



VIRGINIA BOARD OF EDUCATION

AGENDA ITEM

Agenda Item: G

Date: June 21, 2024

Title: Final Review of Board of Education Recommendations on Establishing Standards for School Facilities Pursuant to SB 1124

Presenters: Kent Dickey, Deputy Superintendent of Operations
Vijay Ramnarain, Director of Support Services

Purpose of Presentation

Action required by state or federal law or regulation.

Executive Summary

The 2023 General Assembly passed [Senate Bill 1124](#) ("SB 1124") requiring the Board of Education ("Board") to make recommendations to the General Assembly for amendments to the Standards of Quality establishing standards for the maintenance and operations, renovation, and new construction of public elementary and secondary school buildings. This legislation also requires the inclusion of standards for the percentage of the current replacement value of a public school building that a school board should budget for the maintenance and operations of the building as well as other standards as the Board deems appropriate. The Board's final recommendations are to be submitted to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health by July 1, 2024.

In response to SB 1124, the Virginia Department of Education ("VDOE") established a workgroup to seek input and guidance from various stakeholders. Attachment 1 is the product of the workgroup process and contains background, recommendations for school facilities standards, and rationale. The various standards recommendations in Attachment 1 affect the planning and design, construction and renovation, and maintenance and operations of public school facilities and impact parents and students, school staff, school divisions and local school boards, local governments and their communities, and the school facilities business sector.

The final review version of the standards recommendations document in Attachment 1 contains several substantive changes compared to the first review version. As required in the SB 1124 legislation, the document recommends the inclusion of a percentage of the current cost replacement value of school facilities that may be included in the annual school board budget for maintenance and operations of facilities as an aspirational funding goal as local fiscal conditions and resource availability allow. It is recommended that school divisions annually fund two percent of the aggregate current replacement value of their entire school facilities inventory in a Maintenance and Operations Reserve (MOR) Fund. Two percent of current replacement value is within the standard industry range for funding such a reserve. Also, in this part of the document, additional explanation and context is provided for several of the industry technical terms and metrics to assist non-technical readers.

This item is aligned with Priority 5 of the Board's [Comprehensive Plan 2024–2029](#): to advance safe and healthy schools.

Action Requested

Final review: Action requested at this meeting.

Superintendent's Recommendation

The Superintendent of Public Instruction recommends that the Board of Education approve the *Recommendations for Standards on School Facilities Planning and Design, Construction and Renovation, and Maintenance and Operations* pursuant to SB 1124.

Rationale for Action

At its April 25th meeting, the Board of Education accepted for first review the *Recommendations for Standards on School Facilities Planning and Design, Construction and Renovation, and Maintenance and Operations* pursuant to SB 1124. VDOE involved a workgroup of stakeholders seeking their input and guidance in the preparation of this document related to topics such as planning and design, construction and renovation, and maintenance and operation of public school facilities. This document also addresses the impact of these standards on parents and students, school staff, school divisions and local school boards, local governments and their communities, and the school facilities business sector. VDOE staff also reviewed relevant government and industry documents and standards in the drafting of this document.

The *Recommendations for Standards on School Facilities Planning and Design, Construction and Renovation, and Maintenance and Operations* fulfills the objectives of SB 1124. By approving this document as recommended by the Superintendent of Public Instruction, the Board will have met its obligations under SB 1124.

Previous Review or Action

Date: [April 25, 2024](#)

Action: [First Review of Board of Education Recommendations on Establishing Standards for School Facilities Pursuant to SB 1124](#)

Background Information and Statutory Authority

The 2023 General Assembly passed SB 1124 as uncodified “Section 1” legislation requiring the Board of Education to make recommendations to the General Assembly for amendments to the Standards of Quality establishing standards for the maintenance and operations, renovation, and new construction of public elementary and secondary school buildings, including that “... *Such recommendations shall include standards for the percentage of the current replacement value of a public school building that a school board should budget for the maintenance and operations of the building and such other standards as the Board deems appropriate. In developing such recommendations, the Board shall solicit the input of relevant stakeholders and the public. The Board shall submit its recommendations to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health no later than July 1, 2024.*”

The 2020 General Assembly established the Commission on School Construction and Modernization in §§ 30-384 through 390, Code of Virginia, through July 1, 2026, which met and considered issues pertaining to public school facilities in Virginia, including the age and condition of buildings, funding mechanisms for school facilities, facilities standards, and legislative recommendations. SB 1124 aligns to several of the topics and issues considered by the Commission.

At its April 25th meeting, the Board of Education accepted for first review the *Recommendations for Standards on School Facilities Planning and Design, Construction and Renovation, and Maintenance and Operations* pursuant to SB 1124.

Stakeholder Engagement

As required in SB 1124, to seek input from relevant stakeholders, VDOE staff established a workgroup comprised of various stakeholders with an interest in and knowledge of school facilities issues. Department staff on the workgroup included the Chief of Staff, Deputy Superintendent of Operations, Assistant Superintendent of Policy and Government Relations, and the Director of Support Services. External stakeholder members of the workgroup included representatives from the Secretary of Education office, other state agencies, representatives from local government professional organizations, parental organizations, and building and design professional organizations.

Six stakeholder workgroup meetings led by the Chief of Staff and the Deputy Superintendent of Operations occurred between October 2023 and January 2024 to work on developing the recommendations document. Input and suggestions from the stakeholder workgroup members helped shape the final recommendations document in Attachment 1.

Implementation and Communication

Upon approval of the recommendations document in Attachment 1 by the Board, VDOE staff will transmit it to the General Assembly education committees by July 1 as required by SB 1124. VDOE will monitor any legislation that may be proposed to the 2025 General Assembly in response to the Board's recommendations or related legislation that may be adopted at the 2025 Session. School divisions will be informed of any formal proposals or action proposed by the Board or the General Assembly related to standards for school facilities through the VDOE weekly newsletter and regularly scheduled meetings with division superintendents.

Impact on Fiscal and Human Resources

It is anticipated that the VDOE can absorb the fiscal and staff impacts of supporting the development of recommendations on standards for school facilities. Depending on future Board or General Assembly action in this area, there may be an impact on local school division resources. Any such impact is unknown currently.