25 mG national average figure as a starting point in determining exemptions, although the protocol states that the "SFPD EMF setback protocol does not intend to establish numeric standards for any acceptable exposure to EMF levels." Mitigating to that level should be examined thoroughly and the question of whether there should be a set "number" to be achieved is appropriate.

Some of the other issues the working group identified:

- Survey of other states (NY also has a policy)
- Mitigation costs in the face of other cost pressures schools are facing
- Mitigating to background/neighborhood levels
- Type and accuracy of EMF data
- The role of the EMF consultant
- The use of EMF modeling

CASH will continue to participate in this working group and will update the membership on the progress of the EMF exemption protocol. 

– Anna Ferrera

State Water Resources Control Board Considers Establishing Numeric Limits for Storm Water Discharge

The State Water Resources Control Board (SWRCB) has convened a meeting of independent, nationally recognized experts in storm water management to consider the question of, "whether it is technically feasible to develop numeric limits or other quantifiable measures for inclusion in storm water permits." The SWRCB convened this subcommittee on September 14, 2005 to hear input from stakeholders concerning the feasibility and implications for establishing objective limits for storm water discharge.

For purposes of review, during the renewal process for the state storm water permit two years ago, which currently apply primarily to construction, industrial and municipal discharges, schools became a regulated entity under the reconfigured permit. The C.A.S.H. Board created the C.A.S.H. Storm Water Committee and worked with the SWRCB to ensure that school district compliance with storm water regulations is reasonable, and that the costs associated with compliance are minimal. C.A.S.H. has also provided information to our members concerning the details and process of complying with these new requirements.

It is important to note that currently compliance with storm water regulations essentially requires establishment and implementation of a series of Best Management Practices (BMP) intended to improve the quality of storm water that leaves school sites. The SWRCB's consideration of establishing objective criteria to measure water-borne pollutants is a significant change from newly-established current practice and may result in more complication and

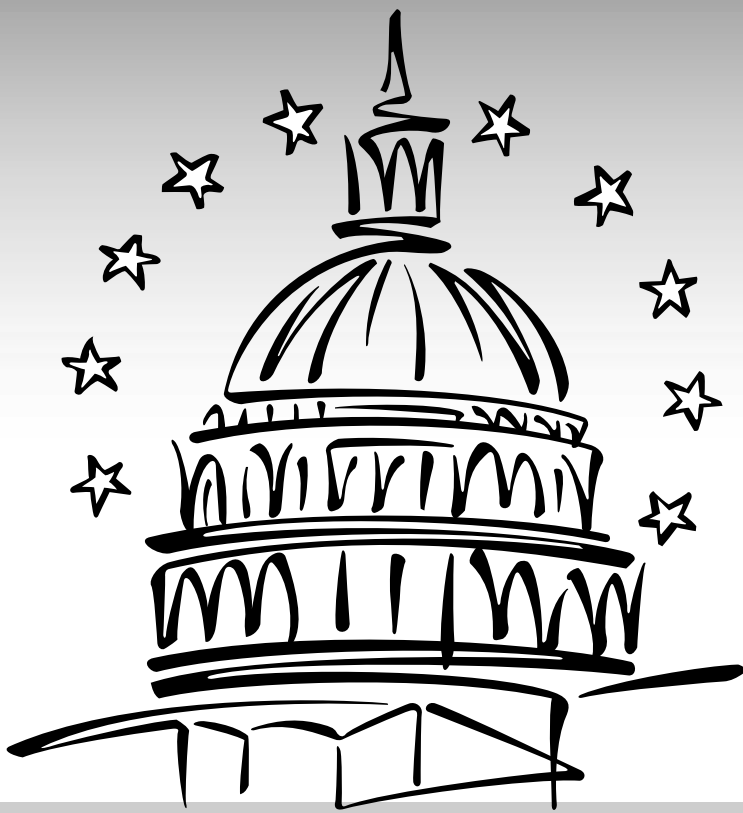
expense to schools at the local level.

