

SENATE BILL REPORT

SB 6872

As Reported By Senate Committee On:
Early Learning & K-12 Education, February 07, 2008

Title: An act relating to community and surplus schools.

Brief Description: Enacting the community schools act of 2008.

Sponsors: Senators McDermott, Kohl-Welles, McAuliffe, Kline and Marr.

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/7/08 [DP-WM, DNP].

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Eide, Hobbs, Holmquist, Kauffman, McDermott, Oemig, Rasmussen and Weinstein.

Minority Report: Do not pass.

Signed by Senators King, Ranking Minority Member; Brandland and Zarelli.

Staff: Susan Mielke (786-7422)

Background: In 2003 the Legislature directed the Department of Community, Trade and Economic Development (DCTED) to establish a competitive grant process for soliciting and prioritizing projects that assist nonprofit youth organizations in acquiring, constructing, or rehabilitating facilities used for the delivery of specified services. The projects must have a major recreational component, and either an educational or social service component. The DCTED must evaluate and rank project applications with a citizen advisory committee and submit a prioritized list of recommended projects to the Governor and the Legislature in the DCTED biennial capital budget request. Grant assistance is capped at 25 percent of the total cost of the project. DCTED is prohibited from obligating funds until the legislature has approved a specific list of projects.

To obtain state funding assistance for state-recognized K-12 construction costs, a school district must have a local match (usually via passing a bond measure) and meet the eligibility requirements (such as unhoused students calculated based on space standards that are differentiated by grade level or needs of students with disabilities.) A formula determines the amount of the state's match and includes the square feet calculation based on student enrollment, an area cost allowance per square foot, other allowable costs, and equalization funding to assist based on school district property wealth.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The 2007-09 capital budget created a joint legislative task force (task force) on school construction funding to review the current system and make recommendations to the Legislature. The task force divided its work into two phases: 1) a complete review of spending issues by January 2008; and 2) a complete report with recommendations on funding issues by December 2008. The task force formulated a list of possible recommendations, including: "Methods for encouraging/incentivizing cooperative partnerships/joint use of facilities with early learning providers, social service providers, skill centers, community and technical colleges, and public baccalaureate institutions should be implemented. . ."

Summary of Bill: The Community Schools Act of 2008 is created.

Beginning with the 2009-11 biennium, the current DCTED competitive grant program to assist nonprofit youth organizations is changed to provide priority consideration for projects that include cooperative partnerships or joint use agreements for facilities shared with public schools, early learning providers, local governments, post-secondary institutions, tribal governments, or other entities as determined by DCTED.

Additionally, beginning with the 2009-11 biennium, the DCTED must establish a competitive grant process for soliciting and prioritizing projects that assist public school districts, local governments, nonprofit organizations, early learning providers, post-secondary institutions, and tribal governments in acquiring, constructing, rehabilitating or improving facilities to be used for the delivery of specified qualified services. The DCTED must evaluate and rank project applications with an advisory board with specified membership and submit a prioritized list of recommended projects to the Governor and the Legislature in the DCTED biennial capital budget request beginning with the 2009-11 biennium. If the state grants are used to acquire surplus school facilities then the sale proceeds must be used by the school district for renovation, replacement, or new construction of school facilities in the district. DCTED is prohibited from obligating funds until the Legislature has approved a specific list of projects.

School districts must receive a 10 percent enhancement to the area cost allowance of the school construction state assistance formula when the district can certify and document a comprehensive plan for cooperative partnerships that include the joint use of school facilities for specified qualified services.

Appropriation: None.

Fiscal Note: Requested on February 3, 2008.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This legislation is designed to allow buildings, which are a valuable resource, to be used by the community. We support the joint use of facilities because it contributes to the education of children and the health of the community.

OTHER: It is important for buildings be accessible by the community. The bill should be limited to non-profits and should require the organizations to provide a match to receive the state funds. The program should be biennial and not annual. We would like some changes an

amendment that removes the requirement for schools to come up with the comprehensive plan for how the community will use the buildings – other organizations would be better suited to do this. We would like an amendment to consider making "open space" to be able to be considered part of the match. We are working on a community center that would be a parks complex and it will have joint use – we would like parks to be able to access the grants.

Persons Testifying: PRO: Senator Joe McDermott, prime sponsor; Catherin Weatbrook, Crown Hill Project Working Group; Marco Lowe, Phinney Neighbor Association; Jennifer Priddy, OSPI.

OTHER: Clifford Taisman, Seattle Public Schools; Rose Faliciano, City of Seattle; T.K. Bentler, Metro Parks Tacoma.