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**SENATE BILL 5572**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators Honeyford, Takko, Short, Warnick, and Schoesler

1 AN ACT Relating to modernization grants for small school  
2 districts; and adding a new section to chapter 28A.525 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.525  
5 RCW to read as follows:

6 (1) School construction assistance program grants for small  
7 school districts must be determined in accordance with this section.

8 (2) Eligibility. School districts with enrollments that are less  
9 than or equal to one thousand students are eligible for small school  
10 district modernization grants. The advisory committee specified in  
11 subsection (4)(a) of this section may recommend amendments to the  
12 eligibility threshold as they learn more about the characteristics of  
13 school districts that are unable to modernize their aging school  
14 facilities. Districts with incomplete information in the inventory  
15 and condition of schools data system are not eligible to apply for  
16 construction grants but may apply for planning grants.

17 (3) The office of the superintendent of public instruction must  
18 assist eligible school districts that are interested in applying for  
19 a small school district modernization grant under this section by  
20 providing technical assistance and planning grants within  
21 appropriations for this purpose. Districts seeking planning grants

1 must provide a brief statement of the school condition, its  
2 deficiencies, student enrollment, student achievement measures, and  
3 financial limitations of the district. If applications for planning  
4 grants exceed funds available, the office of the superintendent of  
5 public instruction may prioritize the recipients of planning grants  
6 in order to help districts with the most serious apparent building  
7 deficiencies, and the most limited financial capacity.

8 (4) Prioritized construction grants and advisory committee.

9 (a) The small school district modernization program must propose  
10 a list of prioritized grants by September 1st of even-numbered years.  
11 The superintendent of public instruction must appoint an advisory  
12 committee to prioritize applications from small school districts.  
13 Committee members must have experience in financing, managing,  
14 repairing, and improving school facilities in small school districts  
15 but must not be involved in a small school district modernization  
16 program grant request for the biennium under consideration. The  
17 office of the superintendent of public instruction must provide  
18 administrative and staff support to the committee. The office of the  
19 superintendent of public instruction in consultation with the  
20 advisory committee must design a grant application process with  
21 specific criteria for prioritizing grant requests.

22 (b) The advisory committee created in (a) of this subsection  
23 must evaluate final applications from eligible school districts. The  
24 advisory committee must submit a prioritized list of grants to the  
25 superintendent of public instruction and the governor. The list must  
26 prioritize applications to achieve the greatest improvement of school  
27 facilities, in the districts with the most limited financial  
28 capacity, for projects that are likely to improve student health,  
29 safety, and academic performance for the largest number of students  
30 for the amount of state grant support. The advisory committee must  
31 develop specific criteria to achieve the prioritization. The  
32 submitted prioritized list must describe the project, the proposed  
33 state funding level, and the estimated total project cost including  
34 other funding and in-kind resources. The list must also indicate  
35 student achievement measures that will be used to evaluate the  
36 benefits of the project. The superintendent of public instruction and  
37 the governor may determine the level of funding in their omnibus  
38 capital appropriations act requests to support small school district  
39 modernization grants, but their funding requests must follow the  
40 prioritized list prepared by the advisory committee unless new

1 information determines that a specific project is no longer viable as  
2 proposed.

3 (5) Coordination with the school construction assistance program.

4 (a) The full administrative and procedural process of school  
5 construction assistance program funding under RCW 28A.525.162 through  
6 28A.525.180 may be streamlined by the office of the superintendent of  
7 public instruction in order to coordinate eligible school  
8 construction assistance program funding with the small school  
9 district modernization grants. Such coordination must ensure that  
10 total state funding from both grants does not exceed total project  
11 costs minus available local resources.

12 (b) Projects seeking small school district modernization grants  
13 must meet the requirements for a school construction assistance  
14 program grant except for the following: (i) The estimated cost of the  
15 project may be less than forty percent of the estimated replacement  
16 value of the facility, and (ii) local funding assistance percentage  
17 requirements of the school construction assistance program do not  
18 apply. However, available district resources are considered in  
19 prioritizing small school district modernization grants.

20 (6) Disbursement of grant funds and reporting requirements. The  
21 office of the superintendent of public instruction must execute  
22 contracts with school districts receiving small school district  
23 modernization grants. The contract must not be executed until the  
24 district has identified available local and other resources  
25 sufficient to complete the approved project considering the amount of  
26 the state grant. The contract must include provisions for disbursing  
27 state funds for eligible project costs incurred. When a district has  
28 used local funds for costs eligible for state fund reimbursement  
29 under a small school district modernization grant, if the state funds  
30 are not applied to eligible project costs, use of the state funds  
31 must comply with the requirements of the applicable source of local  
32 funds. The contract must specify reporting requirements from the  
33 district, which must include updating all pertinent information in  
34 the inventory and condition of schools data system and submitting a  
35 final project report as specified by the office of the superintendent  
36 of public instruction in consultation with the school facilities  
37 citizens advisory panel specified in RCW 28A.525.025.

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