Specifically, C.A.S.H. expressed concern that the imposition of numeric effluent limits would create significant difficulty for school districts that are currently developing and implementing BMPs, thus changing the rules midstream. Furthermore, in light of constrained school budgets, C.A.S.H. pointed out that the costly and time-consuming sampling and analysis requirements will create an unnecessary hardship for school districts, and offered to work with the SWRCB to create a more workable solution.

The following are the specific questions that C.A.S.H. submitted to the SWRCB in our letter:

- How would baseline numeric effluent be established?
- Would numeric effluent limits be strictly applied? Would permittees be allowed to present evidence on a case-by-case basis to recognize particular circumstances?
- How would multi-jurisdictional issues be addressed?
- How would the establishment of numeric effluent limits affect group-monitoring programs?
- Would school districts be allowed to self-test?
- What will be the scope of enforcement actions for a violation of the proposed numeric effluent limits?
- What will be the frequency, timing, and location requirements of the sampling and monitoring associated with the establishment of numeric effluent limits?

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CSF Successful Advocacy Trip

On September 20 and 21, 2005, Californians for School Facilities (CSF) members converged on Capitol Hill for a series of successful meetings with the following Members of Congress and their staff, Governor Schwarzenegger's D.C. Office staff, officials at the U.S. Department of Education, and at the Schools and Libraries Division on issues important to the CSF membership:

- Jim Houser, Project Director, US Department of Education, Office of Innovation & Improvement
- Lloyd Horwich, Professional Staff, House Committee on Education & the Workforce
- Mel Blackwell, Acting Vice President, Schools & Libraries Division, USAC
- Shari Davenport, Legislative Assistant, Representative Doris Matsui
- Representative Linda Sanchez
- Leighann Lenti, Deputy Director, Office of Governor Schwarzenegger

- Andrew House, Policy Advisor, Representative Devin Nunes
- Jessica Kork, Legislative Assistant, Representative Lucille Roybal-Allard
- Marc Gerson, Tax Counsel, House Ways & Means Committee
- Representative Xavier Becerra
- Matt Chiller, Legislative Assistant, Representative Jane Harman
- Kate Riley, Legislative Assistant, Representative Loretta Sanchez
- Grady Bourn, Legislative Assistant, Representative Jerry Lewis
- Shawn Chang, Legislative Assistant, Representative Diane Watson
- Becky Claster, Legislative Assistant, Representative Henry Waxman
- Arshi Siddiqui, Policy Advisor, Minority Leader Representative Nancy Pelosi

CSF meeting topics included a broad range of federal issues, including timely discussions on the federal response to natural disasters through special emergency school repair funding. In

the wake of hurricane Katrina, and impending Rita, CSF advocated for a continuing federal program for disaster relief instead of creating a new program in response to each disaster.


CSF members were also able to share their experiences after the 1994 and 1989 earthquakes and advised that the U.S. Department of Education work closely with the Federal Emergency Management Agency (FEMA) to ensure that school repair and replacement meets current school standards after such a disaster.

One important issue CSF raised was, in the past, FEMA has paid only to repair or replace the school facility as it was before the disaster, rather than to current facility standards. There should be some flexibility in disaster relief so that schools may be built to the current building standards.

Other issues that were raised during CSF meetings in Washington included federal assistance for Americans with Disabilities Act compliance, continued E-Rate funding, charter schools update, as well as continuing the Qualified Zone Academy Bond (QZAB) tax credit funding.

Additionally, CSF will be working to develop federal legislation to accomplish the following:

- Fund school facility compliance costs with Individuals with Disabilities Education Act.
- Reestablish the Emergency School Repair Program.
- Expand QZAB funding and make program improvements.
- Continue and streamline the E-Rate program.

Attendees on the trip included Jeff Baratta, UBS Financial Services, Inc.; Terry Bradley, Clovis USD, Gary Rainwater, Los Angeles USD; Ron Pregmon, WLC Architects; Jim Gilliam, HMC Architects; Peggy Flynn Williams, Santa Ana USD; Peggy Barber, Los Angeles USD; John Clem, Telacu Construction Management; Anna Ferrera and Dave Walrath, Murdoch Walrath & Holmes 

Don't Grow Your Own Mosquitoes!



