

**WEST VIRGINIA  
SECRETARY OF STATE**

**KEN HECHLER**

**ADMINISTRATIVE LAW DIVISION**

Form #2

**Do Not Mark In this Box**

FILED IN THE OFFICE OF  
THE SECRETARY OF STATE  
THIS DATE Aug 22, 1995  
ADMINISTRATIVE LAW DIVISION

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**NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE**

AGENCY: School Building Authority of West Virginia TITLE NUMBER: 164

RULE TYPE: Procedural; CITE AUTHORITY 18-9D-1-16

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 164

TITLE OF RULE BEING AMENDED: Guidelines & procedures Handbook  
for the School Building Authority of West Virginia

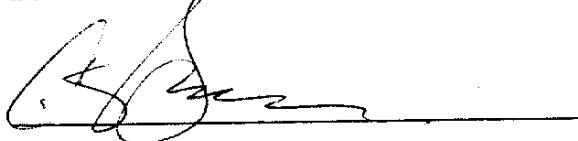
IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON September 25, 1995 AT 8:00 a.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

Clacy Williams  
School Building Authority of WV  
2300 Kanawha Boulevard, East  
Charleston, WV 25311

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.



ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

51.00



**School Building Authority of West Virginia**

Clacy E. Williams, Executive Director

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2300 Kanawha Boulevard, East • Charleston, West Virginia 25311-2306 • Office Number (304)558-2541 • FAX Number (304)558-2539

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**M E M O R A N D U M**

**TO:** Judy Cooper, Director of Administrative Law Division  
Secretary of State's Office

**FROM:** Clacy Williams, Executive Director

**SUBJECT:** Revised Guidelines & Procedures Handbook  
School Building Authority of West Virginia

**DATE:** August 22, 1995

The Authority approved draft revisions of the Guidelines & Procedures Handbook School Building Authority of West Virginia for a 30-day public comment period on August 29, 1994.

Enclosed you will find a copy of the memorandum and revisions to the handbook that was distributed September 1, 1994 for a 30-day public comment period. Strike-throughs were used to delete language and underlining was used to add new language. A brief summary is included for your convenience of the changes made to the handbook.

I have also included copies of the comments received during the public comment period, a prepared fiscal note and Notice of Agency Adoption of a Procedural Rule.

Enclosed is a copy of the Revised Guidelines & Procedures Handbook School Building Authority of West Virginia that the Authority approved on November 9, 1994.

Sorry for any inconvenience this may have created. If you need additional information, please call me at 558-2541.

CW

Enclosures

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**School Building Authority of West Virginia**

Clacy E. Williams, Executive Director

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**M E M O R A N D U M**

**TO:** County Superintendents, Architects, RESA Executive Directors and Vocational School Administrators

**FROM:** Clacy Williams, Executive Director *C. Williams*

**SUBJECT:** SBA Guidelines and Procedures Manual

**DATE:** September 1, 1994

Enclosed is a draft of the revised SBA Guidelines and Procedures Handbook of the School Building Authority. Several changes have occurred due to new legislative requirements and recent action by the Authority. This document is provided to you for review and comment. We would appreciate your input in this process and would like to have your written comments returned to our office by October 3, 1994.

If you have any questions regarding this matter, please contact our office.

CW:sg

Enclosure

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DRAFT

## GUIDELINES AND PROCEDURES OF THE SCHOOL BUILDING AUTHORITY OF WEST VIRGINIA

The West Virginia Legislature passed Article §18-9D of the West Virginia Code in 1988 which created the School Building Authority of West Virginia (SBA). A major revision was completed in 1989 that redefined the objectives and membership of the Authority and in 1994 redefining funding sources and programs. During the August 31, 1989 SBA organizational meeting, the Authority adopted the following mission and goals statement:

### MISSION

It is the mission of the School Building Authority of West Virginia to facilitate and provide state funds for the construction and maintenance of school facilities to meet the needs of the people of West Virginia in an efficient and economical manner.

### GOALS

1. To make all funding determinations in accordance with the provisions of law in Article §18-9D of the West Virginia Code.
2. To assess existing school facilities and each facility plan in relation to the needs of the individual student, the general school population, the communities served by the facilities and statewide facility needs.
3. To adopt guidelines that will assure the prudent and resourceful expenditure of state funds. These guidelines shall state the manner, time line, and process for submission of plans to the Authority, project specifications, and indicators relating how the specific project furthers the overall goals of the Authority.
4. To expeditiously implement the programs of the School Building Authority of West Virginia by making funds available to counties for the purpose stated in the mission of the Authority.

Each county board of education, ~~in cooperation with its Regional Educational Service Agency (RESA)~~ has the responsibility to maintain a sufficient number of suitable school facilities to provide a thorough and efficient system of education and equal educational opportunities for its public school students. Each county's ten year Comprehensive Educational Facility Plan (CEFP) ~~will be~~ submitted to the State Board of Education (SBE) for review and approval in April 1990 and must be updated annually. ~~Each county plan shall be part of a Regional CEFP (RCEFP) developed by the RESA and submitted on or before April 15, 1990 to the SBA for funding approval.~~ A new CEFP will be developed and submitted to the SBA and the SBE in the year 2000. The schedule for submission of projects to be considered for available state funding will be determined by the SBA. Projects chosen for funding by the SBA will be part of a plan approved by ~~both~~ the SBE ~~and the SBA.~~

In order to facilitate the approval process for state funded projects, the SBA requires that all county plans ~~included in the regional plan~~ be approved by the SBE, ~~thus and~~ meeting the guidelines of SBE Policy 6200 prior to submission to the SBA. These guidelines are reflected in the West Virginia Department of Education's "Handbook on Planning School Facilities, Chapter 1" (Appendix A). State Board of Education approval of a county's plan, ~~and its inclusion in the RGEFP~~ does not assure the plan's approval by the SBA for either "net" or "needs" funding purposes. ~~In order to assure that regional plans meet the objectives of the SBA, the following guidelines and procedures were adopted November 4, 1991~~ The following guidelines and procedures of the SBA were initially adopted November 4, 1991, revised and adopted by the SBA on \_\_\_\_\_.

