

**Chapter 392-900 WAC
PILOT GRANT PROGRAMS**

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WAC

STEM AND K-3 CLASS SIZE REDUCTION PILOT GRANT PROGRAMS ESTABLISHED IN THE 2015-17 WASHINGTON STATE CAPITAL BUDGET 2EHB 115.SL.

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**STEM AND K-3 CLASS SIZE REDUCTION PILOT GRANT PROGRAMS ESTABLISHED IN
THE 2015-17 WASHINGTON STATE CAPITAL BUDGET 2EHB 115.SL.**

WAC 392-900-010 Authority. This chapter is adopted pursuant to RCW 28A.525.020, which authorizes the superintendent of public instruction to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of state funding assistance to school districts to assist them in providing school facilities. In accordance with RCW 28A.525.200, the only provisions of chapter 28A.525 RCW currently applicable to state funding assistance for school facilities are RCW 28A.525.030, 28A.525.040, 28A.525.050, 28A.525.162 through 28A.525.178.

[Statutory Authority: RCW 28A.525.020. WSR 16-20-056, § 392-900-010, filed 9/30/16, effective 10/31/16.]

WAC 392-900-020 Purpose. The purpose of this chapter is to set forth provisions applicable to approval of STEM pilot project grants and K-3 class size reduction grants as provided for in sections 5026 and 5028, chapter 3, Laws of 2015 3rd sp. sess. (2EHB 1115 (2015)).

[Statutory Authority: RCW 28A.525.020. WSR 16-20-056, § 392-900-020, filed 9/30/16, effective 10/31/16.]

WAC 392-900-030 Eligibility. Eligibility for school construction assistance program funding through the STEM grant program will be based on a school district's ability to demonstrate a lack of sufficient space for science classrooms and labs to enable students to meet Washington state graduation requirements. The STEM grant award will constitute the district's local funding for purposes of eligibility for the school construction assistance program under RCW 28A.525.166.

Eligibility for the K-3 class size reduction grant program will be based on a school district's ability to demonstrate a need for additional K-3 classrooms as outlined in chapter 41, Laws of 2015, 3rd sp. sess. (2ESSB 6080 (2015)), with consideration of planned schools approved at the D-6 stage of the school construction assistance program. The K-3 class size reduction grant award may not constitute local funding in the school construction assistance program under RCW 28A.525.166.

[Statutory Authority: RCW 28A.525.020. WSR 16-20-056, § 392-900-030, filed 9/30/16, effective 10/31/16.]

WAC 392-900-040 Funding assistance percentage. (1) The state funding assistance percentage for the STEM pilot program is the computed state ratio defined in RCW 28A.525.166 plus twenty percent of the percent of district head count eligible and enrolled in the district's free and reduced school meal program, plus the following additional percentage points:

(a) Ten for second class school districts;
(b) Ten for school districts with funding assistance percentages of more than fifty percent.

(2) The enhanced funding assistance percentage for the K-3 class size reduction grant program is the computed state ratio defined in RCW 28A.525.166 plus twenty percent of the percent of district head count eligible and enrolled in the free and reduced school meal program.

[Statutory Authority: RCW 28A.525.020. WSR 16-20-056, § 392-900-040, filed 9/30/16, effective 10/31/16.]

WAC 392-900-050 Construction cost allocation (CCA). The eligible construction cost in the STEM grant program shall be calculated by multiplying the approved square foot area of the projects as set forth in WAC 392-900-040 by the construction cost allocation as set forth in WAC 392-343-060.

[Statutory Authority: RCW 28A.525.020. WSR 16-20-056, § 392-900-050, filed 9/30/16, effective 10/31/16.]

WAC 392-900-060 Eligible square footage. (1) Eligible area for STEM pilot projects is one thousand four hundred forty square feet per science lab or classroom combination, or both; and one thousand forty square feet per science classroom. The total eligible area per STEM project must not exceed fifteen thousand eight hundred forty.

(2) Additional square footage funded through the STEM grant program will be excluded from the school district's inventory of instructional space as defined in WAC 392-343-019 for determining eligibility for state assistance until the date of the final review of the latest study and survey of the affected school district following acceptance of the project by the school district board of directors, or for a period of five years, whichever is earliest.