Buildings & Grounds Checklist to Help Control Mosquitoes

Mosquitoes have always been a nuisance, but until recently, they seldom posed a health threat. That changed with the arrival of West Nile virus in California, a disease spread by mosquito bites.


Standing water is the mosquito nursery. Mosquitoes can hatch in a week or less, in as little as a half-inch of water. If you get rid of still or stagnant water at least weekly, you will keep many mosquitoes from breeding and take a big step toward protecting students, teachers and staff.

Take these steps at your school district to make outdoor activities safer and more enjoyable.

- Birdbaths-Clean or hose out weekly.
- Chainlink fences-Water can collect in fence posts. Cap them.
- Containers-Cover or turn upside down so they won't hold water. This includes boxes, buckets, cans, cups, jars, and pots.
- Drains-Keep outdoor drains flowing freely.
- Irrigation-Keep water from collecting in low-lying areas by not over-irrigating.
- Landscaping-Replace plastic mulch with landscape fabric that prevents weeds yet allows water through.
- Leaks-Fix faucets, air conditioners and hoses that leak and puddle.
- Lighting-Check garden lights. Drain water from inside and off the caps.
- Outdoor furniture and ornaments-Check for nooks and crannies that hold water, and drain or flush weekly.
- Play sets-Drill drainage holes in tire swings and in playground equipment where water can collect.
- Pool covers-Sweep off standing water.
- Pools-Clean and chlorinate even when not in use.
- Potted plants-Don't overwater. Drain saucers weekly with a turkey baster or flush with garden hose.
- Rain gutters-Keep clear of leaves and other debris.
- Recycling bins-Drill drainage holes in bottom. (If drainage holes are in the sides, enough water can collect in the bottom for mosquitoes to breed in.) Before you put cans in the bin, cut off top and bottom and flatten. Invert glass jars. Crush soft drink bottles and cans. Store newspapers on end, not flat.
- Screens-Install and maintain tight-fitting window and door screens.
- Shrubbery-Trim and thin shrubs and bushy plants. In the heat of the day, mosquitoes like to hide there.
- Tires-Properly dispose of old tires; they are the most common mosquito breeding ground in the country. Drill drainage holes in tires used in retaining walls, landscaping, and swing sets.
- Trash-Get rid of anything that can hold water, including cans, cups, foil, plastic, and paper.
- Trash cans and trash bins-Keep tightly covered. Remove water inside and underneath.
- Trees-Eliminate water from dead tree stumps and hollow areas of live trees. Fill cavities with sand or mortar.
- Umbrellas and basketball hoops-If the base for your table umbrella or basketball hoop is filled with water, cap it tightly and seal with duct tape. Or you can fill it with sand instead.
- Wading pools and wheelbarrows-Store vertically or turned over.

For more information, contact your local mosquito vector control district listed in the government section near the front of your phone book or on the Web at www.mvcac.org/agencies.htm.

Please contact Madeline Brattesani,

Ph.D., Department of Pesticide Regulation, Pest Management & Licensing Branch, P.O. 4015, Sacramento, CA 95812-4015, (916) 324-4082, mbrattesani@cdpr.ca.gov if you would like more information about the Department of Pesticide Regulation's School IPM Program or visit our Web site at www.schoolipm.info. 


End of Session Legislative Update

Continued from page 5

existing maintenance programs and the Williams settlement is to ensure that adequate funding is available and utilized to address on-going maintenance requirements and health and safety issues. C.A.S.H. argued that reducing maintenance funding is unwise given California's significant investment in school facilities.

SB 1054 (Soto) – Charter Schools/Building Standards

Status: Signed by Governor (Secretary of State, Chapter 87, Statutes of 2005)

Summary: Requires charter schools to meet building standards under the California Building Code as adopted and enforced by the local building enforcement agency with jurisdiction over the areas in which the charter schools are located. Specifically, this bill (a) requires charter school facilities to comply with the provisions of this bill by January 1, 2007; (b) provides that a charter school facility is exempt from the requirements of this bill if a charter school complies with the Field Act or the charter school is exclusively owned or controlled by an entity that is not subject to the California Building Code. 

