



Recommended Policies for Public School Facilities

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Section 3: Public School Facilities Management Policies

Introduction

It is the responsibility of each state to ensure that every child has access to a quality education. In many states, the courts have determined that school facilities that provide educational settings suited to the state's determined curriculum are a significant part of this responsibility. However, school facility management and construction have traditionally been entirely the responsibility of the school district. Many states, particularly those who have increased their funding to local school districts are putting in place policies, procedures and technical assistance to ensure that their public school facilities are educationally adequate.

The purpose of this paper is to provide policy guidance and recommendations to elected and appointed officials and administrators at the State, local, and school district level to improve **facilities management** in order to support and enhance the delivery of educational programs and services for students and teachers. The implementation of policies that result in high quality, high-performing, well designed and maintained school facilities has a direct and indirect impact on the teaching and learning process. Effective facilities management can contribute to the success of every student in every school in the United States.

In 2001, led by the 21st Century School Fund (21CSF), and supported by the Ford Foundation, a group of very experienced school facility and community-based groups came together in a collaboration called BEST (Building Educational Success Together). The BEST partners are: 21CSF; the Education Law Center (Newark, NJ); Neighborhood Capital Budget Group (Chicago, IL); the Knowledgeworks Foundation (Cincinnati, OH); The National Trust for Historic Preservation (Washington, DC); the National Clearinghouse for Educational Facilities (Washington, DC), New Schools Better Neighborhoods (Los Angeles, CA), New Visions for Public Schools (New York, NY), and Mark Schneider (State University of New York at Stony Brook).

The BEST partners developed a four-part policy agenda: 1) Increase public participation in **facilities planning**, 2) create and support **schools as centers of community** that offer school-based supports to children to eliminate barriers to success and serve the broader community, 3) improve **facilities management**, including maintenance and capital improvement programs and 4) secure adequate and equitable **facilities funding**. We have developed recommended school facility policies in these four areas. **This paper is the third part of an effort to address our four-part policy agenda.**

State policy reform is one tool for affecting the planning, design, construction, maintenance and funding practices and processes at the state and local school district levels. However, state level standards and control must be carefully developed and applied, so that creativity, public participation, and local priorities can drive the facility planning and design outcomes.

These school facilities policies may be used to:

- assess your state and local policies—compare these recommended policies to your state and school district’s policies;
- facilitate a discussion among teachers, parents, students, principals, facility managers, community and business leaders, about any policy barriers to well-maintained, educationally adequate school facilities;
- identify policy or funding incentives that can be adopted to support high quality educational facilities for all children; and
- build consensus for state level mandates that require local school districts to engage in best practice for school facility condition, design and utilization.

We hope that others will correspond with us, critique our work, offer suggestions, substitutions or additions to any or all areas. We also hope that we will receive accounts of successes or failures in using or implementing the policies or elements at any level.

Policy Rationale

It is the legal and moral responsibility of each state to ensure that every child has access to a quality education. In many states, the courts have determined that the ability of school facilities to meet a standard of educational adequacy, that is to provide an educational setting that allows the state's determined curriculum to be taught, is a significant part of this responsibility.

To meet this goal, each state needs to know the condition of their school facilities, and the elements and determining factors in meeting the state's educational curriculum or outcomes. The state should measure these factors against one another to determine each facility's education adequacy. It should then ensure that facilities that do not meet these standards are brought up to an acceptable level. Districts or localities without the financial resources to bring their school facilities up to the state standard should be assisted so that the standard is consistently met across the state. This requires a significant amount of managerial skill and coordination between and among the state and the districts or localities.

When substantial public investment is made in facilities, their maintenance and upkeep are in the public interest. Regular and routine maintenance ensures that facilities will have long and productive lives. Review and evaluation of life-cycle costs should be required for new construction and major renovation projects. Expenditures for preventative and required maintenance extend the useful life of facilities and reduce more significant future taxpayer investments, which would be required in the absence of maintenance expenditures. Therefore, states, on behalf of the public, have an interest in monitoring maintenance plans and their implementation at the local level.

