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**SUBSTITUTE SENATE BILL 5572**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senate Early Learning & K-12 Education (originally sponsored by Senators Honeyford, Takko, Short, Warnick, Schoesler, and King)

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 and state-tribal education compact schools must be  
8 determined in accordance with this section.

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

20 (3) The office of the superintendent of public instruction must  
21 assist eligible school districts and state-tribal education compact

1 schools that are interested in applying for a small school district  
2 modernization grant under this section by providing technical  
3 assistance and planning grants within appropriations for this  
4 purpose. Districts and state-tribal education compact schools seeking  
5 planning grants must provide a brief statement of the school  
6 condition, its deficiencies, student enrollment, student achievement  
7 measures, and financial limitations of the district or state-tribal  
8 education compact school. If applications for planning grants exceed  
9 funds available, the office of the superintendent of public  
10 instruction may prioritize the recipients of planning grants in order  
11 to help districts and state-tribal education compact schools with the  
12 most serious apparent building deficiencies, and the most limited  
13 financial capacity.

14 (4) Prioritized construction grants and advisory committee.

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

29 (b) The advisory committee created in (a) of this subsection must  
30 evaluate final applications from eligible school districts and state-  
31 tribal education compact schools. The advisory committee must submit  
32 a prioritized list of grants to the superintendent of public  
33 instruction and the governor. The list must prioritize applications  
34 to achieve the greatest improvement of school facilities, in the  
35 districts and state-tribal education compact schools with the most  
36 limited financial capacity, for projects that are likely to improve  
37 student health, safety, and academic performance for the largest  
38 number of students for the amount of state grant support. The  
39 advisory committee must develop specific criteria to achieve the  
40 prioritization. The submitted prioritized list must describe the

1 project, the proposed state funding level, and the estimated total  
2 project cost including other funding and in-kind resources. The list  
3 must also indicate student achievement measures that will be used to  
4 evaluate the benefits of the project. The superintendent of public  
5 instruction and the governor may determine the level of funding in  
6 their omnibus capital appropriations act requests to support small  
7 school district modernization grants, but their funding requests must  
8 follow the prioritized list prepared by the advisory committee unless  
9 new information determines that a specific project is no longer  
10 viable as proposed.

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

12 (a) The full administrative and procedural process of school  
13 construction assistance program funding under RCW 28A.525.162 through  
14 28A.525.180 may be streamlined by the office of the superintendent of  
15 public instruction in order to coordinate eligible school  
16 construction assistance program funding with the small school  
17 district modernization grants. Such coordination must ensure that  
18 total state funding from both grants does not exceed total project  
19 costs minus available local resources.

20 (b) Projects seeking small school district modernization grants  
21 must meet the requirements for a school construction assistance  
22 program grant except for the following: (i) The estimated cost of the  
23 project may be less than forty percent of the estimated replacement  
24 value of the facility, and (ii) local funding assistance percentage  
25 requirements of the school construction assistance program do not  
26 apply. However, available district and state-tribal education compact  
27 school resources are considered in prioritizing small school district  
28 modernization grants.

29 (6) Disbursement of grant funds and reporting requirements. The  
30 office of the superintendent of public instruction must execute  
31 contracts with school districts and state-tribal education compact  
32 schools receiving small school district modernization grants. The  
33 contract must not be executed until the district or state-tribal  
34 education compact school has identified available local and other  
35 resources sufficient to complete the approved project considering the  
36 amount of the state grant. The contract must include provisions for  
37 disbursing state funds for eligible project costs incurred. When a  
38 district or state-tribal education compact school has used local  
39 funds for costs eligible for state fund reimbursement under a small  
40 school district modernization grant, if the state funds are not

1 applied to eligible project costs, use of the state funds must comply  
2 with the requirements of the applicable source of local funds. The  
3 contract must specify reporting requirements from the district or  
4 state-tribal education compact school, which must include updating  
5 all pertinent information in the inventory and condition of schools  
6 data system and submitting a final project report as specified by the  
7 office of the superintendent of public instruction in consultation  
8 with the school facilities citizens advisory panel specified in RCW  
9 28A.525.025.

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