



# 2023 County School Facilities Consortium Annual Summit



**CALIFORNIA DEPARTMENT OF EDUCATION**  
Tony Thurmond, State Superintendent of Public Instruction

## Operations and Administration Branch

Abel Guillen, Deputy Superintendent of Public Instruction

- School Fiscal Services Division - Elizabeth Dearstyne, Director
- Fiscal and Administrative Services Division – Leisa Maestretti, Director
- Human Resources Division - Chaunda Wilson, Director
- School Facilities and Transportation Division - Juan Mireles, Director



## School Facilities and Transportation Services Division

Juan Mireles, Division Director

- Office of Learning Environments:
  - Facilities Planning - Field Operations – [John Gordon](#)
  - Facilities Planning - Policy and Standards – [Christopher Maricle](#)
  - Administrative and Technical Services – [Andrew Nave](#)
- Emergency Services Team – [Joe Anderson](#)
- Office of School Transportation – [Anna Borges](#)
- CDE Business Services Office – [Edward Castro](#)

## Office of Learning Environments

### Vision

All California school facilities are optimal teaching and learning environments that advance equity and educational opportunity for all students.

### Mission

Champion innovation in school siting and design, and support local leaders in providing safe, healthy, sustainable, and engaging learning environments for all California students and educators.



## Office of Learning Environments

- Not just school facilities – Learning Environments
- Student and educator centered approach
- Broad impacts:
  - Improved student achievement
  - Improved student attendance
  - Factor in teacher recruitment and retention
- True partner in education

## Contact Information

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## Supporting America's School Infrastructure (SASI) Grant Program

- 5-year program awarded to states.
- \$3-\$5 million per year per grantee.
- Grantees required to create a permanent position to sustain efforts.
- Grant released in June. Applications due in August.
- December 2023: SASI Grants Awarded.

## SASI Grant Program

Purpose: To increase the capacity of States to support high-need local educational agencies (LEAs) and schools in leveraging other available Federal, State, and local resources to improve school facilities and environments through public school infrastructure improvements to ensure that their public school facilities are safe, healthy, sustainable, and equitable learning environments for all students.



## California's Proposal

- Grant requires an element of poverty in their definition.
- CDE identified high-need LEAs as those with limited resources.
- CDE's efforts would focus on California's small school districts.

## California's Proposal

- Direct Technical Assistance
  - Team consisting of maintenance, facilities funding and procurement specialists visiting small school district sites.
- State and County Collaboration
- Centralized Online Resources
  - One stop shop for all LEAs to access resources.
  - Create standardized forms, templates and documents for district use.
  - On-Demand library of resources (i.e. webinars, videos).



## State and County Collaboration

- SASI Grant presents an opportunity to bolster state agency/ school district facilities relationships.
- Build a network of facility practitioners to sustain support for Small School Districts (SSD).
- Regional convenings tailored to the needs of SSD facility challenges.
- Some COEs have supported SSDs in the past.....

## San Diego County Office of Education

- Facilities Department supported small school districts on projects (until 2019)
- Fee structure in place
- Acted as “owner’s representative”
- Delivered public works (i.e. storm water compliance) and lease leaseback projects.
- Developed Maintenance and Long Range Master Plans for LEAs.



## Sonoma/El Dorado County Offices of Education

- Sonoma COE (2016-2019) contracted out services for smaller districts to provide:
  - Facilities assistance (maintenance plans)
  - Closeouts
  - Funded through the general fund
- El Dorado COE (1991-1994) supported 13 districts on:
  - Closeouts
  - Contracts, RFQs, etc.
  - Master planning
  - Services billed to the districts

## Contact Information

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# How Schools Fit in Emergency Management



## School Impacts

- 50 school facilities have been damaged or destroyed over the past six years:
  - 15 different counties
  - 16 different disasters
- Events that impacted schools include:
  - COVID-19
  - Public Safety Power Shutoffs
  - Wildfire
  - Mudslides
  - Earthquakes
  - Storms



