

SCHOOL CONSTRUCTION MODIFICATIONS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Rich Cunningham

Senate Sponsor: _____

LONG TITLE

General Description:

This bill enacts language related to school construction standards.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the Division of Facilities Construction and Management to adopt school construction standards;
- ▶ requires a public school to review and take into consideration those standards when planning public school construction; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2015:

- ▶ to the Department of Administrative Services - Division of Facilities Construction and Management Administration - as a one-time appropriation:
 - from the General Fund, \$350,000.

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



28 ENACTS:

29 [63A-5-901](#), Utah Code Annotated 1953

30 [63A-5-902](#), Utah Code Annotated 1953

31 [63A-5-903](#), Utah Code Annotated 1953



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

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

35 **53A-20-104.5. School building construction and inspection manual -- Annual**
36 **construction and inspection conference -- Verification of school construction inspections.**

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

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

41 (2) (a) The manual shall include:

42 (i) current legal requirements; and

43 (ii) information on school building construction and inspections, including the
44 standards adopted by the Division of Facilities Construction and Management in accordance
45 with Section [63A-5-903](#).

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

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

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

52 (b) receive training on such matters as:

53 (i) using properly certified building inspectors;

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

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

59 (iv) adequate documentation of school building inspections; and
 60 (c) provide input on any changes that may be needed to improve the existing school
 61 building inspection program.

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

64 Section 2. Section **63A-5-901** is enacted to read:

65 **Part 9. School Construction Standards**

66 **63A-5-901. Title.**

67 This part is known as "School Construction Standards."

68 Section 3. Section **63A-5-902** is enacted to read:

69 **63A-5-902. Definitions.**

70 (1) "Division" means the Division of Facilities Construction and Management.

71 (2) "Public school construction" means construction work on a new public school.

72 Section 4. Section **63A-5-903** is enacted to read:

73 **63A-5-903. Division to adopt public school construction standards.**

74 (1) The division shall adopt standards for public school construction.

75 (2) Before a school district or charter school may begin public school construction, the
 76 school district or charter school shall:

77 (a) review the standards adopted by the division under this section; and

78 (b) take into consideration the standards when planning the public school construction.

79 (3) In adopting the standards for public school construction, the division shall consider
 80 the following and adopt alternative standards as needed:

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

83 (b) variations in standards for significant or minimal projected student population
 84 growth;

85 (c) standards specific to schools that serve various populations and grades, including
 86 high schools, junior high schools, middle schools, elementary schools, alternative schools, and
 87 schools for people with disabilities; and

88 (d) year-round use.

89 (4) The standards shall address the following:

- 90 (a) square footage per student;
- 91 (b) minimum and maximum required real property for a public school;
- 92 (c) athletic facilities and fields, playgrounds, and hard surface play areas;
- 93 (d) cost per square foot;
- 94 (e) minimum and maximum qualities and costs for building materials;
- 95 (f) design efficiency;
- 96 (g) parking;
- 97 (h) furnishing;
- 98 (i) proof of compliance with applicable building codes; and
- 99 (j) safety.

Section 5. **Appropriation.**

Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following sums of money are appropriated from resources not otherwise appropriated, or reduced from amounts previously appropriated, out of the funds or accounts indicated. These sums of money are in addition to any amounts previously appropriated for fiscal year 2015.

To the Department of Administrative Services - Division of Facilities Construction and Management Administration

From General Fund, one-time \$350,000

Schedule of Programs:

Division of Facilities Construction and

Management Administration \$350,000

Under Section 63J-1-603, the Legislature intends that appropriations provided under this section not lapse at the end of fiscal year 2015. The use of any nonlapsing funds is limited to the creation and adoption of school construction standards by the division in accordance with Section 63A-5-903.

The Legislature intends that appropriations provided under this section be used for the creation and adoption of school construction standards by the division in accordance with Section 63A-5-903.

Section 6. **Effective date.**

This bill takes effect on July 1, 2014.

Legislative Review Note
as of 2-5-14 3:59 PM

Office of Legislative Research and General Counsel