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**SENATE BILL 5343**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** Senators Schoesler, Mullet, Padden, Dozier, Fortunato, Short, King, Warnick, Braun, Liias, Wagoner, Torres, and L. Wilson

AN ACT Relating to reducing costs and increasing efficiency in school construction through the use of modifiable standard school construction plans; amending RCW 28A.525.166 and 28A.525.178; and creating a new section.

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

NEW SECTION. **Sec.**  The legislature finds that providing opportunities to reduce design and construction costs can ease the burden on many school districts seeking to build new school facilities for their students.

The legislature further finds that the use of standardized school design plans that could be modified for use at schools across the state are an effective way for districts to reduce costs safely. The legislature intends that schools should be encouraged to use such plans. However, there is currently no available repository of plans for school districts to use in their designs.

Therefore, the legislature intends that the office of the superintendent of public instruction be directed to create such a repository of exemplary, standardized plans for local districts to access. The legislature further finds that school districts should be encouraged and incentivized to use such plans through an additional 10 percentage points allocated within school construction assistance program awards.

**Sec.**  RCW 28A.525.166 and 2015 3rd sp.s. c 3 s 7018 are each amended to read as follows:

Allocations to school districts of state funds provided by RCW 28A.525.162 through 28A.525.180 shall be made by the superintendent of public instruction and the amount of state funding assistance to a school district in financing a school plant project shall be determined in the following manner:

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

(2) The state funding assistance percentage for a school district shall be computed by the following formula:

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

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  |  | District adjusted | Total state |  |  |
|  |  | 3-valuation | ÷ | adjusted valuation |  |
| Computed |  | per pupil |  | per pupil |  | State |
| State | = |   | = - % | Funding |
| Ratio |  | District adjusted | Total state |  | Assistance |
|  |  | 3+valuation | ÷ | adjusted valuation |  |
|  |  | per pupil |  | per pupil |  |  |

PROVIDED, That in the event the state funding assistance percentage to any school district based on the above formula is less than ((~~twenty~~)) 20 percent and such school district is otherwise eligible for state funding assistance under RCW 28A.525.162 through 28A.525.180, the superintendent may establish for such district a state funding assistance percentage not in excess of ((~~twenty~~)) 20 percent of the approved cost of the project, if the superintendent finds that such additional assistance is necessary to provide minimum facilities for housing the pupils of the district.

(3) In addition to the computed state funding assistance percentage developed in subsection (2) of this section, a school district shall be entitled to additional percentage points determined by the average percentage of growth for the past three years. One percent shall be added to the computed state funding assistance percentage for each percent of growth, with a maximum of ((~~twenty~~)) 20 percent.

(4) In addition to the computed state funding assistance percentage developed in subsection (2) of this section, a school district that uses exemplary, modifiable basic, or standard school construction plans in their design and construction of school plant facilities under RCW 28A.525.178 shall be entitled to 10 additional percentage points. No school district may receive additional percentage points under this subsection (4) that cause the district's total computed state funding assistance percentage to exceed 100 percent.

(5) In computing the state funding assistance percentage in subsection (2) of this section and adjusting the percentage under subsections (3) and (4) of this section, students residing outside the school district who are enrolled in alternative learning experience courses under RCW 28A.232.010 shall be excluded from the count of total pupils. In lieu of the exclusion in this subsection, a district may submit an alternative calculation for excluding students enrolled in alternative learning experience courses. The alternative calculation must show the student headcount use of district classroom facilities on a regular basis for a reasonable duration by out-of-district alternative learning experience students subtracted by the headcount of in-district alternative learning experience students not using district classroom facilities on a regular basis for a reasonable duration. The alternative calculation must be submitted in a form approved by the office of the superintendent of public instruction. The office of the superintendent of public instruction must develop rules to define "regular basis" and "reasonable duration."

((~~(5)~~)) (6) The approved cost of the project determined in the manner prescribed in this section multiplied by the state funding assistance percentage derived as provided for in this section shall be the amount of state funding assistance to the district for the financing of the project: PROVIDED, That need therefor has been established to the satisfaction of the superintendent: PROVIDED, FURTHER, That additional state funding assistance may be allowed if it is found by the superintendent, considering policy recommendations from the school facilities citizen advisory panel that such assistance is necessary in order to meet (a) a school housing emergency resulting from the destruction of a school building by fire, the condemnation of a school building by properly constituted authorities, a sudden excessive and clearly foreseeable future increase in school population, or other conditions similarly emergent in nature; or (b) a special school housing burden resulting from projects of statewide significance or imposed by virtue of the admission of nonresident students into educational programs established, maintained and operated in conformity with the requirements of law; or (c) a deficiency in the capital funds of the district resulting from financing, subsequent to April 1, 1969, and without benefit of the state funding assistance provided by prior state assistance programs, the construction of a needed school building project or projects approved in conformity with the requirements of such programs, after having first applied for and been denied state funding assistance because of the inadequacy of state funds available for the purpose; or (d) a condition created by the fact that an excessive number of students live in state owned housing; or (e) a need for the construction of a school building to provide for improved school district organization or racial balance; or (f) conditions similar to those defined under (a), (b), (c), (d), and (e) of this subsection, creating a like emergency.

((~~(6)~~)) (7) For the 2015-2017 biennium, schools determined to have a lack of sufficient space to provide science classrooms or labs, to meet the requirements of law, have a special housing burden condition similar to those defined under subsection ((~~(5)~~)) (6)(b) of this section, creating a like emergency. For the 2015-2017 biennium, school districts are entitled to additional percentage points for school construction projects that have a special housing burden condition only and have received private donations in the form of cash, in-kind, or equipment of more than ((~~one hundred thousand dollars~~)) $100,000. The additional percentage points are determined by (a) school district student enrollments in the free and reduced-price meals program, (b) school district class as defined by RCW 28A.300.065, and (c) the funding assistance percentage as calculated in subsection (2) of this section. The additional percentage points under (a) of this subsection are ((~~twenty~~)) 20 percent of the percent of student enrollments eligible and enrolled in the free and reduced-price meals program. The additional percentage points under (b) of this subsection are ((~~ten~~)) 10 for second class school districts. The additional percentage points under (c) of this subsection are ((~~ten~~)) 10 for school districts with funding assistance percentages of more than ((~~fifty~~)) 50 percent.

**Sec.**  RCW 28A.525.178 and 2006 c 263 s 317 are each amended to read as follows:

((~~When economies may be affected without impairing the usefulness and adequacy of school buildings, the superintendent of public instruction, considering policy recommendations from the school facilities citizen advisory panel, may~~)) (1) The superintendent of public instruction shall prescribe rules and establish procedures governing the preparation, acquisition, and use of exemplary, modifiable basic, or standard plans for school building construction projects for which state assistance funds provided by RCW 28A.525.162 through 28A.525.180 are allotted.

(2) The superintendent of public instruction shall establish a repository for exemplary, modifiable basic, or standard plans for new school building construction that includes the expandable use of classroom space. The superintendent of public instruction shall make such plans available for review and use by school districts seeking state assistance funds provided by RCW 28A.525.162 through 28A.525.180.

(3) School districts using a school construction plan selected from the superintendent of public instruction repository in their design and construction, shall be entitled to 10 additional percentage points in their computed state funding assistance percentage under RCW 28A.525.166(4).

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