~~100.00 REGIONAL COMPREHENSIVE EDUCATIONAL FACILITIES PLANS (RGEFP)~~

~~100.10 The RGEFP developed by each RESA will include the following:~~

- ~~A. A Table of Contents of the RGEFP.~~
- ~~B. A regional prioritized list of projects selected for competitive "needs" funding and an abstract of each project. Prioritized lists will be revised with each funding cycle.~~
- ~~C. An SBE approved facilities plan from each county.~~
- ~~D. Inter-county facility feasibility studies.~~
- ~~E. A synopsis of comments from the public hearing(s).~~
- ~~F. Formal comments from each county board of education in the RESA regarding the RGEFP.~~
- ~~G. An objective means to be utilized in evaluating the implementation of the overall plan and each project included.~~
- ~~H. The regional planners assurance that each county plan includes:~~
  - ~~1. A prioritized list of each county's projects to be funded through SBA "net" funds.~~
  - ~~2. A ten-year time line for the implementation of the total plan indicating when each proposed facility action is to be taken and each project to begin.~~
  - ~~3. A completed Facility Classification Report (SBA Form 116) that identifies all existing county facilities (Appendix B).~~
  - ~~4. Completed building evaluation forms on each facility in the county using the SBA School Facilities Evaluation Instrument (Appendix C).~~
  - ~~5. An assurance that the county is in compliance with the SBE's court order regarding housing of Special Education programs in segregated locations.~~

~~100.20 Table of Contents.~~

- ~~A. Each page of the RGEFP shall be numbered consecutively front to back.~~
- ~~B. The table of contents shall indicate the appropriate page numbers for each of the major headers and sections of the RGEFP.~~
- ~~C. The RGEFP shall be formatted in three ring binders. Large (1/3-cut) tabs shall be inserted to correspond to each county plan and the smaller tabs shall indicate regional headers A thru H-5 required in 100.10 of this manual.~~

~~D. Pages related to projects submitted for needs funding shall be printed on colored paper to help distinguish it in the plan.~~

~~100.30 Regional Priority List of Projects for "Needs" Funding~~

~~A. Each RESA shall develop a prioritized list of projects based on the needs of the school facilities within the region. Funded "needs" projects must be part of an approved regional plan and appear on the regional priority list.~~

~~B. Determination of the prioritized list will be made in accordance with the "Procedures for Regional Prioritization of Needs Projects" as adopted by the SBA (Appendix D).~~

100.00 SBA REQUIREMENTS FOR COMPREHENSIVE EDUCATIONAL FACILITY PLANS

~~100.40 County Comprehensive Educational Facility Plans General Requirements~~

100.10

~~A. County GEFPs included in the RGEFP must have been approved by the SBE in accordance with SBE Policy 6200, the "Handbook on Planning School Facilities".~~

~~B.A~~ County plans will have been developed in accordance with SBE Policy 6200, the "Handbook on Planning School Facilities", and approved by the SBE prior to any consideration by the SBA.

~~G.B~~ Each county plan will identify specific projects that are being presented ~~to the RESA~~ for the competitive SBA "needs" funds. These plans will include how the project will effectively address the following issues:

1. Student Health and Safety.
2. Economies of Scale--economies of scale based on minimum allowable enrollments are as follows:
  - a. Elementary schools with an enrollment of 300 students in grades 1-6, 200 in grades 1-4, or a minimum of 2 classes (~~22-25~~ each) per grade level, are recommended to achieve the economy of scale. Early childhood, kindergarten and exceptional students may increase this minimum standard.
  - b. Middle and junior high schools with an enrollment of 450 students in grades 7-9 or 6-8, 5-8 schools with 600 students, or schools with 150 students per grade level minimum are recommended to achieve the economy of scale at the intermediate level.
  - c. High schools with an enrollment of 600 students in grades 10-12, 800 students in grades 9-12 or 200 students at each grade level are recommended to achieve the economy of scale (Appendix E).
  - d. ~~These recommended enrollments reflect an 85% utilization of the building's design capacity in minimally sized buildings.~~ These enrollments will be considered in determining eligibility for all SBA funding for early childhood, intermediate and adolescent facilities.

- e. Geographic or other considerations may require exceptions to be considered. Regional planning across county lines should also be considered to achieve these minimum enrollment standards where population centers warrant. (Appendix E)
- 3. Reasonable Travel Time and other Demographics.
- 4. Multi-County and Regional Planning.
- 5. Curricular Improvements and Diversifications.
- 6. Innovations in Education.
- 7. Adequate Space for Projected Student Enrollment.
- 8. A history of the county's efforts to propose and/or adopt local school bond issues or special levies for capital improvements.
- C. A ten-year time line for the implementation of the total plan indicating when each proposed facility action is to be taken and each project is to begin.
- D. A completed Facility Classification Report (SBA Form 116) that classifies each facility in the county. (Appendix B)
- E. Narratives on each existing school facility describing future use and scheduled improvements.
- F. Completed building evaluation forms on each facility in the county using the SBA School Facilities Evaluation Instrument and including cost summaries indicating the cost to upgrade to meet standard. (Appendix C)
- G. An assurance that the county is in compliance with the SBE order regarding housing of Special Education programs in segregated facilities.
- H. A Major Improvement Plan (MIP) includes a maintenance plan and a prioritized list of projects for which funding will be requested through the SBA's Major Improvement Plan (MIP) program.

~~100.50~~ Inter-County Feasibility Studies

100.20

- A. Each county shall submit to the ~~RESA~~ SBA/SBE a list of grouped, inter-county attendance areas where potential exists for cooperative utilization of a facility between or among adjacent counties. within the RESA or between counties of adjacent RESAs. (May include multi-county ~~and inter-regional~~ facilities, i.e., magnet schools, area vocational centers, etc.)
- B. A planning study is to be completed to assure that an efficient and effective instructional delivery system will be utilized addressing each of the items indicated in ~~section 100.01 (A-F)~~ in SBE Policy 6200, "Handbook on Planning School Facilities", 100.01 (A-J) as well as the issues 1 thru 7-8 in 100.40-6 10-B of this manual handbook.
- C. ~~Give a~~ A detailed analysis of the results of this study and ~~make~~ a facility recommendation based on its conclusions shall be included.