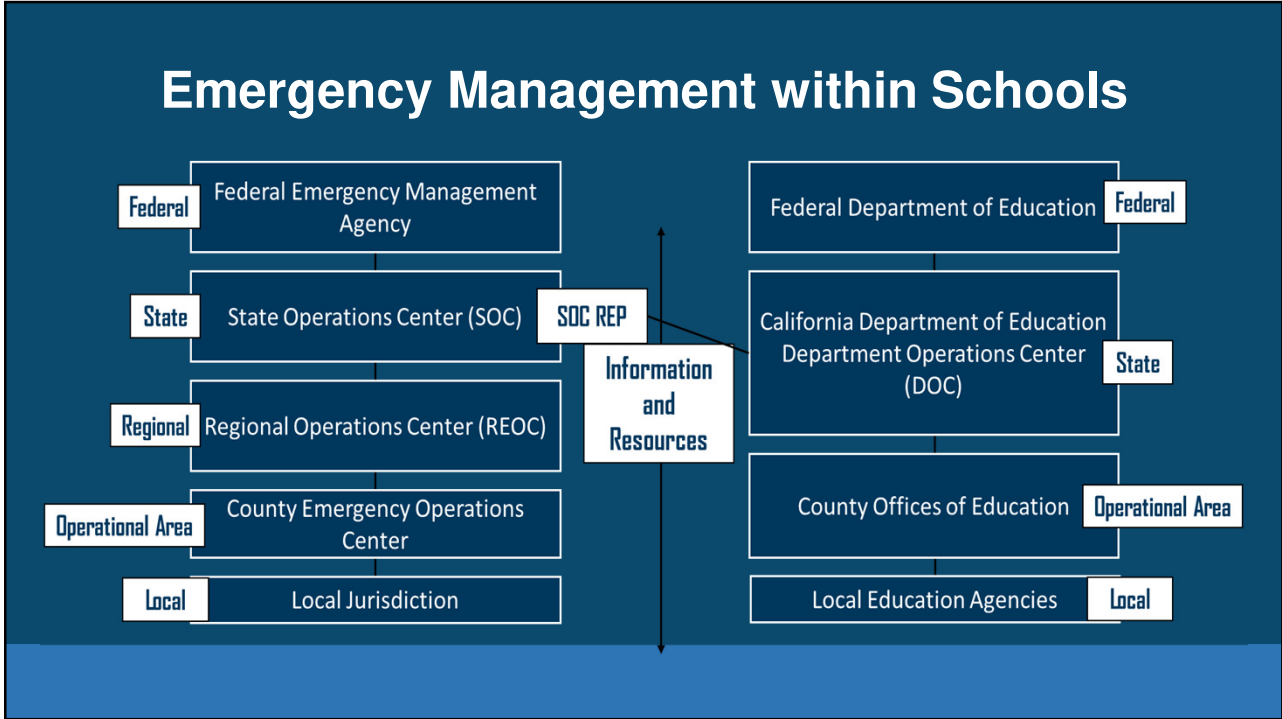


## CDE EST Website

- Air quality
- Earthquake
- Excessive heat
- Flood
- Landslide
- Wildfire
- Emergency Management for Schools
- School Emergency Reporting System (SERS)

## Who Do We Support?

- CDE (2 staff)
- 58 County Offices of Education
- 866 Districts
- 1,286 Charters schools
- 3,007 Private schools



## Preparedness

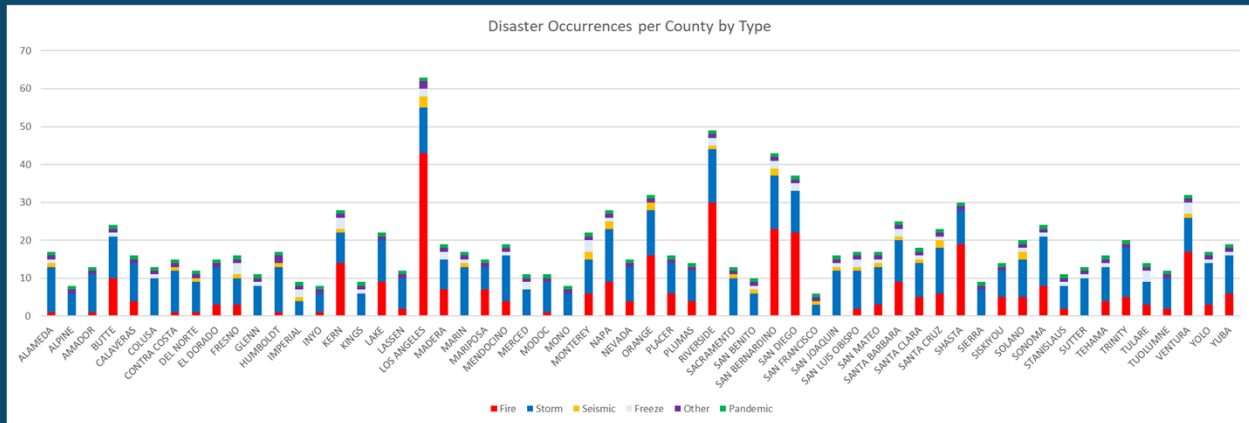
- Development of plans and procedures between schools, districts, and the local level, generally the county/city emergency office. Plans include:
  - Communications plans and procedures
  - Earthquake plans and procedures
  - Evacuation plans and procedures
  - Local Hazard Mitigation Plan
- Participation in Emergency Management Programs at the district or county level

# Training

- Participation in Training such as California Specialized Training Institute or FEMA independent Study Courses
- Participate in Seminars/Workshops/Drills/Exercises
- Know your facilities and where the utility shutoffs are located.



