



Center for Innovative School Facilities of Oregon

A Project of Innovation Partnership

DRAFT 2009 Legislative Agenda

Background ~

Oregon is in the bottom 25% nationally in terms of policies and funding for school facilities. Both are left almost entirely up to the local school districts and their corresponding governments.

The *Center's* primary interest is establishing policy and legislative initiatives that provide statewide improvement to the quality (ie high performance, low maintenance), cost effectiveness and ease of developing and maintaining learning facilities.

In August, Oregon was named one of six states to work with the EPA and the National Trust for Historic Preservation on examining and improving statewide policies on “school siting,” with the *Center* as the coordinating agency. This issue, while it may be initially viewed as impacting only new school siting, does in fact, figure largely into the joint use and re-use of existing schools. And, on exploration, the issue was found to encompass virtually all of the issues being considered for action by the *Center*.

Overview~

The Center for Innovative School Facilities, along with its volunteers and stakeholders, and their partner organizations recognize the need to change the way the Oregon sites and supports schools facilities. Currently, there is no State assistance or oversight to ensure that schools are being sited with the long term interests of both the school districts and their communities in mind. School administrators are oftentimes faced with a lack of affordable, preferred options and are forced to site schools far outside of the communities they serve, and receive little support in addressing this multi-faceted issue.

The proposed 2009 Legislative Package is as follow:

Purpose Statement

This bill is the “umbrella element” of a package that CISF is putting forward to begin the process of changing school siting, development, and redevelopment practices. This purpose statement will establish a clear intent and prepare the way for future changes. By adopting this statement, the Oregon Legislature will formally recognize the affect school facilities and their siting have on the quality of our children’s education, and the communities they live in.

Bill 1: Adopt to ODE ORS the following Purpose Statement:

“Public schools play an essential role in the life of our communities. When located and designed well, schools achieve educational objectives, contribute to neighborhood identity, promote walking and bicycling, support better public health, demonstrate and inspire sustainable living, and set the stage for civic engagement and social learning. Economic and other pressures over the past several decades in Oregon have caused the divergence from this tradition and schools to be built where land was cheapest, constructed facilities with lowest initial cost and designed schools in ways that reinforce single use. Oregon communities reflect the lack of implementing a broader vision and civic purpose for our education facilities.

A new vision for Oregon schools is needed: schools that are sited (and reused) to build community, designed to promote social learning and shared use, and funded and constructed with life cycle costs. We believe legislative action is needed to: enable better school siting during concept planning and funding; promote informed public participation, facilities sharing, co-development and flexible use through state and local codes, and informed public participation; and establish full life-cycle costs as the standard for school rehabilitation, replacement or construction.”

Adding Schools to Goal 11

CISF requests an administrative rule change that would add “schools” to the list of infrastructure facilities in Oregon’s Statewide Planning Goals and Guidelines -- Goal 11. Currently, local jurisdictions are required to include police protection; sanitary facilities; storm drainage facilities; planning, zoning, and subdivision control; health services; recreation facilities and services; energy and communication services; and community governmental services, but not schools, in their long-range plans.

Too often, schools are brought into the community planning process after major decisions have been made, and are forced to select from land that is either too expensive or outside of the community they serve. Including schools in periodic review planning will force local jurisdictions to provide space for schools within communities.

By adding schools to Goal 11 in the Urban Facilities and Services, Public Facilities Plan, and Community Public Facilities Plan sections, local planning organizations will be required to plan for the land needed for schools in order to pass their periodic review. Schools will become part of the community vision at least 10 years in advance. A quality school located in the geographic heart of the community that is multi-modally accessible is a central factor of community cohesion and increases residential values. Schools are an integral part of our infrastructure, and it is time to make that designation official.

The “rule change” of adding schools to Goal 11 will be sought through the State’s Land Conservation and Development Commission and recommended for implementation over a number a years to allow for timing differences in local comprehensive plan updates, thereby avoiding a requirement to revisit recently completed updates.

Life Cycle Costs

Funding structures and planning mechanisms force school districts to focus on initial costs. More expensive measures that result in a relatively quick payback cannot be considered because of inability to plan and pay for the planning farther into the future. CISF proposes a bill that would assist school districts to in planning and publishing a cost/benefit analysis of re-use versus new building, building flexibility, energy and transportation impacts.

Combine Bill 2: Amend ORS 332 (Property Section) to include long-term cost/benefit analysis of re-use versus new when replacement of an existing facility with new construction is intended and, incent public information regarding cost/benefit analysis of re-use as an element of Long Range Facility Plans. The cost/benefit analysis should address building flexibility, and energy and transportation impacts. By publishing this analysis, the school leadership and their community will have a more accurate picture of the long range economic impacts of their siting decisions.