Citizens are generally concerned that capital funds be well spent and independently monitored. In some states, this oversight is a function of the department of education. In other states, a separate agency, department, or authority has been established. Some school districts have entered into contracts with private sector architectural, engineering, program management, and/or construction management firms to monitor and assist in the implementation of school construction projects. However, the need for financial and performance reviews and audits still exists and should be made available to the public. Taxpayer dollars are being spent (state and/or local) making accountability to the public of the utmost importance.

Existing models of facility management and oversight should be reviewed to determine their effectiveness. Additionally, transparency in all aspects of the construction, modernization, and maintenance process is critical, and the community should be granted the opportunity to be involved in oversight of these activities. Disclosing important facility information to the public helps school districts build or rebuild public confidence in their management abilities. The public can make sure that plans are based on accurate, unbiased assessments of the data, rather than politically expedient short-cuts. As the final users of these facilities, teachers, staff, and students should also have a role in evaluating

the school projects, from a functional perspective, once completed. They also could be called upon to review and monitor how school buildings are operated and maintained.

Policy Intent

To ensure that there is state level data, standards, and assessments of public school facilities and local and state oversight of capital improvement programs.

Recommended Policies

3.1 Statewide School Facility Inventory Policy

The State Department of Education should develop and annually update a statewide facility inventory of all public schools in the State (including Charter Schools) that includes basic building data and information, the condition of the facility, and expenditures for significant capital improvements.

Very few states have developed a statewide inventory of public school facilities. The states that do have this information ultimately have a much better understanding of the school buildings and sites utilized by their school districts. In some instances, the information and data are used when requests are submitted for state funding. It also helps states respond to inquiries from private citizens and the media. The facility inventory in some states is accessible on-line, although the type and depth of information varies among states. Updating the information is an ongoing task and, in some states, it is the responsibility of the school district to enter the data annually. Information pertaining to the condition of the facility as well as previous expenditures can provide valuable information as decisions are being made for future projects at the school.

A statewide database is not useful unless the data elements, the collection methodology, the accuracy, and the timeliness of the information are maintained. In order for the information to be consistent, it needs centralized direction, training for data entry, and funding to maintain the system. States can collect the data themselves, hire contractors to collect it, or utilize staff at local school district levels. The latter may be the cost effective approach, and relies on those who have the most internal knowledge of the facilities. However, using local districts does require that the state provide training and funding, when necessary, so that the information reported is consistent from area to area and so that local districts are not burdened by data collection requirements.

Establishing a set of data elements for a survey is a difficult task. It requires consistent collection and processing of data as well as data sufficient to present a true and complete picture of school facility conditions. A minimum number of elements with simple and explicit directions will result in the most reliable data. Attempting to serve too many purposes or too many programs with the same survey may present problems. Testing the

forms and procedures with a small sample group is a cost-effective way to avoid problems and pitfalls, debug the system, and make required adjustments.

Standards for consistent and comparable data require a centralized process and a clear definition of terms, particularly as they relates to the condition rating of the building. There is also the need for training, testing, and verification prior to full implementation. The development of detailed guidelines for completing the facility inventory, including some examples, is recommended. As a means of follow-up, a procedure included in the process for the state to verify the data and information on a periodic basis should be established.

Making information about school facility conditions public has a three-fold purpose. First, it informs parents and children about the condition of structures in their community. Secondly, it provides valuable information to the community about the condition of public assets that are taxpayer supported. And thirdly, it holds public officials accountable for their management and maintenance of the public school facilities.

3.2 Minimum Adequacy Standards Policy

The State Department of Education should establish minimum adequacy standards for school facilities that are flexible enough to meet the specific educational program and service needs of the students, teachers, and the community.

States that provide funding to support capital improvements in their public schools use a variety of measures to determine need. These existing measures have generally resulted from historical policies and practices, and are often based upon discussion and/or negotiations among the parties representing various stakeholders, the legislature, and/or the administration in the state. In most cases, an attempt to evaluate projects based on a combination of objective and subjective criteria has been made. These include such factors as projected enrollment above capacity, the number of un-housed students, overcrowded schools, age of school and its condition, age of building system and/or components, number of square feet in the building and proposed scope of work, level of maintenance performed by the district to protect taxpayer investment, relative wealth of the school district, property values, and willingness of the district to raise revenue for capital projects.