(3) Permanent additional square footage funded through the K-3 class size reduction grant program becomes part of a school district's inventory of instructional space for determining eligibility as defined in WAC 392-343-019 and shall be ineligible for state funding assistance for modernization for thirty years as described in WAC 392-347-015(4).

(4) Districts receiving funding through K-3 class size reduction grants may modernize facilities that were previously closed pursuant to WAC 392-347-042. Upon board acceptance of completion of the modernization project, the facility will be returned to the district's instructional inventory.

[Statutory Authority: RCW 28A.525.020. WSR 16-20-056, § 392-900-060, filed 9/30/16, effective 10/31/16.]

WAC 392-900-070 Process requirements. (1) Prior to STEM grant award finalization, the following documents and information will be required to be submitted to the office of the superintendent of public instruction:

(a) School board resolution for new-in-lieu facilities, as provided in WAC XXX-XX-XXX (if applicable);

(b) Intent to construct school board resolution;

(c) Five-year use/thirty-year life board resolution per WAC 392-347-030 and 392-347-015; and

(d) Certification letter from school district that any excess project costs above STEM grant award and enhanced state assistance funding will be expended from local sources.

(2) Upon completion of all STEM projects, the following shall be submitted to the office of the superintendent of public instruction:

(a) Certified letter from architect verifying final gross square footage of project; and

(b) Final acceptance of completion of the project or facility school board resolution.

(3) Prior to K-3 grant awards being finalized, the following documents and information will be required to be submitted to the superintendent of public instruction:

(a) Five-year use/thirty-year life board resolution per WAC 392-347-030 and 392-347-015;

(b) School board resolution certifying that the district will submit the required documentation of subsection (4) of this section;

(c) Certification that the school district has authorized local funds to complete the project(s);

(d) Certification that the school district has an available site(s) for the project(s) if the total project cost exceeds the state grant amount;

(e) Certification that additional classrooms will achieve progress towards the reduction of the average class size objectives provided for in the 2017-18 school year and enumerated in RCW 28A.150.260, and all-day kindergarten as funded pursuant to RCW 28A.150.315.

(4) Upon completion of each K-3 class size reduction grant project, the following shall be submitted to the superintendent of public instruction:

(a) Name of school facility;

(b) Number of classrooms added, renovated or modernized;

(c) Gross square footage added, renovated or modernized;

(d) Total project budget amount (construction and other related direct project costs);

(e) Final construction contract amount;

(f) Site plan;

(g) Floor plan(s);

(h) Area analysis per WAC 392-343-040;

(i) If applicable, high-performance scorecard and credit cost analysis (chapter 39.35D RCW);

(j) If applicable, high-performance ELCCA executive summary (chapter 39.35D RCW);

- (k) If applicable, apprenticeship reporting documentation (RCW 39.04.320); and
- (l) Final acceptance of completion school board resolution.

[Statutory Authority: RCW 28A.525.020. WSR 16-20-056, § 392-900-070, filed 9/30/16, effective 10/31/16.]

WAC 392-900-080 State funded combination projects. Eligible STEM grant projects that are undertaken in conjunction with another school construction assistance program project must follow all applicable requirements defined in chapters 392-342 through 392-347 WAC. State construction assistance funding and STEM grant awards for eligible area within the STEM grant project will be calculated separately in accordance with this chapter.

[Statutory Authority: RCW 28A.525.020. WSR 16-20-056, § 392-900-080, filed 9/30/16, effective 10/31/16.]

WAC 392-900-090 Waiver of rules to facilitate pilot grant programs. Subject to factual determinations by the superintendent of public instruction, the provisions of chapters 392-341 through 392-347 WAC which supplement statutory requirements are hereby deemed waived to the extent any provision would prevent or delay the implementation of legislative allocations, grant programs or pilot grant programs.

[Statutory Authority: RCW 28A.525.020. WSR 16-20-056, § 392-900-090, filed 9/30/16, effective 10/31/16.]