~~100.60~~ Synopsis of Public Comment

100.30

- ~~A.~~ Prior to submitting the ~~RCEFP~~ to the SBA ~~for approval~~, one or more public hearing(s) must be held ~~regionally~~ to provide broad-based community input into the plan. Notice of such hearings shall be published as a Class I legal advertisement in compliance with the provisions of §59-3-1 et. seq. of the Code of West Virginia. As an addendum to the ~~RCEFP~~, sufficient documentation, including verification of public notices from the local newspapers and a synopsis of all comments received during the hearings must be included.
- ~~B.~~ ~~A formal comment from each county board of education in the RESA shall be submitted to the SBA for consideration in their approval process.~~

~~100.70~~ Objective Evaluation of Implementation

100.40

As part of the total ~~RCEFP unit~~, the ~~RESA county~~ shall include ~~the an~~ objective means to be utilized in evaluating implementation of the overall plan and each project included therein. The evaluation shall measure:

- A. How each project furthers the quality educational goals of the SBA as defined in WV Code §18-9D-16. This shall include: student health and safety, economies of scale, travel time and other demographics, achievement of effective and efficient instructional delivery system, curricular improvements, innovations in education, ~~and~~ adequate space for projected student enrollments and local effort in funding school facility improvements.
- B. How the overall success of any project has related to the facilities plan of the ~~region county~~ and the overall goals of the SBA.
- C. Prior to submission of a new ten year CEFP, an evaluation report shall be completed in the 8th year of the statewide planning cycle and submitted to the SBA and the SBE. In addition to the evaluation criteria included in your plan the report shall include the issues designated in Appendix of this handbook.
- D. Amendments that initiate major revisions of the CEFP within the ten year planning cycle shall include how the existing plan no longer meets the goals and needs of the county and the goals of the SBA.

~~100.80~~ ~~Regional~~ Additional Requirements and Administrative Assurances

100.50

A statement of assurance by the ~~RESA Executive Director~~ county superintendent that ~~each the~~ county plan includes all requirements in Section 100 of this handbook.

- ~~A.~~ ~~A prioritized list of projects from each county to be funded through SBA "net" funds.~~
- ~~B.~~ ~~A ten year time line for the implementation of the total plan indicating when each proposed facility action is to be taken and each project is to begin.~~
- ~~C.~~ ~~A completed Facility Classification Report (SBA Form 116) that classifies each facility in the county.~~

- ~~D. Narratives on each existing school facility describing future use and scheduled improvements.~~
- ~~E. Completed building evaluation forms on each facility in the county using the SBA School Facilities Evaluation Instrument and including cost summaries indicating the cost to upgrade to meet standard.~~

~~100.90~~ CEFP Management

100.60

- A. Amending the Regional County CEFP Plan - Because the ~~R~~CEFP is a living document that ~~must~~ may be updated periodically ~~monthly~~ based on approved amendments and ~~because of~~ the continually changing needs of the ~~regions and the counties~~ county, it is necessary to formally update the plan annually. (Appendix U)
1. Major revisions to the ~~R~~CEFP are to be submitted to the SBA by ~~December~~ November 1 each year, beginning ~~December 1, 1991~~ November 1, 1994.
  2. Major revisions include the addition of new schools, school closures that have been approved by the SBE and reclassification of all existing schools.
  3. Final approval of all closures remains the responsibility of the SBE. The ~~R~~CEFP will be amended by the SBA to reflect school closures only after SBE action.
  4. The county CEFP and RCEFPs are ~~are~~ is to be maintained as a working documents ~~and are~~ is to be updated as amendments or actions to implement the plan are completed.
  5. Amendment requests that make major revisions prior to the end of within the ten year planning period shall be submitted with an evaluation of the current approved plan in accordance with Section 100.40.
- B. Budget Amendments to ~~R~~CEFPs
1. Routine amendments on projects using partial or full SBA funding must be amended through the SBA and the SBE.
  2. SBA/SDE Form 106 must be completed fully and submitted to ~~the RESA. A RESA approved amendment shall be submitted~~ to both the SBA and SBE for approval in order to institute an SBA budget amendment. ~~or to transfer SBA funds from one project to another. SBA funds can not be transferred from one project to another.~~ (Appendix F)
  - ~~3. Amendments to add new projects for SBA "net" funding are to be submitted on SBA Form 106 using section B of the report (Appendix F).~~
  - ~~4.3.~~ SBA Form 106 must also be used to initiate budget amendments to both the SBE and SBA for all projects regardless of the funding source if the instructional square footage is altered, or the work exceeds \$25,000.
  4. Any net enrollment monies distributed prior to January 1, 1994 will continue being administered by SBA Guidelines adopted by the SBA in June 1992.

200.00 FUNDING SCHOOL BUILDING AUTHORITY PROJECTS

201.00 Matching Funds - No matching local funds shall be required to obtain SBA funds, however, each facility plan shall address the history of efforts taken by the county board of education to propose or adopt local school bond and/or special levies for capital improvements.

202.00 Distribution of Funds - It is the intent of the legislature that the SBA fund the ~~maintenance~~ improvement and construction of school facilities to meet the needs of the people of West Virginia in an efficient and economical manner. These funds shall be distributed as follows:

A. Three percent (3%) of the total funds available to the Authority for distribution from the school construction fund during any funding cycle ~~the current fiscal year~~ may be utilized for projects:

1. That serve the statewide educational community, or
2. That are applied for and utilized to operate educational programs under the jurisdiction of the SBE.

Grant funds shall expire based on a three year contractual agreement between the SBA and the grantee.

~~B. Fifty percent (50%) of the remaining available funds shall be allocated to each county board based on its net enrollment.~~

~~Provided:~~

~~1. That the county is included in an approved regional plan and,~~

~~2. That the county is prepared to commence expenditures during the fiscal year monies are distributed.~~

~~3. Provided, however, that monies allocated to a county board and not distributed to that county board shall be redistributed on the basis of net enrollment to the county boards then eligible for the receipt of net enrollment distributions in that fiscal year.~~

~~4. Any funds allocated to a county that fails to spend the monies within three (3) years of the allocation shall be ineligible for further SBA allocations until prepared to spend the funds in accordance with an approved RCEFP. Upon any allocation and distribution of the fifty percent (50%) based on net enrollment in a subsequent fiscal year, the Authority shall deduct from the fifty percent (50%) determination any monies allocated and not distributed to a county board during the preceding three fiscal years upon written notice from any county board that they are prepared to expend such amount in the current fiscal year and shall distribute such monies accordingly. "Net" funds must be expended on projects approved by the SBA and upon projects that meet the economics of scale guidelines defined in section 100.40 C (2) of this guidelines manual unless waived by the Authority. (Appendix E)~~

B. Funds amounting to no more than two percent (2%) of the total funds available for distribution from school construction funds shall be set aside as an emergency fund to be distributed in emergency situations as defined by the Authority. Application for such funds shall be in accordance with procedures outlined in Appendix S. Grant funds shall expire based on a three year contractual agreement between the SBA and the grantee.