In addition to these factors, all states, even those that do not provide funding, should establish educational facility standards for instructional and support programs and services, including minimum square footages, environmental condition, and health and safety requirements. These should reflect the state's minimum requirements for the delivery of educational programs and services so that school districts have targets as they make decisions related to capital improvements. This assists in prioritizing projects to address needs while achieving equity within districts.

States should establish methods to distribute information and train school district personnel in evaluating and assessing existing school buildings, collecting and reporting data. This process should be initiated with broad involvement of all stakeholders, and recognition of existing workloads, staff time, and financial resources necessary. Assessments should then be scheduled on a mutually agreed upon periodic basis.

States that do provide funding for school construction and capital improvement projects should include these educational facility related factors in the criteria used for evaluating and funding school construction and capital improvement projects. Applicants are much better off being made aware of these criteria as they are in a better position to select and prioritize projects.

Some states have established square footage standards that are applied to projected enrollments setting the scope and budget for specific projects. Flexibility is essential when using these formulas to account for unique educational programs and/or services, specific needs or requirements for the student population, community or non-educational requirements, inefficient older existing school buildings, and other special situations. These standards or guidelines should be used to achieve the most effective and efficient school building to serve the needs of the school district and community.

3.3 Environmental Design and Construction Practices Policy

The State Department of Education should establish and/or support school design and construction practices that incorporate environmental goals.

Every new school building, renovation project, and a project to replace existing building systems and/or components presents an opportunity to design and implement an environmentally sensitive capital improvement project. States have the ability to set environmental goals, standards, and/or guidelines. These could relate to anticipated energy usage (a) when selecting equipment, (b) required to produce the school construction building products and equipment, (c) required to deliver and install the products and equipment, and (d) necessary for the disposal of the packaging and waste from the construction site. Site selection and decisions to reuse existing structures rather than build replacement schools has an impact on the environment. Site development for a new site or redevelopment of an existing site enables school districts and their design teams to develop environmentally friendly and practical design solutions.

Significant improvements in the design and manufacture of electrical and mechanical equipment for public schools have been made in the last 10-15 years. Certain new equipment uses less energy when properly designed, installed and maintained. The initial low cost for acquisition and installation of equipment is important, however the cost of operation and maintenance over time are also important factors to consider.

Public school buildings can be designed, constructed or renovated, operated, and maintained using “high performance schools,” “green building,” or “sustainable design”

concepts. These concepts focus on improved educational environments for learning, both in the building and on the site, and the impact of school buildings on the environment. The main components of high performance school buildings include the following (alphabetically): acoustic comfort, commissioning, day-lighting, energy analysis, energy efficient building shell, environmentally preferable materials and products, environmentally responsive site planning, high performance HVAC, high performance electrical lighting, life cycle cost analysis, renewable energy, safety and security, site selection, superior indoor air quality, thermal comfort, visual comfort, and water efficiency.

In addition to environmental benefits, high performance schools can provide additional benefits that include: better student performance, increased average daily attendance, increased teacher satisfaction and retention, reduced operating costs, reduced liability exposure, increased opportunities to utilize the school building itself as a teaching tool, and educate students about the importance of caring for the environment.

Furthermore, the development of plans for an effective renovation project can reduce waste intended for landfills, decrease air pollution, and save dwindling natural resources. When the basic structural components of a school (brick, block, steel, concrete, and stone) have decades of useful life remaining, they should be reused through renovation projects rather than be demolished. The replacement school will still require the manufacture and installation of new products which use natural limited resources and require energy to produce, ship, and install. It is estimated that for every square foot of non-residential building demolition, approximately 155 pounds of solid waste is added to landfills. If a 100,000 square foot school were demolished, over 15 million pounds or almost 8,000 tons of construction waste would be added to a landfill.

