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HOUSE BILL 1698

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State of Washington

57th Legislature

2001 Regular Session

By Representatives Campbell, Quall, Cox, Barlean and Schual-Berke

Read first time 02/01/2001. Referred to Committee on Education.

1 AN ACT Relating to school construction; amending RCW 28A.525.162  
2 and 28A.525.166; and adding a new section to chapter 28A.525 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.525  
5 RCW to read as follows:

6 (1) The school construction safety net grant program is  
7 established. The purpose of the program is to help build or modernize  
8 schools in school districts that have persistently tried but failed to  
9 obtain local funds for that purpose.

10 (2) The program shall be administered by the state board of  
11 education. Through the program, the state board shall provide to an  
12 eligible school district a grant to cover the entire cost of a new or  
13 modernized school. The costs may be adjusted to reflect standard costs  
14 for all aspects of the facility and grounds and may include  
15 consideration of local circumstances. The costs may not include any  
16 required local match for the project.

17 (3) An eligible school district is a district that:

1 (a) Under RCW 84.52.056, has tried but failed at least twice a year  
2 for two or more consecutive years to obtain voter approval for the  
3 issuance of general obligation bonds for capital purposes; and

4 (b) Has applied under the program for a grant to build a school or  
5 modernize or replace an existing school building.

6 (4) By December 1st of each year, the state board of education  
7 shall report to the governor and the legislature a list of projects  
8 eligible for funding under the program and the amount needed to fully  
9 fund the costs for each eligible project. The state board may submit  
10 a revised list by February 15th if additional projects are identified  
11 by that date. The state board shall provide the list in priority  
12 order, using an index that considers the amount of time that each  
13 eligible district has failed to obtain voter approval for the issuance  
14 of the general obligation bonds needed for school construction, the  
15 most current number of unhoused students that would be served through  
16 the project, and the condition of the school facility.

17 (5) The school construction safety net account is created in the  
18 custody of the state treasurer. All receipts from appropriations for  
19 the construction and modernization of schools under this section must  
20 be deposited into the account. Expenditures from the account may be  
21 used only for school construction in accordance with this section.  
22 Only the state board of education may authorize expenditures from the  
23 account. The account is subject to allotment procedures under chapter  
24 43.88 RCW, but an appropriation is not required for expenditures.

25 (6) The state board of education shall, to the greatest extent  
26 possible, simplify any administrative processes associated with the  
27 grant program.

28 **Sec. 2.** RCW 28A.525.162 and 1995 c 77 s 24 are each amended to  
29 read as follows:

30 (1) Funds appropriated to the state board of education from the  
31 common school construction fund shall be allotted by the state board of  
32 education in accordance with student enrollment and the provisions of  
33 RCW 28A.525.200.

34 (2) No allotment shall be made to a school district until such  
35 district has provided matching funds equal to or greater than the  
36 difference between the total approved project cost and the amount of  
37 state assistance to the district for financing the project computed  
38 pursuant to RCW 28A.525.166, with the following exceptions:

1 (a) The state board may waive the matching requirement for  
2 districts which have provided funds for school building construction  
3 purposes through the authorization of bonds or through the  
4 authorization of excess tax levies or both in an amount equivalent to  
5 two and one-half percent of the value of its taxable property, as  
6 defined in RCW 39.36.015.

7 (b) No such matching funds shall be required as a condition to the  
8 allotment of funds for the purpose of making major or minor structural  
9 changes to existing school facilities in order to bring such facilities  
10 into compliance with the barrier free access requirements of section  
11 504 of the federal rehabilitation act of 1973 (29 U.S.C. Sec. 706) and  
12 rules implementing the act.

13 (3) For the purpose of computing the state matching percentage  
14 under RCW 28A.525.166 when a school district is granted authority to  
15 enter into contracts, adjusted valuation per pupil shall be calculated  
16 using headcount student enrollments from the most recent October  
17 enrollment reports submitted by districts to the superintendent of  
18 public instruction, adjusted as follows:

19 (a) In the case of projects for which local bonds were approved  
20 after May 11, 1989:

21 (i) For districts which have been designated as serving high school  
22 districts under RCW 28A.540.110, students residing in the nonhigh  
23 district so designating shall be excluded from the enrollment count if  
24 the student is enrolled in any grade level not offered by the nonhigh  
25 district;

26 (ii) The enrollment of nonhigh school districts shall be increased  
27 by the number of students residing within the district who are enrolled  
28 in a serving high school district so designated by the nonhigh school  
29 district under RCW 28A.540.110, including only students who are  
30 enrolled in grade levels not offered by the nonhigh school district;  
31 and

32 (iii) The number of preschool students with disabilities included  
33 in the enrollment count shall be multiplied by one-half;

34 (b) In the case of construction or modernization of high school  
35 facilities in districts serving students from nonhigh school districts,  
36 the adjusted valuation per pupil shall be computed using the combined  
37 adjusted valuations and enrollments of each district, each weighted by  
38 the percentage of the district's resident high school students served  
39 by the high school district; and

1 (c) The number of kindergarten students included in the enrollment  
2 count shall be multiplied by one-half.

3 (4) The state board of education shall prescribe and make effective  
4 such rules as are necessary to equate insofar as possible the efforts  
5 made by school districts to provide capital funds by the means  
6 aforesaid.

7 (5) For the purposes of this section, "preschool students with  
8 disabilities" means developmentally disabled children of preschool age  
9 who are entitled to services under RCW 28A.155.010 through 28A.155.100  
10 and are not included in the kindergarten enrollment count of the  
11 district.

12 (6) Projects funded under section 1 of this act are exempt from the  
13 requirements in this section.

14 **Sec. 3.** RCW 28A.525.166 and 1997 c 369 s 9 are each amended to  
15 read as follows:

16 Allocations to school districts of state funds provided by RCW  
17 28A.525.160 through 28A.525.182 shall be made by the state board of  
18 education and the amount of state assistance to a school district in  
19 financing a school plant project shall be determined in the following  
20 manner:

21 (1) The boards of directors of the districts shall determine the  
22 total cost of the proposed project, which cost may include the cost of  
23 acquiring and preparing the site, the cost of constructing the building  
24 or of acquiring a building and preparing the same for school use, the  
25 cost of necessary equipment, taxes chargeable to the project, necessary  
26 architects' fees, and a reasonable amount for contingencies and for  
27 other necessary incidental expenses: PROVIDED, That the total cost of  
28 the project shall be subject to review and approval by the state board  
29 of education.

30 (2) The state matching percentage for a school district shall be  
31 computed by the following formula:

32 The ratio of the school district's adjusted valuation per pupil  
33 divided by the ratio of the total state adjusted valuation per pupil  
34 shall be subtracted from three, and then the result of the foregoing  
35 shall be divided by three plus (the ratio of the school district's  
36 adjusted valuation per pupil divided by the ratio of the total state  
37 adjusted valuation per pupil).



1 state assistance provided by prior state assistance programs, the  
2 construction of a needed school building project or projects approved  
3 in conformity with the requirements of such programs, after having  
4 first applied for and been denied state assistance because of the  
5 inadequacy of state funds available for the purpose((7))i or (d) a  
6 condition created by the fact that an excessive number of students live  
7 in state owned housing((7))i or (e) a need for the construction of a  
8 school building to provide for improved school district organization or  
9 racial balance((7))i or (f) conditions similar to those defined under  
10 (a), (b), (c), (d), and (e) ((hereinabove)) of this subsection,  
11 creating a like emergency.

12 (5) Projects funded under section 1 of this act are exempt from the  
13 requirements in this section.

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