- C. ~~Fifty percent (50%) of the remaining available funds.~~ The remaining monies determined by the Authority to be available for distribution from school construction funds shall be allocated and expended on the basis of needs and efficient use of resources. The SBA shall make funding determinations in accordance with the provisions of the Code of West Virginia and shall assess existing school facilities and each facilities plan in relation to the needs of the individual student, general school population, the communities served by the facilities, and facility needs statewide. Grant funds shall expire based on a three year contractual agreement between the SBA and the grantee.
- D. Funds appropriated by the legislature to the school major improvement fund shall be distributed by the School Building Authority on the basis of need. These funds are for major renovation or rehabilitation of existing facilities and for additions to existing schools. A county may be eligible for major improvement funds provided:
1. The county has an approved major improvement plan (MIP).
  2. The county is ready to expend the funds in the fiscal year monies are distributed to them.
  3. The county has spent, in the previous year, an amount in maintenance of their schools equal to the average of the lowest three of the past five years maintenance budget.
  4. The county has budgeted in their current maintenance budget an amount equal to or greater than the average determined in item three above.
- Grants to counties from the major improvement fund are for projects exceeding \$50,000 but can not exceed \$500,000.

203.00 Awarding of Funds

- A. Three Percent (3%) Statewide Grants
1. Projects eligible for three percent (3%) statewide funds include any facility that serves the educational community statewide or houses educational programs that are under the jurisdiction of the SBE, including regional vocational-technical centers.
  2. Projects submitted for competitive funding from the three percent (3%) designation must include information regarding the following areas as described in the "Handbook on Planning School Facilities" wherein applicable:
    - a. An analysis of the community being served.
    - b. A study of the population and enrollment.
    - c. The educational plan.
    - d. An evaluation of the existing facility.
    - e. The financing plan for the project.
    - f. Translation of educational needs into facility needs.
    - g. A "Needs" Project Summary Report (Appendix H).
    - h. An explanation of how the project relates to the major items presented in 100.40 C (1 thru ~~7~~8) of this guidelines ~~manual~~ handbook.
  3. Schools or programs under the jurisdiction of the SBE will submit project applications to the SBE for review, evaluation, prioritization and recommendation to the SBA for potential funding.

4. The SBA reserves the right to consider projects they deem meritorious for 3% funding as well as final approval of all projects recommended for funding.

~~B. "Net" Enrollment Funds~~

- ~~1. Each county in West Virginia is eligible for capital improvement funds from the SBA based on its net enrollment. Net enrollment, as defined in §18-9A-2, shall be determined by the most recent second month report available from the State Department of Education at the time of distribution of funds.~~
- ~~2. Each county is responsible for presenting a list of prioritized projects in their plan to address the expenditure of net enrollment allocations. The county will select from the priority list explicit projects equaling the amount of the county's allocation. The county superintendent will make a presentation to the SBA relating how each project meets the goals of the Authority and requesting its approval.~~
- ~~3. The SBA will evaluate the projects presented in relation to the total CEFP, the guidelines set forth in 100.40-C (1 thru 7) of this guidelines manual, and the mission/goals of the Authority and approve funding accordingly.~~

B. "Emergency Funds"

1. The Emergency Fund is available at the discretion of the Authority to assist where emergency situations endanger a safe and healthful environment for students.
2. To qualify for a grant from the emergency fund:
  - a. Need must have been generated by an unforeseeable catastrophic event (i.e., fire, wind, earthquake, flood, storm, etc.), general disaster or Act of War.
  - b. Funds from federal, state and local sources for emergency repairs and replacements must have been identified and included in the project budget.
  - c. All insurance claims must have been filed and amount of settlement determined. Insurance coverage of a facility should be equal to the cost of replacement.
3. Application shall be made within ten days after said emergency to the SBA and in accordance with adopted SBA procedures (Appendix S).

C. "Needs" Funds

1. Each county in West Virginia who has an approved CEFP is eligible for capital improvement funds from the SBA based on the needs of the facilities in their district.
2. Each county is responsible for determining in their facilities plan the specific project(s) for which SBA "needs" funds will be requested. This individual project will be fully developed in regard to the issues indicated in 100.40-C (1 thru 7)-100.10 in this guidelines ~~manual~~ handbook and have an SBA "Needs" Project Summary Report completed (Appendix H).
3. Proposals for "needs" projects ~~will~~ must be part of an approved CEFP, presented as amendments to the existing RCEFP and ~~shall be requested by~~ submitted at the request of the Authority based upon the availability of ~~capital improvement~~ funds for distribution.

- ~~4. Projects for competitive "needs" funding will be included in the facility plan submitted by each county to the RESA. The RESA Board of Directors is responsible for the review, evaluation and prioritization of these projects within their region utilizing the SBA approved "Procedures for Regional Prioritization of Needs Projects" (Appendix D).~~
5. ~~Regional priority lists will be part of the RGEFP submitted to the SBA.~~ The Authority will review and evaluate the projects based upon criteria set forth in ~~100.40-100.10~~ of this guidelines ~~manual handbook~~. A priority list of projects to be funded equal to the amount of the funds available during the specific funding phase will be developed by the SBA Authority ~~using the "Procedures for Review of Needs Projects" (Appendix I).~~
- ~~6-4~~ The SBA will appoint a plan review team that will utilize the "Procedure for Review of Needs Projects" to assist in the rating of each project ~~eligible for the SBA's prioritized list.~~ submitted by the counties. The Authority reserves the right to request review of any or all projects submitted to them that they feel has special merit or extenuating circumstances (Appendix I).