In addition, significant positive environmental impact can be made in both renovation and new construction with the use of “green” building materials. While these products often come from renewable resources, they also have the added benefit of being healthier for those using the buildings, and recyclable at the end of their useful life.

3.4 Maintenance Criteria and Evaluation Policy

The State Department of Education should establish criteria or indicators for evaluating the condition and level of maintenance of school facilities on a regular basis.

While routine maintenance is the key to cost-effective long-term utilization of buildings and the proper operation of the building systems, few states have legislation that assures the protection of the public’s investment in public school facilities. Many states have some general language that refers to the responsibility of various parties to provide safe and secure places for children, but perhaps only a brief comment about properly maintained schools.

It is of the utmost importance that public school buildings be properly maintained. Districts have an obligation to provide healthy and safe environments for students, teachers, and all other school building employees. Furthermore, districts have a fiduciary responsibility to their citizens and taxpayers to protect their investments in the educational infrastructure. All schools within the same district should be maintained at the same high level, regardless of the economic circumstances of the school's attendance area.

Although sound school district business practice suggests that the public school building and site be surveyed and evaluated at least once a year, some aspects of the facility (such as the roof) should be inspected at least twice per year. This could be carried out by staff from within the district if the personnel with appropriate training, experience, and skills are available.

States should develop on-site survey procedures for evaluating the condition of each public school from a maintenance perspective. This could include the development of an evaluation instrument, the definition of terms, the time intervals between surveys, the training of personnel conducting the survey, the reporting mechanism, procedures for reporting anticipated corrective action, and procedures for reporting the actual implementation of that action.

States should also conduct periodic reviews of the educational facilities to determine whether or not the facilities are being properly maintained. This could feasibly be completely by surveying a sample of schools each year. Another approach might include self-inspections with state review and sampling, or state contracted services for spot checks of the inspections. Where deficiencies are found, the school district should indicate what and when corrective action will be taken. In some cases, the work cannot be corrected immediately and may require that funds be budgeted to implement the correction. This might require placing a request in a capital improvement program and securing the necessary funding at a later date.

States should review their districts' budgets and trends in funding for maintenance, as well as the implementation of the Comprehensive Maintenance Plan mentioned earlier. States should have the authority to take appropriate action when the necessary funding for maintenance of schools is not provided and/or persistent problems continue to exist. Some states that do provide funding for capital improvements have provisions to withhold funding if school buildings are not properly maintained. Some states set funding levels for maintenance as a requirement in their districts' operating budgets.

Deferred maintenance, which results from the postponement of preventative, scheduled, unscheduled, or emergency work, produces delays. These delays can contribute to further problems and lead to more extensive and more costly solutions. Students and teachers have to continue to endure under the adverse conditions until the corrective action is taken.

Some states have established separate or special programs to fund capital improvements addressing work that is considered maintenance. This includes projects to replace, repair or improve mechanical systems or equipment, lighting, plumbing, exterior windows and doors, roofs and elevators. In addition, funding sources for other projects that include carpeting and floor tiles, wall surfaces, ceiling tiles, gymnasium floors, bleachers, painting, exterior site work, and the removal of hazardous materials may exist. In some states there are provisions for loans to school districts for critical maintenance problems.

3.5 Taxpayer Investment Protection Policies & Procedures Policy

The State Department of Education should establish and enforce policies and procedures that protect taxpayer investment in school facility construction, operation, and maintenance.

States should adopt or develop policies and administrative procedures to assure taxpayers that funds are being utilized effectively, efficiently, and legally. Every public official, whether elected or appointed, and every individual in an administrative position with responsibility for any aspect public school facilities should exhibit the highest level of professionalism and integrity. There should never be any doubt about the ethical and moral values of individuals entrusted with these responsibilities. Policies and procedures that clearly define and provide guidance for all decision makers and staff should exist. These policies should cover ethics, standards of conduct and should address waste, fraud and abuse, reporting mechanisms and consequences.