Survey Seeks Feedback on School Safety & Security Priorities

Organizations Join Forces on Multi-Hazard Program

The National Association of State Fire Marshals (NASFM) and the National Infrastructure Institute (NI2) Center for Infrastructure Expertise encourage school officials throughout the country to complete a new online survey (<https://www.keysurvey.com/survey/40561/412f>) to provide input and feedback on safety and security issues affecting their schools, including biological/chemical, physical and violence-related concerns. The information gathered from the survey will be used to guide the priorities of the Safe & Secure Schools (S3) program, a joint effort between NASFM and NI2, with funding from the U.S. Federal Emergency Management Agency and the U.S. Department of Commerce. Launched in the fall of 2003, the objective of the S3 program is to help school administrators evaluate and improve their safety and security measures. The S3 program will develop a web-based software program that will provide information on resources

available to help schools identify safety and security issues.

“We have an obligation to strengthen and protect potential targets, especially schools, from acts of terrorism,” says NASFM President James A. Burns.

“But we also recognize that schools face a host of other potential hazards every day that have nothing to do with terrorism. S3 is being designed to help schools decide for themselves which hazards need to be addressed and how best to do so.”

Currently, NASFM and NI2 have partnered with an array of school districts across the country, which are set to test portions of the S3 software as it is developed. S3 pilot participants include: Anchorage School District (Alaska); Alameda County Schools (California); Orange County Public Schools (Florida); Parkway School District (Missouri); Goffstown School District (New Hampshire); Morris County Schools (New Jersey); New York City Public Schools; and the Wyoming Department of Education.


“We are pleased to be part of this

important program to improve emergency management and response in school districts across the country,” said Emil Suarez, Rockaway Borough School District superintendent, who oversees Morris County Schools. “Emergency planning is of the utmost importance to us, and S3 provides a sense that we are heading in the right direction.”

S3 began as a study of school fire hazards, but has grown to include emergency response, environmental, law enforcement and public health issues. NASFM and NI2 continue to tap the expertise of various federal, state and local agencies on different aspects of safety and security, including the U.S. Centers for Disease Control and Prevention, Department of Education, Environmental Protection Agency and Department of Homeland Security.

“NI2 is pleased to partner with NASFM in working with schools to improve safety and security preparedness,” said NI2 Director Donald P. Bliss. “We need input from schools through this survey so that we know their priority concerns, and we can work with them to improve their emergency operational planning.”

The National Association of State Fire Marshals (<http://www.firemarshals.org>) has as its principal members the most senior fire official of the states and the District of Columbia. Its mission is to protect life, property and the environment from fire and other hazards.

The National Infrastructure Institute Center for Infrastructure Expertise (<http://ni2cie.org>) operates under a grant from the U.S. Department of Commerce’s National Institute of Standards and Technology (NIST). The center is dedicated to assisting federal, state and local government agencies, as well as private industry and non-government organizations, in developing and applying best practices, creative ideas and cost-efficient solutions to protect our nation’s built infrastructure from terrorist attacks and other catastrophic events. 


Source: National Association of State Fire Marshals

State Water Resources Control Board Considers Establishing Numeric Limits for Storm Water Discharge

Continued from page 9

Concerning the SWRCB subcommittee’s deliberations, the meeting began with the environmental community, represented by the National Resources Defense Council, giving a two-hour presentation to the subcommittee arguing why the current BMP-based program is a failure and that consequently, the establishment of numeric limits is necessary. The regulated community, represented by the California Stormwater Quality

Association (CASQA), was then given the same timeframe to make a presentation arguing that establishing numerical limits is not necessarily the best solution. The SWRCB staff was then allowed to share their regulatory perspective, and the hearing concluded with a public comment period. The subcommittee will now develop a “white paper” and provide it to the SWRCB for its consideration.

C.A.S.H. will continue to monitor and advocate for a solution that allows school districts maximum flexibility and minimal cost. We will keep you informed concerning the most recent developments on this issue. 