# Know your threat:



## Emergency Plans

- Emergency Operation Plans –  
Thorough response planning for a hazard event helps ensure that a school community executes an organized, timely, and well-communicated response when the unexpected occurs.
- Catastrophic Plans –  
The widespread impact of a catastrophic incident increases the importance of emergency planning for schools.

### Northern California Catastrophic Flood Response Plan (NCCFRP) Overview



## Life Safety First

- Evacuation vs. Shelter in Place
- Emergency Notifications
  - SERS
  - CDE EST
  - Local Government
- Important Files and Drives
- Access and Functional Needs
- Facilities inventory with photos



## Response

- Implementation of emergency plans.
- Activation of sheltering and/or evacuation procedures.
- Organizing staff and personnel into a response structure using Incident Command System (ICS).
- Coordination with first responder and emergency management agencies for life saving resources.
- Communication with parents/guardians and the district to ensure safe reunification of students with their family units.



## Schools Emergency Reporting System (SERS)

- Tracks impacts from disasters to California's K-12 education
- System for communications with LEAs
- EST request responses
- Schools self report
- EST tracks support gaps



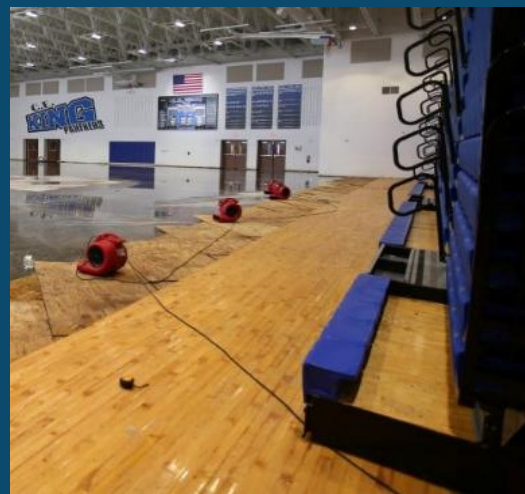
## When the Disaster is Over

- Apply to Grants for Assistance
- Mental Health Recovery
- Continuity of Operations



## Public Assistance

- For restoring public facilities back to their pre-disaster condition and implementing mitigation measures to reduce the risk of damage for future similar incidents
- For school districts in counties impacted by federally-declared disasters
- From FEMA, but Cal OES manages the funds in California and Covers 75% of project costs







## California Disaster Assistance Act (CDAA)

- For restoring public facilities back to their pre-disaster condition, can supplement the Public Assistance grant by covering 75% of the local match, or can act as a standalone grant that covers 75% of project costs
- For school districts in counties impacted by disasters in California
- Comes from state funds, administered by Cal OES



## School Emergency Response to Violence (Project SERV)

- For items that restore learning environments and managing problems related to safety and security such as:
  - Mental health services (related to the event)
  - Overtime for staff to clean up the school and receive training
  - Substitutes
  - Additional staff
  - Technical assistance for developing crisis response
  - Transportation for operating school in an alternative location
  - Leasing of space to substitute for damaged buildings
  - Other activities required to restore the learning environment
- From the US Dept of Ed Disaster Recovery Unit (DRU), direct from Feds to LEAs and 100% federally funded





## Hazard Mitigation Grant Program (HMGP)

- For measures to reduce loss of life and property from future disasters including, but not limited to:
  - Hazardous fuels reduction
  - Creating defensible space
  - Flood risk reduction
  - Seismic risk reduction
  - Post-fire mitigation
  - Critical facility generators



## Contact Information

### Emergency Services Team

- Joe Anderson, EST Manager – [joanderson@cde.ca.gov](mailto:joanderson@cde.ca.gov)
- Jake Wolf, EST Specialist – [jwolf@cde.ca.gov](mailto:jwolf@cde.ca.gov)
- General inbox – [EmergencyServices@cde.ca.gov](mailto:EmergencyServices@cde.ca.gov)



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# Federal Stimulus Funds and Capital Expenditures

September 29, 2023



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## Applicable Fund Sources

- Coronavirus Aid, Relief, and Economic Security (CARES) Act
  - Elementary and Secondary School Emergency Relief (ESSER) I
  - Governor’s Emergency Education Relief (GEER) I
  - Obligation deadline 9/30/22
- Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act
  - ESSER II
  - GEER II
  - Obligation deadline 9/30/23
- American Rescue Plan (ARP) Act
  - ESSER III
  - Obligation deadline 9/30/24