Because of the current school facility funding mechanisms, schools districts are forced to focus on the first costs, and often times cannot afford or even consider investments with relatively short payback times. Moving schools outside of existing communities often has costs that are hidden or do not reveal themselves until years after the project is completed.

Incentives to Encourage Green and Sustainable Technologies

Even with the incredible strides in the last decade of green and sustainable technology, the greenest building is the one that does not have to be built. Furthermore, older schools, especially those built before WWII, tend to already be sited within communities, and are designed with “natural green” features like thick walls, natural lighting and ventilation. CISF proposes two bills that will incent the re-use of existing buildings.

Bill 3: Establish sellable tax credits for existing school renovation and incorporating sustainable practices, re-use of an existing site, air rights and other community benefits. When new schools are built on the edge of Urban Growth Boundaries, utilities and other basic infrastructure needs to be extended out to them. If schools re-use an existing building and/or site and save the money, time, and effort needed to extend utilities, they should be eligible for a credit on future projects. A salable state tax credit, paralleling historic building rehabilitation tax credit programs, would stimulate private sector investment in the revitalization and re-use of older historic school buildings (those that meet basic National Register requirements, not just listed buildings). The credit would be equal to 25% of the total rehabilitation costs. These credits would be available for use by the school district, or could be sold to private business.

Bill 4: Create a School Revolving Renovation Fund. When building new costs more than renovating an existing facility, the State can remove this incentive to leave the community by offering low-interest loans for renovating existing sites. Maine already has this program in place, and has been successful in keeping schools in the community.

Incentive to Promote Shared-Use, Multi-Use Schools

Schools can no longer afford to be in use 7 hours a day, five days a week, 9 months a year. Because Oregon schools are so reliant on Bond passage to fund their facilities and operations, the community needs to be involved on the school campus. Bond passage requires support from a broad coalition of community members, most of whom do not have children in the schools. In order to incent non-parents to support school projects, the school needs to offer services to the broader community. Schools are natural staging areas for service delivery and community events.

Bill 5: The Center for Innovative School Facilities proposes to create a one-time pilot project for \$650,000 that would fund the development process of public/private/community partnerships for three demonstration sites around the state, resulting in a process and workbook highlighting best practices.

The dollars would be appropriated to Oregon Department of Education, for a likely partnership with the Department of Housing and Community Development, and CISF. The result of the project would be a model for identifying and implementing public/private/community partnerships that allow schools the financial capacity to remain sited within an existing community.

CISF would walk three school districts (urban, suburban, and rural) through the process of identifying and creating partnerships, and completing the development of the selected projects, sited on the school campus. The process would be documented and published, allowing duplication across the state.

Bill 6: To implement the new state diploma requirements most schools require additional Science Labs and related high-technology innovations. \$30 Million is requested for their construction and it is recommended that a School District Financing Authority be established.

School Siting Stakeholders Steering Committee

- Gil Kelley (Chair), Planning Bureau, City of Portland
- Don Arambula, Crandall Arambula Architects
- Marc Butorac, Kittelson, a transportation planning firm
- Jay Coalson, Green Building Services
- Risa Davis, Bosco Milligan Foundation, a historic preservation non-profit
- Noelle Dobson, Active Living by Design
- Jennifer Donnelly, Transportation and Growth Management Program, Oregon Department of Transportation
- Dick Feeney, The Chalkboard Project, statewide education reform group funded by Foundations for a Better Oregon
- Kaaren Heikes, Northwest Center for Educational Options
- Dana Hepper, Stand for Children
- Kelly Hossaini, Miller Nash
- Donna Jordan, Lake Oswego City Council
- Robert Liberty, Metro
- Mary Kyle McCurdy, 1000 Friends of Oregon
- Mel Rader, Upstream Public Health
- Karl Rohde, Bicycle Transportation Alliance
- Roger Roper, State Historic Preservation Office
- Dick Steinbrugge, Beaverton School District
- Gregg Stewart, Mahlum Architects
- Dave Williams, Oregon School Boards Association
- Gill Williams, David Evans and Associates
- Jerry Zelada, ODOT BikePed Advisory Committee
- Bill Zelenka, Crook County Planning

