

SENATE BILL REPORT

SB 5725

As Reported By Senate Committee On:
Early Learning, K-12 & Higher Education, February 28, 2005

Title: An act relating to emergency school repair.

Brief Description: Providing for an emergency school repair account.

Sponsors: Senators Fraser, Schmidt, Rockefeller, Schoesler, Doumit, Hewitt, Eide, Brandland, Parlette, McAuliffe, Esser, Rasmussen, Mulliken and Kohl-Welles.

Brief History:

Committee Activity: Early Learning, K-12 & Higher Education: 2/24/05, 2/28/05 [w/oRec-WM].

SENATE COMMITTEE ON EARLY LEARNING, K-12 & HIGHER EDUCATION

Majority Report: That it be referred to Committee on Ways & Means without recommendation.

Signed by Senators McAuliffe, Chair; Pridemore, Vice Chair; Weinstein, Vice Chair; Schmidt, Ranking Minority Member; Benton, Berkey, Delvin, Eide, Kohl-Welles, Mulliken, Pflug, Rasmussen, Rockefeller, Schoesler and Shin.

Staff: Ingrid Mungia (786-7423)

Background: In 2001, Congress authorized and funded the Emergency School Repair and Renovation Grant program. Through the program, school districts obtained one-time grants for urgent health and safety risks, fire and building code deficiencies, access for disabled students, and asbestos abatement or removal. A minimum of 16 percent of the funding was reserved for high-poverty districts and 21 percent was reserved for rural districts. The remaining funds were available for any district. At least 10 percent of the funds were required to be held in reserve for cost overruns.

The Office of the Superintendent of Public Instruction (OSPI) administered Washington's participation in the program. Districts with fewer than 10,000 students were limited to a grant of \$100,000. Districts with more students had a grant limit based on a percentage of enrollment.

Through the program, 97 school districts received almost \$9.5 million for projects requested in 2002. There were 31 districts on a waiting list for any funds remaining in the reserves after all cost overruns were covered. All projects had to be completed by September 30, 2003. No additional federal funding is anticipated for the program.

By law, the State Board of Education (SBE) is responsible for adopting rules and recommending state capital construction budgets for school facilities.

Summary of Bill: The Washington Emergency School Repair Grant Program is created. The program is intended to assist school districts with the nonrecurring costs associated with urgent safety and health facilities repairs and renovations. Grants may be used for projects related to health and safety risks, fire and building code deficiencies, access for disabled students, and asbestos abatement or removal.

The program will be administered by the OSPI in cooperation with the educational service district superintendents and an advisory committee of maintenance and operations administrators. The types of projects that might be funded in a given year will be determined by any legislation that provides funding for the program. Recipient district applications may not exceed \$100,000 per three-year period. Districts are eligible to receive the grant only once in any three-year period.

Some of the types of projects that may be funded are described. The grants cannot be used for new facilities, facility maintenance, or to cover the cost of the grant application.

The SBE must adopt rules and may adopt guidelines for the program in consultation with the Superintendent of Public Instruction, educational service district superintendents, and an advisory committee of maintenance and operations administrators.

The rules or guidelines adopted must include factors for consideration such as difficulty in funding the projects, emergency health and safety needs, and the district demonstrating a consistent commitment to addressing school facilities needs. Additional priorities must be included that provide a determined percentage for high poverty school districts and for small and rural districts. A definition of the terms "high poverty school district" and "small and rural school district" must be included, as well as guidance on grant applications and awards, participant selection, permissible use of grant funds, and project accountability.

The law governing the Common School Construction Fund is revised to allow money in the fund to be used for the grant program.

Appropriation: None.

Fiscal Note: Requested on February 22, 2005.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 2005.

Testimony For: This program will help rural districts in the state. Studies show a healthy and good environment helps test scores. This bill is designed for emergency repairs, not maintenance. School districts received a lot of benefits from the federal program when it was enacted. The bill is headed in the right direction. The three year time line is a good idea. The federal program worked in the past to benefit schools, so the state program will benefit schools.

Testimony Against: None.

Who Testified: PRO: Mitch Denning, Alliance of Education Association; Steve Story, Bethel School District; Tom Kuehn, Washington Association of Maintenance Administration; Greg Lee, citizen; Kate Lykins Brown, SBE; Dan Steele, WSSDA.