## What capital expenditure purchases are allowable using Federal Stimulus funds?

- This largely depends on context of the purchase – no pre-approved list
- Must always meet the following three criteria:
  1. Align with the allowable uses of the applicable fund source
  2. The cost is reasonable and necessary to prevent, prepare for, or respond to the COVID-19 pandemic
  3. Align with all relevant cost principles outlined in the Uniform Grants Guidance and Code of Federal Regulations (CFR)
- A purchase may be allowable in one situation, but may not be in another
  - Example: adding additional play equipment to allow for more distancing and participation vs. replacing play equipment to have the latest model

## When do I need to submit a Capital Expenditure Pre-Approval Application?

- ESSER and GEER funds require prior approval for the single unit (or several items that make up a unit) purchases of \$5,000 or more (as do federal funds generally, in alignment with 2 CFR 200.439) for:
  - General purpose equipment
  - Buildings
  - Land
  - Material improvements
- Costs may include ancillary expenses such as design costs, new electrical circuit for the item, and other related fees



## Capital Expenditure Data

- For pre-approval application reviews as of 9/1/2023 for the use of ESSER and GEER funds toward capital expenditures:
  - Total number of projects approved: 3690
  - Total amount of ESSER and GEER funds approved: \$3,685,032,384.34
- Common types of projects (context dependent, not a pre-approved list):
  - HVAC upgrades
  - Roof repairs/ replacement for indoor air quality
  - Flooring replacements for sanitation and improved air quality
  - Vehicles for improved student transportation, for student re-engagement activities (e.g., home visits), or maintenance
  - Equipment to expand music, art, and STEM programming
  - Equipment to increase communication and engagement with the school community (e.g., improvements to family engagement and community wellness centers, messaging systems, AV equipment for virtual/ outdoor events, etc.)

## What else should we be aware of? – Grant Timelines

- In accordance with 2 CFR 200.403(h), “costs must be incurred during the approved budget period” for the applicable fund source.
  - Local educational agencies (LEAs) must ensure that activities *even partially* funded through federal funds are *fully* completed within the applicable grant timeline.
- Licenses/subscriptions/contracts for services that extend beyond the grant period are not allowed
- The full scope of a facilities project must be completed within the grant period if these funds contribute even partially



## Grant Timelines – Example

- An LEA applies for and receives pre-approval to enter into a contract to replace HVAC systems in a school building, using ESSER II funds for the equipment and installation. Unexpected delays occur, and only half of the contract is completed within the ESSER II grant period. The LEA charges the expenditures that occurred during the ESSER II grant period to ESSER II, and charges the remaining balance to ESSER III.
  - Not allocable to ESSER II

## What else should we be aware of? – Procurement Requirements

- LEAs must ensure they are meeting all necessary state and federal procurement requirements
  - State requirements: California Public Contract Code (PCC) sections 20100–22178
  - Federal requirements: 2 CFR 200.317–327
    - In situations where the requirements differ, the most restrictive rule must be applied
- Often seen finding: non-compliance with federal competition requirements



## Can we use cooperative purchasing agreements or piggyback contracts with these funds?

- The U.S. Department of Education has not provided guidance on this issue
- In limited circumstances, this may be allowed, in alignment with 2 CFR 200.318
  - Must be utilized in conjunction with remaining procurement requirements
  - Must be under the same terms and scope as the original contract
  - Original contract must have met all required applicable state and federal procurement standards
  - Can be difficult to demonstrate compliance with federal requirements, and more difficult to be determined allowable

## What else should we be aware of? – Additional Reporting Requirements

- Davis-Bacon Related Acts may be applicable for construction, repair, or alteration (including painting) contracts over \$2,000
- Additional federal reporting requirements
  - Record the federal interest in the title
  - When used to acquire or improve real property, see 2 CFR 200.310–313
  - 2 CFR 200.330 – status of real property
- See more details within the Capital Expenditures FAQs



## Resources

- Capital Expenditures section of the Federal Stimulus Funding web page: <https://www.cde.ca.gov/fg/cr/#capital>
- Capital Expenditures FAQs:  
<https://www.cde.ca.gov/fg/cr/capexpfaqs.asp>
  - Please view this page for example expenditures, detailed reporting requirements, and clarified procurement requirements!
- Revised Capital Expenditures Pre-Approval Application Form:  
<https://www.cde.ca.gov/fg/cr/documents/fedfundscapitalexppdf>
- CRRSA Act Liquidation Extension Application (to apply for an extension to the liquidation period of CRRSA Act funds only):  
<https://www.cde.ca.gov/fg/cr/crrsa.asp#crrsaligext>

## Additional Questions?

- For Federal Stimulus Fund Questions:
  - [EDReliefFunds@CDE.ca.gov](mailto:EDReliefFunds@CDE.ca.gov)



## Join Our Listserv

Send a blank email message to [join-edrelieffunds@mlist.cde.ca.gov](mailto:join-edrelieffunds@mlist.cde.ca.gov).