– Jan Padilla

Conley-Caraballo High School

It's been said, "the journey determines the outcome of the trip." If that's the case, the New Haven Unified School District's journey to build a new high school for alternative education has ensured that Conley-Caraballo High School should be an overwhelming success.

With school board approval in December 2004 for a scheduled opening in August 2005, it was a race to success for the District and its architect, ATI Architects and Engineers, as they worked together to develop the campus on the site of the Union City-based District's former continuation school in south Hayward.

"One of the first things that became clear to me when I joined the District in October (2004) was the need to reopen the alternative high school," said Superintendent Dr. Pat Jaurequi. "Our challenge was to get it done in time for school to open in 2005."

The key, according to Enrique Palacios, the District's Director of Operations, was using ATI's pre-approved Emily design.

"We were able to start construction in March, and we built the school in 104 work days," Palacios said. "Because ATI had done this before, and because West Coast Contractors had worked on

Emily projects before, the construction process went more smoothly than we could have imagined."

With the aim of the school to provide an intimate and high-quality learning environment, one where the students would feel a sense of ownership, the site plan was developed on a straightforward and personal scale.

Designed with two main gathering areas in mind, the 20 classroom campus features state-of-the-art connectivity and is designed in accordance with the Collaborative for High Performance Schools (CHPS) standards. Situated among the science rooms and regular classrooms are a library, media center, teachers' lounge, administration building and day-care facility.


"We're a school of opportunity, a school of hope for the future, a school where students can learn in an environment that suits their individual academic needs," Principal Judy Silver said as she watched workers connect com-

puters and teachers set up their classrooms in the final days before the school opened. "This facility makes that possible."

On Aug. 31 2005, barely nine months after the process began, the newest school in the New Haven Unified School District opened on time



for its more than 500 students and parents.

"In New Haven, we like to say that we are a District that delivers for ALL children," Dr. Jaurequi said. "Getting Conley-Caraballo High School built, and getting it built in record time, shows that we take that charge seriously." 



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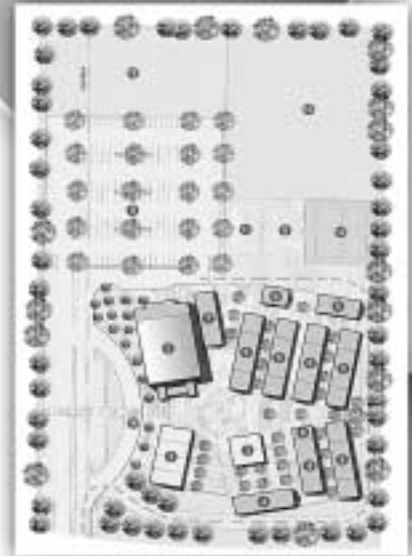
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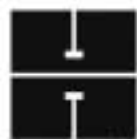
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C.A.S.H. Meetings, Conferences & Workshops

October 18, 2005 Tuesday	School Construction 101/201 Hilton Costa Mesa Hotel 3050 Bristol Ave., Costa Mesa, CA
October 19-20, 2005 Wed. & Thurs.	C.A.S.H. Fall Conference Hilton Costa Mesa Hotel 3050 Bristol Ave., Costa Mesa, CA
October 26, 2005 Wednesday	General Membership Meeting 1215 K Street, 14 th Floor, Sacramento, CA
December 7, 2005 Wednesday	General Membership Meeting 1215 K Street, 14 th Floor, Sacramento, CA
February 20, 2006 Monday	C.A.S.H. Annual Golf Tournament Woodcreek Golf Course Roseville, CA
February 21-23, 2006 Tuesday – Thursday	C.A.S.H. 27th Annual Conference Sacramento Convention Center & Hyatt Hotel Sacramento, CA

Monthly C.A.S.H. meetings are held from 11:00 a.m. to Noon in Sacramento. The monthly meetings are always scheduled to coincide with the monthly meetings of the State Allocation Board on the fourth Wednesday of the month, except in November and December, to enable C.A.S.H. members to attend the SAB's afternoon session. Both SAB meetings and General membership meetings are subject to change.



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