

**Representative Rich Cunningham** proposes the following substitute bill:

**SCHOOL CONSTRUCTION MODIFICATIONS**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Rich Cunningham**

Senate Sponsor: Curtis S. Bramble

---

---

**LONG TITLE**

**General Description:**

This bill enacts language related to school construction guidelines.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ requires the State Board of Education to adopt school construction guidelines;
- ▶ requires a public school to review and take into consideration those guidelines when planning public school construction; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill takes effect on July 1, 2014.

**Utah Code Sections Affected:**

AMENDS:

**53A-20-104.5**, as last amended by Laws of Utah 2005, Chapter 7

ENACTS:

**53A-20-110**, Utah Code Annotated 1953



26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56

---

---

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53A-20-104.5** is amended to read:

**53A-20-104.5. School building construction and inspection manual -- Annual construction and inspection conference -- Verification of school construction inspections.**

(1) (a) The State Board of Education, through the state superintendent of public instruction, shall develop and distribute to each school district a school building construction and inspection resource manual.

(b) The manual shall be provided to a charter school upon request of the charter school.

(2) (a) The manual shall include:

(i) current legal requirements; and

(ii) information on school building construction and inspections, including the guidelines adopted by the State Board of Education in accordance with Section [53A-20-110](#).

(b) The state superintendent shall review and update the manual at least once every three years.

(3) The board shall provide for an annual school construction conference to allow a representative from each school district and charter school to:

(a) receive current information on the design, construction, and inspection of school buildings;

(b) receive training on such matters as:

(i) using properly certified building inspectors;

(ii) filing construction inspection summary reports and the final inspection certification with the local governmental authority's building official;

(iii) the roles and relationships between a school district or charter school and the local governmental authority, either a county or municipality, as related to the construction and inspection of school buildings; and

(iv) adequate documentation of school building inspections; and

(c) provide input on any changes that may be needed to improve the existing school building inspection program.

(4) The board shall develop a process to verify that inspections by qualified inspectors occur in each school district or charter school.

57 Section 2. Section 53A-20-110 is enacted to read:

58 **53A-20-110. Board to adopt public school construction guidelines.**

59 (1) As used in this section:

60 (a) "Board" means the State Board of Education.

61 (b) "Public school construction" means construction work on a new public school.

62 (2) ~~§~~→ (a) ←~~§~~ The board shall:

63 ~~§~~→ ~~(a)~~ (i) ←~~§~~ adopt guidelines for public school construction; and

64 ~~§~~→ ~~(b)~~ (ii) ←~~§~~ consult with the Division of Facilities Construction and Management

65 Administration on proposed guidelines before adoption.

65a ~~§~~→ (b) **The board shall ensure that guidelines adopted under Subsection (2)(a)(i) maximize**  
 65b **funds used for public school construction and reflect efficient and economic use of those funds,**  
 65c **including adopting guidelines that address a school's essential needs rather than encouraging**  
 65d **or endorsing excessive costs per square foot of construction or nonessential facilities, design, or**  
 65e **furnishings.** ←~~§~~

66 (3) Before a school district or charter school may begin public school construction, the  
 67 school district or charter school shall:

68 (a) review the guidelines adopted by the board under this section; and

69 (b) take into consideration the guidelines when planning the public school  
 70 construction.

71 (4) In adopting the guidelines for public school construction, the board shall consider  
 72 the following and adopt alternative guidelines as needed:

73 (a) location factors, including whether the school is in a rural or urban setting, and  
 74 climate factors;

75 (b) variations in guidelines for significant or minimal projected student population  
 76 growth;

77 (c) guidelines specific to schools that serve various populations and grades, including  
 78 high schools, junior high schools, middle schools, elementary schools, alternative schools, and  
 79 schools for people with disabilities; and

80 (d) year-round use.

81 (5) The guidelines shall address the following:

82 (a) square footage per student;

83 (b) minimum and maximum required real property for a public school;

84 (c) athletic facilities and fields, playgrounds, and hard surface play areas;

85 (d) cost per square foot;

86 (e) minimum and maximum qualities and costs for building materials;

87 (f) design efficiency;

- 88           (g) parking;
  - 89           (h) furnishing;
  - 90           (i) proof of compliance with applicable building codes; and
  - 91           (j) safety.
- 92           Section 3. **Effective date.**
- 93           This bill takes effect on July 1, 2014.