~~D. Emergency Capital Funds~~

- ~~1. The SBA reserves the right to create a fund available at the discretion of the Authority to assist where emergency situations endanger a safe and healthful environment for students.~~
- ~~2. These funds will not be considered available for distribution, and therefore, not subject to the customary distribution formula of the SBA.~~
- ~~3. This fund will be governed by administrative procedures developed and adopted by the SBA (Appendix S).~~

D. Major Improvement Funds

1. Each county in West Virginia who has an approved major improvement plan and meets the criteria in Section 202-D of this handbook is eligible for capital improvement funds from the SBA's Major Improvement Fund.
2. Major Improvement Plans (MIPs) are developed by each county in accordance with the guidelines in Appendix M and approved by the SBA. The MIP shall address how the proposed plan, and any project in it, meet the following goals and include:
  - a. Student health and safety including critical health and safety needs.
  - b. Economies of scale including a schedule of regular and preventive maintenance for all buildings in the county.
  - c. Prioritized list of MIP projects within the county.
  - d. Include an evaluation of the plan to achieve the goals above and the overall goals of the Authority.  
(Appendix M)
3. Each county shall submit as part of their annual CEFP Update a prioritized list of MIP projects for SBA approval. The most needed project shall be further developed to address the eight basic criteria of the SBA as indicated in 100.4.C (1 thru 8) in this handbook utilizing the format described in Appendix M.

4. The SBA shall review and rank the projects for funding each year in the manner prescribed in Section \_\_\_\_\_ of Appendix M.
5. Funds granted for projects in the MIP shall expire in two years if not utilized and an extension may not be granted.

204.00 Utilization of Funds - Authorized Expenditures

- A. ~~Bond Retirement and Maintenance~~
  1. With approval of the funding agency, SBA funds may be dedicated to the payment of local bonds that were used for the purposes defined in an approved ~~regional~~ facility plan.
  2. With SBA approval, state funds may be used for the repayment of local bonds issued by the Authority for the benefit of the county, but are in addition to bond monies made available by the Authority.
- ~~B. Five Percent (5%) Maintenance Fund - Up to five percent (5%) of the county's "net enrollment" allocations can be used for the purchase of materials, supplies or equipment for SBA approved maintenance projects to be completed by the county's maintenance team. Under no circumstances shall these funds supplement or supplant salaries of employees. Each individual project within the Five Percent (5%) Maintenance Fund must be submitted for SBA review and approval. Five percent (5%) maintenance funds will use SBA project code XX 079 25X.~~
- ~~C.B.~~ Construction Costs - SBA funds may be used for capital improvement projects including new construction, additions or renovations to existing facilities, provided, such projects meet the SBA guidelines and are approved by the SBA. Allowable costs of construction are included in sections ~~300.3 and 300.4~~ of this guidelines manual.
- C. Major Improvement Funds  
Grants awarded to the county for projects from their MIP are for projects exceeding \$50,000 but can not exceed \$500,000. It is intended that each county's routine maintenance budget be responsible for general repairs and upkeep of school facilities. Projects designed to supplant these county funds will not be considered as fundable from the Major Improvement Fund.

205.00 SBA Funds Accounting

- A. Treasurers' Reports
  1. A separate account shall be set up within the fiscal records of the individual county to account for all SBA funds, "~~net~~" MIP or "needs". All records shall be maintained pending a final project audit. (Appendix L)
  2. Funds expended for a multi-county project shall be apportioned among the cooperating counties according to the formula indicated in the facilities plan. Distribution of the funds shall be to the county designated fiscal agent for the project.

B. Budget Coding

1. County budgets must be supplemented when a grant transfer letter is received from the SBA. This letter will accompany the Grant Agreement and will inform the county that monies will be transferred from the state account to the county's account at the custodial bank at the time the signed contract is received by the SBA.
2. Monies must be supplemented into the general current expenditure fund (fund 1).
3. All funds to be utilized for capital improvement, regardless of the source, are to be coded in project 25 utilizing the following code numbers:
  - 25X1X - All SBA Funds
  - 25X3X - Local Funds
  - 25X4X - Federal Funds
  - 25X5X - Better School Amendment Funds
  - 25X9X - Other Funds

206.00 Reimbursement Procedures

A. Funds will be distributed through a requisition process wherein:

1. Invoices are submitted to the SBA offices and to the trustee of the account (bank) before the fifth (5th) day of each month. Submission to both entities is required to transact payment to the county.
2. Invoices for each project code will be grouped together with one requisition cover sheet for each project code (Appendix G).
3. Each requisition sheet must be signed by the superintendent of schools with certification that the previous month's invoices were paid to the vendors (item C on SBA Form 104).
4. Invoices are reviewed in the SBA offices between the fifth (5th) and the tenth (10th) of each month.
5. Checks are written to reimburse the counties for approved expenditures on the fifteenth (15th) of the invoice month unless additional data is requested by the SBA.
6. Should clarification of a specific invoice or the status of a specific project be required, payment may be delayed until support data to verify the expenditure is provided to the SBA.
7. A BP-13A form to verify completion of a contract must be submitted prior to the request for final payment on every contract. A retainage equal to five percent (5%) of the total contract construction cost will be held by the SBA until the contract is officially closed by submission of the completed BP-13A or BP-13A (MP), and signed by a representative of the SBA. (Appendix Q)

300.00 FUNDING SPECIFIC FACILITY PLANS

300.10 Building Gross Areas

A. Allowable gross square foot building areas shall be reflective of the student population and the educational program. The building design shall maintain a minimum building program utilization of 85%. The actual maximum square footage approved for construction may or may not be equal to the maximums indicated in the schedule below.

~~A.B.~~ Maximum gross area allowances shall be computed as the product of the design capacity times the square foot allowance per pupil as hereinafter scheduled.

1. Elementary Schools

Up to 240 students	125 Sq. Ft.
241 to 265 students	120 Sq. Ft.
266 to 290 students	115 Sq. Ft.
291 to 315 students	110 Sq. Ft.
316 to 340 students	105 Sq. Ft.
341 to 389 students	100 Sq. Ft.
390 to 440 students	95 Sq. Ft.
441 to 490 students	90 Sq. Ft.
491 to 540 students	85 Sq. Ft.
541 to 590 students	80 Sq. Ft.
591 to 640 students	80 Sq. Ft.
Over 641 students	80 Sq. Ft.