Accurate and timely reporting on expenditures, the status of on-going and completed projects, and progress made in addressing school facility needs are essential to the accountability owed to taxpayers and for taxpayers to understand the scope of accomplishments and future needs.

School districts should be required by the state to have both financial and compliance audits performed annually by outside independent financial management or auditing firms. These should include financial transactions, appropriate and timely approvals, adherence to advertising and bidding requirement, appropriate reviews and timely payment to contractors, and timely requisitions of funding from outside sources. Copies of school district audits should be forwarded to the department for review and comments.

Departments of education should also have the authority to conduct their own audits of school district operations if state funds are provided. These audits take on added importance when significant state funding is provided for school construction projects and capital improvements. These should be performed every two years to assure that any potential problem is identified and corrective action taken to prevent further mismanagement or abuse.

In most states, the department of education has responsibility for various aspects of school construction, operation, and/or maintenance. In some states, this responsibility is

under a separate or independent entity established by state law for this purpose. The composition of the administrative body and staffing varies among states. Although they have similar overall responsibilities, their policies, procedures, implementation methods, and funding sources vary widely.

All state departments of education and/or independent agencies responsible for any phase of school construction, operation, and/or maintenance should be subject to legislative audits or audits by outside independent financial management or auditing firms. Any and all problems identified should be promptly addressed by the department or agency. There is no room for any actual or perceived impropriety. Maintaining the confidence of the general public is of the utmost importance to the successful support of funding for school facilities.

States should also establish and enforce standards of practice for the award and management of grants, loans, and other state administered fiscal instruments for school facilities. Most states have written guidelines or procedures pertaining to the application process, project requirements and criteria, approvals required, procedures that must be followed, accessing state funds, accounting and audit procedures, as well as inspections that may be required for the recipients of state funding for school construction projects. This information and material should contain application due dates, criteria for awards, any requirements for the local “matching funds” (if applicable), allowable costs, record-keeping requirements, reporting requirements, inspection schedules, references to state contracting, as well as any labor and EEO laws and requirements. Information indicating how school district personnel can obtain technical assistance from the department prior to the submittal of the application or required materials should also be provided.

States should review plans and specifications for every state funded school construction and capital improvement project to ensure proper design specifications, construction feasibility, and proper plans for operations and maintenance after completion of the project. States should also inspect every school facility completed using state funds. Requirements for post-occupancy evaluations are also helpful.

Another method for reviewing the functions of public school construction departments at the state and/or school district level is through the appointment of citizen oversight committees, commissions, or task forces. These groups, usually including private citizens as well as stakeholders, can be given broad responsibility by the appointing authority. Their review can focus on administrative policies and procedures and their implementation, internal and external controls, finance and accounting, legal compliance and ethics, and provide recommendations to improve operations and financial accountability.

Public School Facilities Management Policies Resources & Best Practices

3.1 Statewide School Facility Inventory

a. State Example: *Arizona*

The “Students First” legislation directed the school facilities board to inventory and inspect all school buildings in the state and to enter them into a database. Much of the information reflects school facility assessments conducted by a private firm.

Arizona statutes: Title15-2031 (B).Building renewal fund; definitions. <http://www.azleg.state.az.us/>

b. State Example: *Connecticut*

Connecticut collects data annually on school facility conditions. This database is maintained by the state’s School Facilities Unit.

<http://www.state.ct.us/sde/dgm/sfu/reports.htm>

c. State Example: *Florida*

Florida maintains the Florida Inventory of School Houses (FISH) on the condition and characteristics of public schools. The data are updated yearly.

Florida Code Title XLVII (K-20 Educational Code) Chapter 1013.31

<http://www.firn.edu/doe/edfacil/fish/index.htm>

d. State Example: *Hawaii*

The Hawaii State Department of Education maintains and periodically updates a database on school facility conditions.

<http://www.capitol.hawaii.gov>

e. State Example: *Maine*

Maine sends a survey to each public school principal for the purpose of inventorying every school facility. The database is updated every three years.

