

Capital Budget Committee

HB 1245

Brief Description: Concerning comprehensive school safety planning.

Sponsors: Representatives Pollet, Kilduff, Valdez, Tarleton, Thai and Jinkins.

Brief Summary of Bill

- Requires the Superintendent of Public Instruction (SPI) to publish and update guidelines and criteria for comprehensive engineering safety surveys of public school buildings.
- Requires school districts, charter schools, state-tribal education compact schools, and educational service districts to conduct comprehensive engineering surveys every four years beginning in the 2020-21 school year using the guidelines and criteria published by the SPI.
- Requires the Office of Superintendent of Public Instruction to maintain the data collected through the comprehensive engineering surveys conducted by districts.
- Requires reports to the Legislature with information related to the surveys and safety upgrades of school buildings, every four years.
- Allows that state school construction assistance awards for renovations include the safety upgrades identified in the legislative reports at the discretion of the SPI.

Hearing Date: 2/5/19

Staff: Christine Thomas (786-7142).

Background:

State Building and Seismic Codes.

The State Building Code (SBC) provides a set of statewide standards and requirements related to building construction. The SBC is composed of various international model codes, including building, residential, fire, and plumbing codes, which are incorporated into state law. The State Building Code Council (SBCC) is responsible for adopting, amending, and maintaining the SBC.

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 SBCC must regularly review updated versions of the model codes and adopt a process for reviewing proposed statewide and local amendments. Cities and counties may amend the SBC as applied within their jurisdiction, except that amendments may not be below minimum performance standards.

Since 1955 permanent school buildings have been required to be designed and constructed to resist probable earthquake intensities at the school's location.

Geological Survey.

The State Geologist conducts and maintains an assessment of seismic, landslide, and tsunami hazards in Washington, called the Geological Survey. In addition to using the best practicable technology to identify and map hazards, the survey must estimate potential hazard consequences and the likelihood of a hazard occurring. Technical assistance is available to state and local government agencies on the proper interpretation and application of the results of the geological hazards assessment.

Washington State School Seismic Safety Pilot Project.

The Washington State Seismic Safety Committee (Committee) is a subset of the Emergency Management Council whose membership includes representatives of city and county governments, sheriffs and police chiefs, the Military Department, the Department of Ecology, and others, as well as seismic safety experts. In July 2011, the Committee published a report on the Washington State School Seismic Safety Pilot Project (pilot project) that was funded with a grant from the Federal Emergency Management Agency (FEMA). For the pilot project, two school districts, Aberdeen and Walla Walla, were selected as case studies to assess the seismic vulnerability of schools at a more comprehensive level than the pre-screening approach known as the Rapid Visual Screening (RVS) method. The assessment team used a more detailed methodology that is completed by a structural engineer with access to the buildings and original design documents. According to the report, the pilot project demonstrated the feasibility of performing more detailed analyses of the seismic safety of school buildings than the previously used method of RVS.

Washington State K-12 Facilities Hazard Mitigation Plan.

In 2012, the Superintendent of Public Instruction received a FEMA grant to develop a statewide plan to reduce the impact of future natural hazard disasters on K-12 schools in Washington. In July 2014, the OSPI completed the Washington K-12 Facilities Hazard Mitigation Plan. The mitigation plan was the first step in a three-part process to reduce the risks from natural hazards to K-12 schools. The second step in OSPI's mitigation planning process was to develop a toolkit for more detailed risk assessments to help school districts develop their own district-specific mitigation plans. The third step is to facilitate and provide support for school districts to obtain funding to implement mitigation projects, especially through FEMA grants.

Public School Seismic Safety Assessment.

In the 2017-19 Capital Budget, the Department of Natural Resources (DNR), in consultation with the Office of Emergency Management, the State Board of Education, and the Office of the Superintendent of Public Instruction (OSPI), received funding to conduct a Public School Seismic Safety Assessment at no less than 25 public school facilities. The DNR was directed to collect and submit seismic safety survey data to the OSPI to be stored in the Inventory and Condition of Schools database maintained by the OSPI. A preliminary report on the progress of

the seismic safety assessment was due to the Legislature by October 1, 2018 and the final report is due to the Office of Financial Management and the Legislature by June 30, 2019.

School Construction Assistance Program.

The School Construction Assistance Program (SCAP), administered by the OSPI, provides school districts with financial assistance to construct new, and remodel or replace existing, permanent school buildings. The SCAP is based on two principles: (1) state and local school districts share the financial responsibility for the provision of school facilities; and (2) there is an equalization of burden among school districts to provide school facilities regardless of the wealth of the districts. In the 2017-19 biennium, the SCAP was appropriated \$948 million through a combination of general obligation bonds and Common School Construction Fund revenues.

Summary of Bill:

Safety Surveys, Reports, and Renovation Assistance.

The Superintendent of Public Instruction (SPI), in consultation with the SBCC and the State Geologist, must publish guidelines and criteria for school districts and educational service districts (ESDs) to conduct comprehensive engineering safety surveys public school buildings used by students. The criteria may include exempting buildings constructed to SBC standards in place at the time of the survey and applicable for the risk of geological hazard in the region. These guidelines and criteria must be updated every four years.

Every four years, beginning in the 2020-21 school year, school districts, ESDs, charter schools, and state-tribal education compact schools must be complete, or update to the degree necessary to respond to new hazard information, a comprehensive engineering survey of each public school building used by students using the guidelines and criteria published by the SPI. If between September 1, 2009, and September 1, 2020, a school district, ESD, charter school, or state-tribal education compact school completed a survey of permanent buildings built before 1998 that meets the SPI's guidelines and criteria, it may submit the results of this survey, rather than completing a survey in the 2020-21 school year. The comprehensive engineering survey results of districts must be submitted to the SPI according to SPI deadlines, and the OSPI must maintain the inventory resulting from these surveys.

By December 1, 2021, and by September 1 every four years thereafter, the SPI shall publish a report that:

- summarizes the safety engineering evaluation for every school building and ranks each school building according to safety and risk;
- describes the progress made in refurbishing school buildings since the prior report;
- includes a priority ranking of each school building for safety upgrades, and an engineering evaluation with an estimate of the costs to upgrade each building to meet the codes appropriate for the region in which the school building is located, according to the Geological Survey; and
- proposes a schedule of state school construction assistance and local funding for upgrading high-priority and high-risk school buildings to meet safety standards.

In making an award for state school construction assistance to renovate school buildings, the SPI must consider whether the renovation will meet the SBC standards and may include a requirement that the renovation meet the SBC requirements and include the safety upgrades identified in the legislative report described above. The requirement to meet the SBC requirements can be met using a combination of state and local funding. When making the awards, the SPI may consider the following factors: (1) renovating school buildings with the highest safety risks; and (2) fulfilling state requirements for lowering class sizes in grades kindergarten through third.

Appropriation: None.

Fiscal Note: Requested on 1/28/2019.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.