AN ACT Relating to community and surplus schools; amending RCW 43.63A.135 and 28A.525.050; adding a new section to chapter 43.63A RCW; adding a new section to chapter 28A.525 RCW; and creating new sections.

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

NEW SECTION. Sec. 1. This act shall be known as the community schools act of 2008.

NEW SECTION. Sec. 2. The legislature finds that young people need a wide range of opportunities and a strong support system to succeed. A quality academic program is necessary, but is not sufficient given societal factors, family circumstances, poverty, and health problems. All children regardless of their economic, racial, or family circumstances deserve access to a full array of opportunities. The legislature also finds that cooperative partnerships and joint use of facilities between public schools, local governments, early learning providers, health and social service providers, and postsecondary institutions can result in the effective use of federal, state, local, and community resources. Such partnerships build on community strengths, foster family and community engagement, share accountability
for results, and set high expectations for all. The legislature further finds that surplus schools are community assets that should be reused for maximum public good to benefit communities. Therefore, it is the intent of the legislature to provide capital grant funds for the development of community schools and to convert empty school buildings into community facilities. Grants may be used for the acquisition, construction, rehabilitation, and improvement of facilities to assist with the implementation of this act. The goal is to: (1) Improve the coordination, availability, and effectiveness of services for children and families; (2) ensure that children come to school ready to learn every day; (3) enable families to participate in the education of their children; and (4) enable more efficient use of federal, state, local, and private sector resources that serve children and families.

NEW SECTION. Sec. 3. A new section is added to chapter 43.63A RCW to read as follows:

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Advisory board" means an independent advisory board including, but not limited to, a representative from the office of the superintendent of public instruction, an early learning expert, a youth recreational facility expert, a social service facility expert, a local school district representative, and a public higher education representative.

(b) "Community school" means both a place and a set of partnerships between entities including, but not limited to, public schools, postsecondary institutions, local governments, nonprofit early learning providers, and other nonprofit community resources with an integrated focus on academics, health and social services, youth and community development, and community engagement.

(c) "Eligible entity" means public school districts, local governments, nonprofit organizations, nonprofit early learning providers, and tribal governments.

(d) "Qualified services" means the following:

   (i) Early childhood education;
   (ii) Remedial education activities and academic enrichment activities;
(iii) Programs that promote parental involvement and family literacy;

(iv) Youth development programs;
(v) Parent leadership development activities;
(vi) Parenting education activities;
(vii) Child care services;
(viii) Community service opportunities;
(ix) Programs that provide assistance to students who have been truant, suspended, or expelled;
(x) Job training and career counseling services;
(xi) Nutrition services;
(xii) Primary health and dental care;
(xiii) Mental health prevention and treatment services;
(xiv) Adult education, including instruction in English as a second language; and
(xv) Other services as determined by the advisory board.

(e) "Surplus school" means a facility that is determined to be surplus to the needs of a district by the local school board.

(2) The department of community, trade, and economic development shall:

(a) Establish a competitive process to solicit project proposals that assist eligible entities in acquiring, constructing, rehabilitating, or improving facilities, including surplus schools, to be used for the delivery of nonresidential qualified services in surplus school buildings, on school grounds, or within reasonable safe walking distance for the age of the students;

(b) Evaluate and rank applications in consultation with an independent advisory board using objective criteria;

(c) Establish a tiered system to determine the amount of matching funds required from a grantee based on financial need, taking into consideration:

(i) Community purpose; and

(ii) The ability of the applicant to obtain matching funds; and

(d) Establish a prioritized list of capital projects in consultation with the advisory board and submit the list annually to the governor and the legislature in the department's capital budget request beginning with the 2009-2011 biennium. The list must include
a description of each project, the amount of recommended state funding, and documentation of nonstate funds to be used for the project.

(3) In evaluating and ranking applications in consultation with an independent advisory board, the department of community, trade, and economic development shall give priority consideration to projects that provide multiple qualified services and that demonstrate usage beyond the traditional school day to include usage before and after school, on weekends, and all year use.

(4) Nonstate matching funds may include cash, the value of real property when acquired solely for the purpose of the project, and in-kind contributions.

(5) The department of community, trade, and economic development may not: (a) Require that state funds be the last to be spent on a project; or (b) set a monetary limit to funding requests.

(6) The department of community, trade, and economic development shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects.