2. Junior High/Middle Schools

Up to 500 students	150 Sq. Ft.
501 to 550 students	145 Sq. Ft.
551 to 600 students	140 Sq. Ft.
601 to 650 students	135 Sq. Ft.
651 to 700 students	130 Sq. Ft.
701 to 750 students	125 Sq. Ft.
751 to 800 students	120 Sq. Ft.
801 to 850 students	115 Sq. Ft.
851 to 925 students	110 Sq. Ft.
926 to 1000 students	105 Sq. Ft.
Over 1000 students	100 Sq. Ft.

3. <u>Senior High Schools</u>	
Up to 500 students	230 Sq. Ft.
501 to 550 students	220 Sq. Ft.
551 to 600 students	215 Sq. Ft.
601 to 650 students	210 Sq. Ft.
651 to 700 students	195 Sq. Ft.
701 to 750 students	185 Sq. Ft.
751 to 825 students	175 Sq. Ft.
826 to 900 students	165 Sq. Ft.
901 to 1000 students	160 Sq. Ft.
1001 to 1150 students	155 Sq. Ft.
1151 to 1300 students	150 Sq. Ft.
1301 to 1500 students	145 Sq. Ft.
Over 1500 students	140 Sq. Ft.

300.20 Design Capacity

- A. Design Capacity (DC) shall be defined as the 8th year projected enrollment of students expected to attend a school facility as indicated by the ten year enrollment projection.
- B. Where facility enrollment has fallen below the product of the DC times (X) the utilization factor of 85%, in existing facilities, consideration of consolidation is recommended.

300.30 Allowable Construction Costs for New Construction

- A. SBA funded allocations for the construction of each facility will be limited through use of a Maximum State Funded Gross Area Allowance times (X) the most current SBA approved Sq. Ft. cost:
  - 1. Elementary and Primary Schools 72.00 ~~\$68.00~~/ Sq. Ft.
  - 2. Junior High and Middle Schools 76.00 ~~\$72.00~~/ Sq. Ft.
  - 3. Senior High Schools 80.00 ~~\$76.00~~/ Sq. Ft.
- B. Construction costs allowance ~~is to~~ may include site work, building furnishings and equipment, architectural and engineering fees, construction manager or clerk-of-the-works, survey work, geotechnical studies and advertisements.
- C. Construction costs allowance does NOT include:
  - 1. Site acquisition, unusual utility extensions, unusual site preparation cost, access highways, repaving of existing parking lots or athletic facilities.
  - 2. SBA funds can not be used for the purchase of properties, the construction or renovation of athletic facilities, computer equipment, instructional supplies and equipment. ~~or for the reimbursement of salaries for county employees.~~
  - 3. County employees will not be utilized to work on new construction projects nor will SBA funds be used for the reimbursement of salaries for county employees.
- D. Construction cost per square foot may be adjusted by the SBA to reflect regional cost factors. State construction cost will be reviewed annually and may be adjusted upwardly or downwardly for inflation or actual cost of projects constructed.
- E. Contingency allowance for each new construction project ~~change-orders are~~ shall be established as two percent (2%) ~~for new~~ of the construction budget.
- ~~F. Example No. 1 illustrates calculation of design capacity, building area allowance and project funding. Examples No. 2, No. 3 and No. 6 relate to additions (Appendix J).~~

300.40 Renovations

- A. For renovation work within an existing building, the computation is the product of the approved gross square footage of the project times (x) the percentage of the state building construction cost per square foot.
- B. The percentage is defined as the percentage of the cost of replacement of the facility. The percentage criteria is based upon the age of the existing building in which renovation work is scheduled. An older facility that has specific value to the community can not be funded for more than the percentage indicated. Restoration or renovation beyond these funding levels must be addressed by local initiative.
- |                  |     |
|------------------|-----|
| 40 years or more | 60% |
| 25 to 39 years   | 50% |
| 16 to 24 years   | 40% |
| 0 to 15 years    | 10% |
- C. For a project with renovation work and an addition, the computation is the product of the approved square footage using the percentage of the building cost per square foot for renovation work added to the cost for the addition whose combined total must not exceed 65% of the cost of a new replacement building to qualify for SBA funding.
- D. Contingency allowance for each renovation project ~~change orders~~ ~~is shall~~ be established as four percent (4%) ~~for of the~~ renovation budget.
- ~~E. Examples No. 4, No. 5 and No. 7 illustrate the calculation of SBA allowances for renovation projects (Appendix J).~~

400.00 PROJECT ADMINISTRATION AND REVIEW

- 400.10 Each educational agency receiving funding for a capital improvements project from the SBA shall appoint an administrator for the construction/funding program. This administrator shall be responsible for acting as the liaison to the SBA and for submitting the financial and project reports required by the SBA.
- 400.20 The educational agency shall be required to employ architectural/engineering firms in compliance with WV Code 5G-1-3. The list of architect/engineers responding to the county's Request for Proposal shall be submitted to the SBA for review and approval prior to selection of the three finalists by the local board of education. Services shall be rendered under standard AIA contracts or the SBA Architectural/Engineering Services Agreement in Appendix T of this handbook. (Appendix T)
- 400.203 The educational agency shall be required to employ a ~~clerk-of-the-works~~ to monitor all construction projects in excess of \$100,000 unless waived by the SBA, or an SBA approved construction management method is being utilized. Candidates for construction managers and clerks-of-the works shall be submitted for SBA review and approval prior to final selection by the local board of education. (Appendix D; Section 9 of the Grant Agreement).

A clerk-of-the-works employed by the county through contracted services shall minimally be paid an amount equal to the basic hourly prevailing wage rate of a Journeyman Carpenter as determined by the West Virginia Department of Labor for the project location.

400.304 The SBA reserves the right to review any SBA funded project at intervals deemed necessary before, during or after construction begins. The architects, engineers and county administrators are responsible for including the SBA in the decision-making process during all phases of planning, design and construction beginning with the development of educational specifications. The SBA must be notified by the county of any meetings related to the planning of the project. (Appendix D; Section 13 of the Grant Agreement and Appendix K; Section II (3 & 4) of the Supplemental, General and Special Conditions).

400.405 The SBA reserves the right to review all contractors applications for payment or other invoices submitted against any SBA project fund. Completion of proper documentation by the ~~Local~~ educational agency ~~(LEA)~~ and/or the company requesting payment shall be a prerequisite to any invoice being honored by the SBA.

