

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; and providing for an
4 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 thirty percent (30%), and
22 building capacity accounts for twenty percent (20%), which
23 over time, bring statewide school buildings and facilities
24 to targeted adequate levels prescribed by the commission;

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

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

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20 (i) May recommend consolidating educational
21 facilities within, between or among school districts. The
22 legislature shall approve any consolidation of educational
23 facilities between two (2) or more school districts:i7

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

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8 (iii) Shall by rule and regulation, establish
9 clear and transparent requirements limiting capital
10 construction remedies until all other major maintenance and
11 renovation alternatives have been exhausted and
12 conclusively eliminated;

13
14 (iv) Shall prohibit capital construction
15 remedies based solely on accommodation of school district
16 grade configuration decisions.

17
18 (d) In determining building and facility remedies
19 under subsection (b) of this section, in developing
20 criteria and procedures for site analysis under W.S.
21 21-15-114(a)(xii) and in developing district facility plans
22 under W.S. 21-15-116 and otherwise administering this act,
23 the commission shall adopt the remedy that is in the best
24 financial and educational interests of the state, taking

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

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18 **Section 2.** This act is effective immediately upon
19 completion of all acts necessary for a bill to become law
20 as provided by Article 4, Section 8 of the Wyoming
21 Constitution.

22

23

(END)