(7) In contracts for grants authorized under this act, the department of community, trade, and economic development shall include provisions that require that capital improvements must be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities must be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(8) As part of the application process, applicants must submit a comprehensive plan that includes information on the following:

(a) A list of partner entities that will assist the lead eligible entity to provide or coordinate qualified services;

(b) A memorandum of understanding between the lead eligible entity and each partner entity describing the role each entity will assume;

(c) Plans for joint utilization and maintenance of school and community facilities by the lead eligible entity and its partner entities, as well as liability considerations;
Sec. 4. RCW 43.63A.135 and 2006 c 371 s 234 are each amended to read as follows:

(1) The department of community, trade, and economic development must establish a competitive process to solicit proposals for and prioritize projects whose primary objective is to assist nonprofit youth organizations in acquiring, constructing, or rehabilitating facilities used for the delivery of nonresidential services, excluding outdoor athletic fields.

(2) The department of community, trade, and economic development must establish a competitive process to prioritize applications for the assistance as follows:
(a) The department of community, trade, and economic development must conduct a statewide solicitation of project applications from local governments, nonprofit organizations, and other entities, as determined by the department of community, trade, and economic development. The department of community, trade, and economic development must evaluate and rank applications in consultation with a citizen advisory committee using objective criteria. Projects must have a major recreational component, and must have either an educational or social service component. At a minimum, applicants must demonstrate that the requested assistance will increase the efficiency or quality of the services it provides to youth. The evaluation and ranking process must also include an examination of existing assets that applicants may apply to projects. Priority consideration must be given to projects that include cooperative partnerships or joint use agreements for facilities shared with public school districts, nonprofit early learning providers, local governments, postsecondary institutions, tribal governments, or other entities as determined by the department of community, trade, and economic development. Grant assistance under this section may not exceed twenty-five percent of the total cost of the project. The nonstate portion of the total project cost may include cash, the value of real property when acquired solely for the purpose of the project, and in-kind contributions.

(b) The department of community, trade, and economic development must submit a prioritized list of recommended projects to the governor and the legislature in the department of community, trade, and economic development's biennial capital budget request beginning with the ((2005-2007)) 2009-2011 biennium and thereafter. The list must include a description of each project, the amount of recommended state funding, and documentation of nonstate funds to be used for the project. The total amount of recommended state funding for projects on a biennial project list must not exceed eight million dollars. The department of community, trade, and economic development may not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects.

(c) In contracts for grants authorized under this section the department of community, trade, and economic development must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the
grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee must repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

Sec. 5. RCW 28A.525.050 and 2006 c 263 s 303 are each amended to read as follows:

All applications by school districts for state assistance in providing school plant facilities shall be made to the superintendent of public instruction. Studies and surveys shall be conducted by the superintendent for the purpose of securing information relating to (1) the kind and extent of the school plant facilities required and the urgency of need for such facilities in districts that seek state assistance, (2) the ability of such districts to provide capital outlay funds by local effort, (3) the need for improvement of school administrative units and school attendance areas among or within such districts, and (4) any other pertinent matters. Studies and surveys must also include an inventory of school district facilities jointly used, or that could potentially be used for other community purposes, including detail on cooperative partnerships. School districts shall submit a long-term comprehensive plan for community use of school buildings. Recommendations respecting action on the applications shall be submitted to the superintendent of public instruction.

NEW SECTION. Sec. 6. A new section is added to chapter 28A.525 RCW to read as follows:

(1) The superintendent of public instruction shall provide a ten percent enhancement to the area cost allowance for school districts requesting state assistance under this chapter if the district can certify and provide documentation that they have a comprehensive plan for cooperative partnerships that include the joint use of school facilities for multiple qualified services for the facility proposed for assistance. Documentation must include:

(a) A list of other eligible entities that will assist the school district to provide or coordinate qualified services;
(b) A memorandum of understanding between the school district and the other eligible entities describing the role each entity will assume;

(c) Plans for joint utilization and maintenance of the school facility by the school district and its other eligible entities, as well as liability considerations;

(d) The student, family, and school community to be served, including information about the number of students, families, and community residents to be served, frequency of services, and information related to the percent of local elementary students that receive free and reduced-price meals in the target area;

(e) Qualified services to be provided or coordinated by the school district and its other eligible entities; and

(f) A description of capital and operating funding sources that the school district intends to apply to the project and qualified services at the school to be served, whether such funding is derived from grants under this act or from other federal, state, local, or private sources.

(2) The office of the superintendent of public instruction shall develop rules for implementation of this section by September 1, 2008. The superintendent of public instruction shall adopt rules that set specific time requirements of joint use beyond the traditional school day to include before and after school use, weekends, and all year use, in order for a district to be eligible for the area cost allowance enhancement.

(3) For the purposes of this section, the terms "eligible entity" and "qualified services" have the same meaning as defined in section 3(1) of this act.

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