

SENATE BILL REPORT

SB 5343

As of January 26, 2023

Title: An act relating to reducing costs and increasing efficiency in school construction through the use of modifiable standard school construction plans.

Brief Description: Reducing costs and increasing efficiency in school construction.

Sponsors: Senators Schoesler, Mullet, Padden, Dozier, Fortunato, Short, King, Warnick, Braun, Lias, Wagoner, Torres and Wilson, L..

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/26/23.

Brief Summary of Bill

- Directs the Superintendent of Public Instruction to establish a repository of exemplary, modifiable basic, or standard plans for new school building construction, and make such plans available for review and use by school districts seeking state funding assistance.
- Provides ten additional percentage points of state funding assistance to school districts that use a plan selected from the repository.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Alexandra Fairfortune (786-7416)

Background: School Construction Assistance Program. The School Construction Assistance Program (SCAP), administered by the Office of the Superintendent of Public Instruction (OSPI), provides school districts with financial assistance to construct new schools and modernize existing facilities. Through SCAP, the state contributes funding, as well as technical assistance, for facility planning, construction, and contracting. State funding assistance is determined using a funding formula based on three main

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factors—eligible area, construction cost allocation, and the funding assistance percentage.

The eligible space for new construction is calculated by comparing the current district-wide capacity, in square feet, to the district’s projected enrollment growth and future space needs.

The construction cost allocation is the maximum cost per square foot of construction that the state will recognize—as of July 1, 2022 the construction cost allocation is \$246.83 per square foot.

The state applies a funding assistance percentage, formally known as the match ratio, to equalize state funding assistance. The percentage accounts for differences across school districts in wealth and the ability to generate revenue through property taxes. Districts experiencing rapid growth in student enrollments may receive extra growth points. The minimum percentage is 20 percent of recognized project costs, and can be as much as 100 percent of the recognized costs, depending on district wealth and growth.

School Building Construction Plans. The Superintendent of Public Instruction, considering policy recommendations from the School Facilities Citizen Advisory Panel, may prescribe rules and establish procedures governing the preparation and use of modifiable basic or standard plans for school building construction projects receiving state assistance funds.

Summary of Bill: The Superintendent of Public Instruction must prescribe rules and establish procedures governing the preparation, acquisition, and use of exemplary, modifiable basic, or standard plans for school building construction projects receiving state assistance funds.

The Superintendent of Public Instruction must also establish a repository for exemplary, modifiable basic, or standard plans for new school building construction that includes the expandable use of classroom space and make these plans available for review and use by school districts seeking state funding assistance.

School districts that use a school construction plan selected from the repository for their building design and construction are entitled to ten additional percentage points when calculating their state funding assistance percentage under the School Construction Assistance Program. No district may receive additional percentage points that cause the district's total computed state funding percentage to exceed 100 percent.

Appropriation: None.

Fiscal Note: Requested on January 17, 2023.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: This has the potential to project good savings in school construction which we owe to the community. This bill gives us an opportunity to look ahead to what the future of classroom infrastructure needs for the health and safety of students. If we need larger incentives, the prime sponsor is open to that.

CON: International copy right laws include the intellectual property of architects so the state must factor in a significant cost premium to obtain and retain copyrights and pay ongoing royalties. The state will also need to arrange for professional liability coverage and agree to defend and hold harmless the design professionals involved. The advantage of independent value engineering review of schools provides an objective and independent review that the state will no longer be able to take advantage of. Procuring plans for a state repository will be a significant cost burden to acquire and manage. No single prototype will address all the different unique locations and needs from climate zones to seismic zones and other factors related to site adaptation that will be necessary for each prototype. School facilities should be designed and built to fit the unique needs of each community. Each project has unique characteristics of the school site and population. To accommodate these factors, stock plans will either need to be modified to require additional fees or ignore the individuality of each school and districts. Smaller districts have different grade configurations than what larger districts may have. Local input is essential to smart decision making about what a community and district needs. School design stock plans quickly become obsolete with changing environmental and demographic factors, resulting in additional costs that this bill aims to prevent. The use of stock plans can incur significant risk if it has not been vetted for the unique conditions of each community.

OTHER: Common plans may not be necessary or practical in some areas but may work well in others. Testifiers support the ideas presented in this bill but would oppose anything that would require school districts to use common plans.

Persons Testifying: PRO: Senator Mark Schoesler, Prime Sponsor.

CON: Melissa McFadgen, AIA WA Council; Timothy Buckley, American Institute of Architects WA Council; Noah Greenberg, Association for Learning Environments (A4LE).

OTHER: Dan Steele, WA Assn of School Admin & WA Assn of School Business Officials.

Persons Signed In To Testify But Not Testifying: No one.