Title 20-A: Education. Part 7: School Finance. Chapter 609.
Section 15917. School Facilities Inventory

<http://janus.state.me.us/legis/statutes/20-A/title20-Asec15917.html>

f. State Example: *Florida*

Florida has detailed directions for schools or school districts to complete the inventory of the school facilities.

Florida Code Title XLVII (K-20 Educational Code) Chapter 1013.31

<http://www.firn.edu/doe/edfacil/fish/index.htm>

g. State Example: *Maine*

Maine identifies in statute the type of information that is to be collected by the state.

Title 20-A: Education. Part 7: School Finance. Chapter 609.
Section 15917. School Facilities Inventory

<http://janus.state.me.us/legis/statutes/20-A/title20-Asec15917.html>

h. State Example: *Washington*

The state legislates a database and the contents of the facility inventory. The inventory is to be conducted by the superintendent of public instruction with the cooperation of the local school district.

Washington State Statute: WAC 180-27-405

<http://www.leg.wa.gov/WAC/index.cfm?section=180-27-405&fuseaction=section>

i. State Example: *Arizona*

Every school district is required to submit data to the Arizona school facilities board on an annual basis.

<http://www.azleg.state.az.us>

j. State Example: *Florida*

The Department of Education compiles the information from the school districts educational plant surveys which are conducted every 5 years.

<http://www.firn.edu/doe/edfacil/fish/index.htm>

k. State Example: *Arizona*

The Arizona school facilities board may “review or audit” the information. In addition, the school facilities board has the obligation to “randomly select twenty school districts every thirty months and inspect them....”

Arizona statutes: Title15-2031 (B).Building renewal fund; definitions. <http://www.azleg.state.az.us>

l. State Example: *Florida*

The Department of Education compiles the information from the school districts’ educational plant surveys which are conducted every five years. In order to ensure accuracy, the state conducts an on-site review of five percent of the facilities reported for each school district.

Florida Code: Title XLVII, Chapter 1013.31 (b) 1.
<http://www.firn.edu/doe/edfacil/fish/index.htm>

m. State Example: *Connecticut*

The Division of Grants Management, a unit of the Connecticut State Department of Education, maintains the searchable database on the characteristics of public schools in the state.

Annual Reports on the Condition of Connecticut's Public School Facilities.

<http://www.state.ct.us/sde/dgm/sfu/reports.htm>

n. State Example: *North Carolina*

The North Carolina Public School Insurance Fund, a unit of the Department of Public Instruction, maintains the state database on the characteristics of public schools in the state. They are directed by statute to make the information public by March 15 of each year.

North Carolina General Statutes: Chapter 115C. Elementary and Secondary Education. Section 115C-12(9) c.3.

<http://www.ncpublicschools.org/docs/schoolimprovement/inventories.pdf>.

o. State Example: *Wisconsin*

The state superintendent of schools conducts the study of the physical condition of the schools and reports to the legislature. In 1999, the Wisconsin Department of Public Instruction (DPI) collected data on the existing conditions of Wisconsin K-12 public schools through a comprehensive survey. With 85.1% of state K-12 public schools reporting, the data collected included ratings of various physical and mechanical features, school safety issues, and educational appropriateness.

Wisconsin statute 115.33(4)

www.dpi.state.wi.us

3.2 Minimum Adequacy Standards

a. State Example: *New Jersey*

A district may design, at its discretion, the educational and other spaces to be included within the school facilities project. The design of the project may eliminate spaces in the facilities efficiency standards, include spaces not in the facilities efficiency standards, or size spaces differently than in the facilities efficiency standards upon demonstration of the adequacy of the school facilities project to deliver the core curriculum content standard pursuant to paragraph (2) of subsection g. of section 5 of this act. *Educational Facilities Construction and Financing Act, Title 18A-7G4h*

3.3 Environmental Design and Construction Practices

a. Municipal Example: *Portland*

Portland has a green building/LEED policy and a staffed program which coordinates among city agencies.

<http://www.green-rated.org/g Rated/grated.html>

http://www.green-rated.org/g Rated/windows/two_year_report.pdf

b. Municipal Example: *Seattle*

Seattle has a “green building team” that works across “City Departments who finance, plan, design, build, remodel, and maintain facilities.” They also use LEED.

