

HOUSE BILL NO. HB0248

School facilities-remedy criteria.

Sponsored by: Representative(s) Harshman, Brechtel,
Buchanan, Davison, Jaggi, Simpson and
Teeters and Senator(s) Coe and Hines

A BILL

for

1 AN ACT relating to school facilities; specifying and
2 clarifying factors impacting capital construction remedies
3 addressing district facility needs; specifying application;
4 and providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 21-15-117(a)(ii) and (b) through (d)
9 is amended to read:

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11 **21-15-117. Annual evaluation of school buildings and**
12 **facilities; remediation schedule; needs prioritization;**
13 **combining facilities; implementation of remedy.**

14

15 (a) Through the identification of school building and
16 facility conditions and needs provided by the assessment

1 conducted and maintained under W.S. 21-15-115, and a
2 comparison of the identified conditions and needs with the
3 established statewide building adequacy standards and the
4 district facility plans developed under W.S. 21-15-116, the
5 commission shall in coordination and cooperation with the
6 districts, evaluate the adequacy of school buildings and
7 facilities within local school districts, and based upon
8 this evaluation, establish a schedule for building and
9 facility remediation. Remediation shall bring all buildings
10 and facilities to conditions such that over time, only
11 routine maintenance is required to maintain building
12 adequacy. The schedule shall identify and prioritize
13 building and facility remedies on a statewide basis, based
14 upon the following:

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16 (ii) Measures of building condition, educational
17 suitability and technology readiness, including computed
18 building capacity, as established by the commission,
19 wherein condition accounts for fifty percent (50%) of
20 building adequacy assessment, educational suitability and
21 technology readiness accounts for fifteen percent (15%),
22 and building capacity accounts for thirty-five percent
23 (35%), which over time, bring statewide school buildings

1 and facilities to targeted adequate levels prescribed by
2 the commission;

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4 (b) Subject to subsection (c) of this section, the
5 commission shall for each building and facility remedy
6 scheduled under subsection (a) of this section, determine
7 the most cost effective method of remediation of building
8 and facility needs to deliver quality educational services
9 and ensure compliance with the statewide adequacy
10 standards. For any scheduled remedy for which major
11 building and facility repair and replacement payments under
12 W.S. 21-15-109 are not sufficient to remedy the scheduled
13 need, as determined by the commission, the commission shall
14 determine if the remedy requires capital outlay.

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16 (c) In determining the most cost effective method in
17 meeting capital construction needs in order to deliver
18 quality educational services, the commission in
19 consultation with the select committee on school
20 facilities:7

21

22 (i) May recommend consolidating educational
23 facilities within, between or among school districts. The

1 legislature shall approve any consolidation of educational
2 facilities between two (2) or more school districts;~~;~~

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4 (ii) Shall through guidelines developed in
5 consultation with the select committee, restrict capital
6 construction remedies addressing district building and
7 facility needs based upon proximity of location to existing
8 school buildings, addressing both urban and rural locations
9 and geographical conditions;

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11 (iii) Shall by rule and regulation, establish
12 clear and transparent requirements limiting capital
13 construction remedies until all reasonable other major
14 maintenance and renovation alternatives have been
15 exhausted;

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17 (iv) Shall prohibit capital construction
18 remedies based solely on accommodation of school district
19 grade configuration decisions.

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21 (d) In determining building and facility remedies
22 under subsection (b) of this section, in developing
23 criteria and procedures for site analysis under W.S.
24 21-15-114(a)(xii) and in developing district facility plans

1 under W.S. 21-15-116 and otherwise administering this act,
2 the commission shall adopt the remedy that is in the best
3 financial and educational interests of the state, taking
4 into consideration the most efficient and cost effective
5 approach in order to deliver quality educational services
6 and address building and facility need. Subject to
7 subsection (c) of this section, expenditures from the
8 school capital construction account shall be for necessary
9 and related costs to implement efficient and cost effective
10 building and facility remedies required to deliver quality
11 educational services. In making determinations under this
12 paragraph, the commission shall take into consideration the
13 effects of the proposed activity on the local community.
14 The commission shall implement this subsection in carrying
15 out building and facility remedies and shall, giving proper
16 consideration to the prevention of unnecessary delays in
17 proceeding with a remedy, establish a process to work with
18 other political subdivisions of the state in implementing
19 this subsection.

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21 **Section 2.** Nothing in this act shall apply to any
22 design, construction or renovation agreement approved by or
23 entered into by the school facilities commission pursuant
24 to W.S. 21-15-114(a)(viii) prior to the effective date of

1 this act, nor shall this act alter or modify any building
2 or facility design, construction or renovation project
3 initiated under W.S. 21-15-118 before the effective date of
4 this act.

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6 **Section 3.** This act is effective immediately upon
7 completion of all acts necessary for a bill to become law
8 as provided by Article 4, Section 8 of the Wyoming
9 Constitution.

10

11

(END)