
HOUSE BILL 2276

State of Washington 61st Legislature 2009 Regular Session

By Representatives Short, Quall, Ormsby, Kretz, Walsh, Cox, Priest, Sullivan, and Warnick

Read first time 02/20/09. Referred to Committee on Capital Budget.

1 AN ACT Relating to school construction funding assistance; adding
2 a new section to chapter 28A.525 RCW; and creating new sections.

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

4 NEW SECTION. **Sec. 1.** School districts own and are responsible for
5 public school buildings. The legislature has provided funding for
6 assisting school districts with the construction, renovation, and
7 modernization of school buildings through the school construction
8 assistance grant program, which requires that school capital projects
9 receiving state funding assistance be supported in part by a school
10 district bond issue. It is the intent of the legislature to provide
11 additional construction funding assistance through grants to school
12 districts that do not qualify for the existing grant program and have
13 low property valuation per student in relation to the state average,
14 and thus low capacity to submit and approve bond levies.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.525
16 RCW to read as follows:

17 The superintendent of public instruction shall adopt rules to
18 implement a school construction safety net grant program to assist

1 school districts that do not meet the existing grant program
2 requirements under RCW 28A.525.162. The superintendent of public
3 instruction shall adopt rules for the school construction safety net
4 grant program according to the following guidelines:

5 (1) The grant program must be developed, administered, and overseen
6 by a school construction safety net oversight committee, appointed by
7 the superintendent of public instruction. Committee membership
8 includes:

9 (a) One representative of the office of the superintendent of
10 public instruction;

11 (b) Three or more representatives of school districts or
12 educational service districts with expertise in the financing, design,
13 and construction of school facilities; and

14 (c) One representative of the office of financial management.

15 (2) School construction safety net grants must be awarded by the
16 school construction safety net oversight committee subject to the
17 following conditions and limitations:

18 (a) The committee shall consider only projects not eligible for
19 funding from the state school construction assistance grant program.
20 In addition, before determining that the project is eligible for a
21 school construction safety net award, the committee shall confirm that
22 the school district making the application has aggressively pursued
23 funding from all other sources for the project before making the
24 application. The committee shall establish a maximum grant award
25 amount.

26 (b) To be eligible for funding, a school district must have an
27 assessed property value per student less than thirty percent of the
28 statewide average and must certify that it will match any award for at
29 least twenty-five percent of the total project cost estimate at the
30 time of application. This match may take the form of proceeds from a
31 locally authorized bond, a two-year to six-year capital project levy,
32 or any other source that is not otherwise obligated or restricted.

33 (c) The committee may grant an exception to a school district not
34 eligible for a school construction safety net award as a result of the
35 local match requirements in (b) of this subsection if the committee
36 determines that the school district has made a good faith effort to
37 acquire local matching funds for the project.

1 (d) For projects meeting the eligibility requirements of (a) or (b)
2 of this subsection, or the exception criteria in (c) of this
3 subsection, the committee shall develop criteria for project
4 eligibility and a method for ranking projects in priority order and
5 awarding school construction safety net grants. The criteria must be
6 favorably disposed toward projects that address: (i) Students in
7 portables; or (ii) significant facility deficiencies affecting student
8 health and safety or student learning. The criteria must also provide
9 that all projects awarded funds maximize the effective and efficient
10 use of local and state public resources.

11 (e) The first awards from the school construction safety net grant
12 program must be made no later than March 1, 2011. By September 1,
13 2010, the superintendent of public instruction shall provide a report
14 detailing the planned criteria and method for awarding school
15 construction safety net grants to the office of financial management
16 and the appropriate fiscal committees of the legislature. By February
17 1, 2011, the superintendent of public instruction shall provide a
18 report detailing the proposed awards for the school construction safety
19 net grant program to the office of financial management and the
20 appropriate fiscal committees of the legislature.

21 NEW SECTION. **Sec. 3.** If specific funding for the purposes of this
22 act, referencing this act by bill or chapter number, is not provided by
23 July 1, 2009, in the omnibus capital appropriations act, this act is
24 null and void.

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