<http://www.cityofseattle.net/sustainablebuilding/greenteam.htm>

c. Municipal Example: *Los Angeles*

Los Angeles has a “City of LA Sustainable Building Initiative”, which by 2002 had resulted in the City Council voting to require LEED for large city projects. The City, the LAUSD and the community college district has joined in an LA Sustainable Collaborative, in order to coordinate on building and development projects in the city. Here is an excerpt from the LAUSD second Board of Education HPS resolution (see http://www.chps.net/chps_schools/pdfs/LAUSD-Resolution-102703.pdf):

Resolved further, that the Board of Education endorses District participation in and directs staff to pursue partnerships that further the goal of high performance schools, including federal, state and utility programs that provide sustainable design financial incentives, specifically:

- a. The Los Angeles Sustainable Collaborative, whose goal is to further the adoption of sustainable design in the region and whose other members are agencies that have also adopted sustainable design requirements, including the City of Los Angeles, the Los Angeles Community College District, and the City of Santa Monica;
- b. The City of Los Angeles Integrated Resources Plan and the County of Los Angeles Watershed Management Division, whose goal is to encourage the efficient use of water resources; and...

“Building Healthy, High Performance Schools; A Review of Selected State and Local Initiatives” ENVIRONMENTAL LAW INSTITUTE. <http://www.eli.org/>

3.4 Maintenance Criteria and Evaluation

a. State Example: *Arizona*

If the school district is found to have inadequately maintained a school facility the school district must use the building renewal funds for preventative maintenance until the district is in compliance.

Arizona statutes: 15-2021. Deficiencies correction fund. B.2.
<http://azleg.state.az.us>

b. State Example: *California*

Before a district can receive state funding, the school district must establish a restricted maintenance fund, and it must agree to place 3% of the total general funds expenditures into this account for a period of 20 years after the state funds have been received.

California Statutes Section 1859.100 Restricted and On-going Major Maintenance Fund and Section 17170.75
www.opsc.dgs.ca.gov

c. State Example: *Maine*

Maine suggests that school districts annually invest 2% of the current replacement value of their schools in a fund for future renewal.

www.state.me.us/education/const/facilities

d. State Example: *Massachusetts*

The state will not fund a project for any school district which, in the year preceding the application, fails to spend at least 50% of the district's "calculated foundation budget amounts for the purposes of foundation utility and ordinary maintenance expenses...."

Massachusetts Statutes. Part 1. Administration of the Government. Title XII. Education. Chapter 70B. School Building Assistance Program. Section 8. Order of Priorities for approval of school projects and reimbursements; defer of approval or disapproval of project applications.

<http://www.state.ma.us/legis/laws/mg1/70B-8.htm>

e. State Example: *Ohio*

Ohio has a half million levy for maintenance. The school district must track these funds and must establish a separate maintenance fund.

Ohio Statutes: Section 3318.35 O.R.C.
<ftp://www.osfc.state.oh.us/CMfiles/Plicy%20and%20Procedure%20Memorandum/>

f. State Example: *Arizona*

Arizona has established “adequacy” requirements for school facilities. The first section of these definitions includes guidance on facility standards and on minimally adequate maintenance funding for gross square footage.

Arizona statutes Title 15-2011. Minimum school facility adequacy requirements; definition
<http://www.azleg.state.az.us>

g. State Example: *Arizona*

Arizona established a “deficiencies correction fund” to correct specific issues identified in the legislation. The legislation says the funds are to be used “...for the purpose of maintaining the adequacy of existing school facilities.”

Arizona statutes Title 15-2011. Minimum school facility adequacy requirements; definition
<http://www.azleg.state.az.us>

h. State Example: *California*

In lease-purchase arrangements, California law requires that the local school district make repairs to maintain their school buildings and that the school district must provide the funds for this purpose. 17014.