400.506 The SBA reserves the right to review all county, ~~and~~ clerk-of-the-works, project architect/engineer, and construction manager files related to an SBA funded project.

400.607 Occupancy of New Educational Facilities

400.617 Teachers and other employees shall be informed of the operation of the building, particularly fire escape routes, heating, ventilating and air conditioning systems and communication systems.

400.627 No educational facility shall be occupied without prior approval from the State Department of Education, School Building Authority of West Virginia, state and county regulatory agencies.

400.73 Training of Custodians and County Maintenance Staff

At the conclusion of all construction projects, the contractor shall be responsible for providing pertinent product information including warranty and maintenance instruction to county officials, as well as provide training for county staff regarding the operation and maintenance of the building systems and materials. It is the responsibility of the county board of education to assure that staff is present and has sufficient in-service training to properly maintain the new or renovated facility.

500.00 SCHOOL BUILDING AUTHORITY CONTRACTS AND AGREEMENTS

500.10 Grant Agreement

- A. In order for SBA funds to be utilized for any project, a grant agreement between the educational agency and the SBA must be enacted (Appendix D).
- B. This agreement sets forth the maximum amount and conditions of the grant and, ~~on~~ in Exhibit A of the contract, specifies the facility or facilities where the work is to be done, the scope of the work to be done and the estimated cost at each site location.
- C. The grant agreement must be signed by the Executive Director of the SBA, the superintendent or chief administrator of the agency receiving the grant and the chief elected official of the governing board of the agency in order to engage the agreement.

500.20 Bid Documents

- A. Bid documents for any SBA construction project shall be prepared by qualified architectural or engineering firms in accordance with the "Supplemental, General and Special Conditions" of the Authority (Appendix K).
- B. Qualified contractors bidding on SBA projects will present acceptable liability insurance levels and a completed "Contractor's Qualification Statement" to the county for review prior to the award of the construction contracts. These documents are to be treated in highest confidentiality and are to be reviewed only by those involved with the selection of the contractor. A financial statement shall be required of the lowest qualified bidder(s) being considered for award of the contract. The agency receiving bids or the SBA may request "Contractor Qualification Statements" including financial statements on subcontractors (Appendix K).
- C. All bid documents prepared shall require that the lowest qualified bidder(s) submit a completed form SBA 123, List of Subcontractors and Major Equipment and Material Suppliers (Appendix R). This information must be submitted to the agency receiving the bids within two hours after the completion of the bid opening. The agency receiving the bids shall fax the completed form SBA 123 to the SBA Office within two hours after the completion of the bid opening.

600.00 SCHOOL BUILDING AUTHORITY REPORT PROCEDURES

600.10 Financial Reports

- A. SBA 103 B - Semi-Annual Finance Reports  
SBA Form 103B has become WVDE 103B, a semi-annual financial report due on January 31 and July 31. It is a cumulative report beginning January 1990 and includes every facility in the county where capital improvements have been made regardless of the funding source. Counties are to submit the first report by January 15, 1991 for the full 1990 calendar year to the WVDE (Appendix L).

- B. SBA 101A & 101B - Exhibit A Supplement to the Grant Agreement  
These forms are used to identify the specific project location, the scope of the work to be done, an estimate of the cost of the work and the amount of the grant approved by the SBA. An Exhibit A must accompany a CEFP amendment in order to amend the grant contract to coincide with the CEFP (Appendix D).
- C. SBA 104 - Exhibit B-Requisition Form (Rev. 1-9-92)  
This form is the cover for invoices sent to the SBA offices and the trustee to transact payment to the county. One form is used for each project code. Several invoices from various vendors may be combined as long as they relate to the same school project code. Requisitions must be submitted to the SBA for review. Failure to submit invoices to the SBA will result in delay of payment until appropriate submittals have occurred (Appendix G).

600.20 Project/Construction Related Reports

- A. SBA 105 - Contractor's Qualification Statement  
The lowest qualified bidder(s) on construction or renovation projects must complete a qualification statement. This form is to be used in the screening and selection of contractors to assure the stability and reputability of the company. A copy of each of these reports is to be retained in the project file at the county board office and is to be regarded as highly confidential (Appendix K) (500.20 B of this guidelines manual regarding financials).
- B. SBA/SBE 106 - Application for Amendment (Rev. 5-15-90)  
This form is to amend the ~~CEFP~~. It is used to either alter the budgets of approved projects or to add/delete specific projects for SBA funding once the plan has been submitted. The revised version of this form must be used and the signature of ~~both the superintendent and RESA director~~ must be affixed (Appendix F).
- C. SBA 112 - Quarterly Project Status Report  
This report is to be completed by the county on each active SBA project at the close of each quarter and forwarded to the SBA for review. ~~It is to be submitted to the RESA to be compiled into a regional report, then forwarded with the regional report to the SBA.~~ The report is due in the SBA offices on the fifteenth (15th) of the month following the close of each calendar quarter. Once a project is reported as completed, it is to be deleted from future quarterly reports (Appendix N).
- D. SBA 113 - Construction Observation Report  
This report is to be completed weekly by the clerk-of-the-works or the county administrator responsible for the SBA building program. It is designed to report the progress of construction and should also be used to assist in the preparation of the SBA's Quarterly Project Status Report and to report to the county board of education highlights or concerns regarding the construction's progress. These reports are to ~~become part of~~ be attached to the project's daily logs for the corresponding week and be made available to the SBA's project representative during site visits (Appendix O).