Policy & Legislative Committee

- Nolan Lienhart, Zimmer Gunsul Frasca
- Kate Allen, Enterprise Community Partners, Inc.
- Bob Clay, City of Portland
- Jon Chandler, Oregon Homebuilders Association
- Justin Cutler, City of Gresham
- Doug Goe, Orrick
- Renee Hackenmiller-Paradis, Oregon Environmental Council
- Sue Hildick, Chalkboard Project
- Jim Imhof, Hill International
- Jules Kopel-Bailey, ECONorthwest
- Krina Lemons, Salem-Keizer Education Foundation, OSBA
- Jeremy Lyon, Hillsboro Schools
- Robin McArthur, Metro
- Bob McKean, Albina Community Bank
- Kevin Noreen, Sherwood Schools
- Jeremy Rogers, Oregon Business Council
- Barbara Rommel, David Douglas Schools
- Charles Rynerson, Portland State University
- Andy Shaw, Metro
- Jill Sherman, Gerding Edlen
- Diane Shiner, Mahlum Architects
- John Southgate, City of Hillsboro

Issues Identified by Stakeholder Committee

Siting:

- **Jurisdictional Boundaries:** School Districts have different jurisdictional boundaries than the cities, counties, etc. that they serve making the already difficult task of coordinating and planning that much more so.
- **State Transportation Funding Formula:** When school sites are selected, the true costs of transportation are not taken into account. And, while transportation costs are seldom a factor in the site selection, sites on the edge of urban growth boundaries do increase the “community cost” of the facility.
- **Safe Routes to School:** Lack of safe walking and biking routes to school
- **Cost and Availability of Land:** Land within existing communities is hard to find and often too expensive. Currently there is little help for school districts in covering cost differences between community locations and sites further away
- **Lack of Planning Coordination:** Because schools are not considered “infrastructure,” future school locations are not planned for. Schools are often left out of plans developed by local jurisdictions forcing schools out of communities to find available land.

Life Cycle Costs

- **Old Schools are Being Retrofitted Inadequately:** Usually due to funding shortages, older schools are often left for an extended period with deferred maintenance and then renovated at the least cost possible failing to extend the building life the preferred 30 – 50 years.
- **School Districts Need Better:** Case studies and information on the cost of long-term leasing vs. buying, lease/purchase and other alternative financing methods need to be available to districts.

Shared Use

- **Current Policies and Systems Encourage Competition vs. Collaboration Between Jurisdictions and School Districts:** Parks and School Districts, local governments and Districts are often forced to compete for the same land, sports and recreation dollars rather than having a basis for working together.
- **Disincentives for Companies to Work with Schools:** When for-profit companies attempt to partner with schools, they take on extra costs that make it difficult for the partnership project to make adequate profit to be viable.
- **Reliance on Property Tax and Local Bonding as Sole Forms of Development Money:** As one of the few states that have no statewide capital bond program, Oregon schools are depend on single source of revenue. Alternative financing methods are sorely needed.
- **“First Cost” Dominates Development Decisions:** There are a number of measures that would save school districts money in the long run for a relatively small increase in First Cost. However, School Districts are unable to pay in advance for the planning and construction measures that would pay for themselves in as little as 5-7 year

School Siting & Facility Summit

January 21st, 1pm to 7 pm, Salem Conference Center

Target Audience: Statewide leaders (150 – 200) from local government, state government and school districts (as it is the day prior to OSBA’s Bonds and Ballots conference); leaders from environmental, historic preservation, community development and housing groups; legislators.

1pm -- **Opening & Presentation of Policy and Legislative Agenda**
2 pm (Chairman Gil Kelley, Representative Jules Kopel Bailey and Overall Summit Sponsor Representative)

2 - **Concurrent Panels with Tracks on Siting, Lifecycle and Shared Use –**
3:30 pm

- **Comprehensive Planning Goal 11, declaring schools as “infrastructure” and Long Range Facility Planning (Siting)**
- **Re-Using Existing Buildings -- Renovation and Rehab for the next 30 years & Building for 50 years. (Life Cycle)**
- **Education and Cost Benefits of Shared Use (Shared Use)**

3:30 - **Break**
4 pm

4 - **Concurrent Panels on Siting, Lifecycle and Shared Use**
5:30 pm –

- **Safe Routes to School, Jurisdictional Boundaries, Transportation Planning & Costs (Siting)**
- **Alternative Financing Methods including Lease vs. Build (Lifecycle)**
- **Supporting Community by Rehabbing and Designing for Flexibility (Shared Use)**

5:30 - **Reception**
7 pm

Summit Sponsors ~

Skanska

National Trust for Historic Preservation

P & C Construction

Overall Sponsorship by Center Investors- **Gerding Edlen, Lease Crutcher Lewis Construction, Mahlum Architects, The Standard, Todd Construction, Wells Fargo**