

## **School Facilities Emergency Repairs Account (SFERA)**

The Williams settlement legislation creates the SFERA to provide for reimbursement of emergency repair costs to districts for schools ranked in API deciles 1 – 3. For 2004-2005, \$5 million is transferred into this account. Starting in fiscal year 2005-2006, requires a transfer of \$100 million or 50 percent of the unappropriated balance of the Proposition 98 Reversion Account, whichever amount is greater, to the SFERA. Funds shall continue to be transferred each year thereafter until \$800 million has been disbursed from this repair account.

Eligible schools are those that ranked in deciles 1 – 3 in the 2003 API. The SFERA funding shall supplement, not supplant, existing funds available for school facilities maintenance, and it is the intent of the Legislature that school districts use due diligence in the operation of deferred and regular maintenance programs in order to avoid the occurrence of emergency repairs. The SAB shall adopt necessary regulations and administer the program, and may deny SFERA funding to a school district if it determines that there is a pattern of failure to exercise due diligence or supplanting as described above.

“Emergency facilities needs” eligible for reimbursement are defined as structures or systems that are in a condition that poses a threat to the health and safety of pupils or staff while at school.

These projects include, but are not limited to, the following:

- Gas leaks.
- Nonfunctioning heating, ventilation, fire sprinklers or air conditioning systems.
- Electrical power failure.
- Major sewer line stoppage.
- Major pest or vermin infestation.
- Broken windows or exterior doors or gates that will not lock and pose a security risk.
- Abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff.
- Structural damage creating a hazardous or uninhabitable condition.

Emergency facilities needs do not include any cosmetic or nonessential repairs. Further, structures shall only be replaced under the SFERA if it is more cost effective than repair.