California Statutes. Maintenance Plan and Education Code 17014
www.opsc.dgs.ca.gov

3.5 Taxpayer Investment Protection Policies & Procedures

a. State Example: *Connecticut*

Connecticut Statutes, Chapter 173*Public School Building Projects*Cited. 195 C. 24, 30. Sec. 10-286e. Audits

Frequently the Department of Education audits a school building project within 5 years of the completion of the project. If it does not do so, it will conduct a more limited audit. That audit is confined to: total amount expended; off-site improvements; adherence to space specifications; interest costs on temporary notes and bonds and other matters the Commissioner deems appropriate.

<http://www.cga.state.ct.us/2001/pub/Chap173.htm#sec10-286.htm>

b. State Example: *West Virginia*

§18-9B-13. Inspection and audit of school finance administration.

The board of finance may, through its duly authorized representatives, make inspections and examinations of the fiscal administration of a county school district. The inspection and examination may extend to any matter or practice subject to regulation by the state board. Regular and special examinations may be made by a certified public accountant approved pursuant to section seven, article nine, chapter six of this code selected by the county board in accordance with non emergency regulations submitted by the chief inspector, or by the chief inspector himself or herself. All examinations shall be made as provided in section seven, article nine, chapter six of this code. The board may make selective audits to determine the accuracy of statements and reports made by a county board or superintendent.

The report of the examination shall be certified to the county board, which should include the identification of procedures and practices found to not be in accordance with the requirements of the state board. The county board shall comply with the instructions forthwith.

<http://www.legis.state.wv.us/WVCODE/18/masterfrmFrm.htm>

c. State Example: *Maryland*

Public School Construction Program, Administrative Procedures Guide, September, 1994

d. Example: “Schools Designed with Community Participation”

Sanoff, Henry. National Clearinghouse for Educational Facilities, Washington, DC , July 2002.

This publication presents case studies of school buildings to demonstrate the application of a post occupancy evaluation (POE) during various stages of the design and planning process. It explains that because POE is a process for gathering information about a building in use, it can be applied effectively both to renovation and expansion projects and to new construction.

<http://www.edfacilities.org/pubs/sanoffschools.pdf>

e. State Example: *Oklahoma*

“The State Ethics Commission was established under Article XXIX of the Oklahoma Constitution. The Commission is charged with promulgating rules of ethical conduct of state officials and employees, including civil penalties for violations of such rules. State officers and employees are to comply with the Ethics Commission “Act” [Section 4200 et seq. of Title 74] and the Ethics Commission “Rules” [Chapter 20 of Title 257 of the Ethics Commission Rules]. The Rules and the Act deal with prohibitions against political activities, financial disclosure, conflicts of interest, and penalties and enforcement.”

<http://www.rsu.edu/PoliciesAndProcedures/StateCompliancePolicies/10.4EthicsPolicy.htm>

f. State Example: *Maryland*

“The goals of the **State Ethics Commission** as established in the State Ethics Law, State Government Article, Title 15, are as follows:

To insure that the public has the highest trust in its officials and employees and to assure the public that impartiality and independence of judgment is maintained. To prevent the conduct of State business from being subject to improper influence or even the appearance of improper influence. To guard against improper influence by administering public disclosure programs and a program establishing standards of conduct for employees and officials.”

<http://ethics.gov.state.md.us/>

g. Example: Colorado

In December 1999, the Board of Education chose five citizens from a group of over 20 applicants to serve on the district's Financial Oversight Committee.

The group meets monthly throughout the school year and the primary function of the Oversight Committee is to assist the Board of Education in fulfilling its oversight responsibilities by reviewing: a. financial reports and other financial information used internally and provided by the district to any governmental body or the public; b. the district's systems of internal controls regarding finance, accounting, legal compliance and ethics that management and the Board have established; c. assess the business risk of the district; and the district's auditing, accounting and financial reporting processes generally. Consistent with this function, the Financial Oversight Committee should encourage continuous improvement of, and should foster adherence to the district's policies, procedures and practices at all levels.

http://jeffcoweb.jeffco.k12.co.us/ss/dir/fin_oversight/