- E. WVDE P-1 - Application for Project Approval (Rev. 2-28-92)  
This report is to be submitted twice by the county, initially with the preliminary drawings when they are submitted to the ~~SDE SBE~~ and the SBA for review. Preliminary review documents required with the P-1 form are: (1) education specification or education program; (2) preliminary drawings (design development drawings are preferred); and (3) outline specifications. ~~and~~ ~~(4) final preliminary cost estimate reflecting the total project cost.~~ A final P-1 is to be submitted to both agencies at the completion of the project with a BP-13-A completion report and prior to requisition for final payment. When a project does not require a design review, it is the responsibility of the county facility administrator to initiate the P-1 form to both the SDE and the SBA (Appendix P).
- F. WVDE BP-13-A - Certificate of Project Completion (Rev. 3-21-91)  
A certificate of completion is submitted to the SDE SBE and the SBA upon completion of a project in order to effectuate a close-out of the project. Final payment to the county for a specific project is dependent upon ~~submission of the BP-13A to~~ acceptance of the project and sign off of the BP-13A by the SBA. The architect or project administrator shall arrange an inspection tour with the appropriate officials. Projects utilizing multiple prime contractors shall complete the BP-13-A (MP) to designate completion of each contractors responsibility and trigger final payment of SBA funds. No occupation of a new facility or renovated facility shall occur until a certificate of occupancy is provided by the fire marshal (Appendix Q).
- G. Evaluation of Performance  
The county board of education is responsible for completing evaluations on each contractor and architectural/engineering firm that has performed work on an SBA funded project using the appropriate SBA evaluation form and submitted with the BP-13A project completion form. (Appendix J)
1. Contractor Evaluation Report (SBA 124)
  2. Architect/Engineering Evaluation Report (SBA 125)

**BRIEF SUMMARY OF CHANGES  
GUIDELINES AND PROCEDURES HANDBOOK  
SCHOOL BUILDING AUTHORITY OF WEST VIRGINIA**

- Procedures to implement the new legislation for a school Major Improvements Program
- Delete all references to a Regional Comprehensive Educational Facilities Plan and the role of the RESA's in school facility planning
- Delete the new enrollment grant as per new legislation
- Further defines the Emergency Fund as per legislation
- Minor procedural changes in the construction approval process
- Prevents county employees from doing contract work on SBA projects and any reimbursement to counties for their staff contributions

00087a.ltm  
1A 2A a: c:



School Building Authority of West Virginia

Clacy E. Williams, Executive Director

2300 Kanawha Boulevard, East • Charleston, West Virginia 25311-2306 • Office Number (304)558-2541 • FAX Number (304)558-2539

*mail*

MEMORANDUM

TO: County Superintendents, Architects, RESA Executive Directors and Vocational School Administrators

FROM: Clacy Williams, Executive Director *C. Williams*

SUBJECT: SBA Guidelines and Procedures Manual

DATE: September 1, 1994

Enclosed is a draft of the revised SBA Guidelines and Procedures Handbook of the School Building Authority. Several changes have occurred due to new legislative requirements and recent action by the Authority. This document is provided to you for review and comment. We would appreciate your input in this process and would like to have your written comments returned to our office by October 3, 1994.

If you have any questions regarding this matter, please contact our office.

*It's disappointing that there is no mention of (and thus no priority for) quality of designed environment to promote learning, discovery, exchange between student & student, student & teacher, awareness of design influences, etc, etc, etc.*

Enclosure

199007828360

*TAE Calyear  
Lewisburg, WV.*

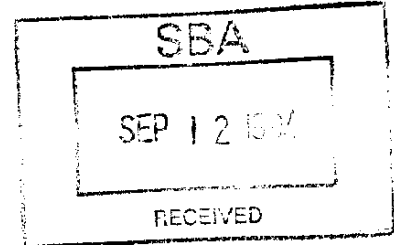


# COMPUTECTS, INC.

ARCHITECTS • ENGINEERS • PLANNERS

September 8, 1994

Dr. Clacy Williams  
School Building Authority  
2300 Kanawha Blvd., East  
Charleston, WV 25311-2306



Re: SBA Memorandum  
Dated 9/1/94

Dear Clacy:

I appreciate having received a copy of the draft of the revisions to the SBA Guidelines & Procedures handbook.

Especially appreciated is the revised allowable construction costs. As you are undoubtedly aware, the design professional has recently been extremely restricted in design possibilities owing to tight budgets. I believe that we will now have little excuse for not meeting budget allocations.

Additionally, I like the idea of requiring each County Board to file evaluation forms for both contractor and architect. Knowing that an evaluation is required at the conclusion of each project may cause the design and construction teams to more carefully minister to the client's best interest. This can elevate levels of professionalism and can help to bring more project to positive, successful conclusions.

Good luck in the new construction program and should I participate, I pledge a sensitivity to needs, attention to detail, and the relentless pursuit of excellence.

Sincerely,

COMPUTECTS, INC.

J. Dan Snead

JDS:flm

C94OHC23

P. O. BOX 1766  
202 NEAL STREET  
BECKLEY, WEST VIRGINIA 25802  
(304) 252-9225  
FAX (304) 252-0834

**N VISIONS**

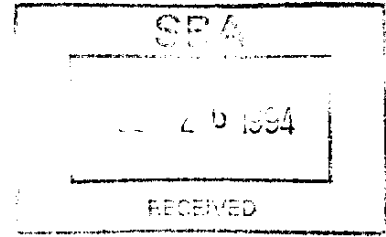
G. P. "Bud" Sprouse, Architect

Lloyd W. Miller, Architect

332 Sixth Avenue, Suite 200

South Charleston, West Virginia 25303

304-744-3654/Fax 304-744-3665



September 21, 1994

Clacy E. Williams, Executive Director  
School Building Authority of West Virginia  
2300 Kanawha Boulevard, East  
Charleston, West Virginia 25311

Re: Guidelines and Procedures of the  
School Building Authority of West Virginia

Dear Dr. Williams:

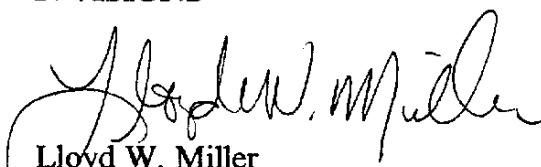
I have reviewed the proposed guideline changes and have no major comments at this time. I did however, find a few places that may need clarification or correction. These are:

- 100.60 A.5.      ✓ "... of within the ten year..." Does "within" need to be eliminated.
- 203.00 D.1.      ✓ "... in West Virginia who has..." Should "who" be which.
- 204.00 B.      ✓ Are there other section numbers that replace "300.3 and 300.4" since they were eliminated.
- 600.20 F.      ✓ Should "SDE" be eliminated.

Thank you for keeping me informed of the forthcoming changes. I would like to continue to receive pertinent information from your office.

Sincerely,

**N VISIONS**



Lloyd W. Miller  
Architect

LWM/pjh



JOE EVANS  
SUPERINTENDENT

PAUL M. HUGHES  
ASSISTANT SUPERINTENDENT

P.O. Box 609  
108 CHAPMAN AVENUE  
SPENCER, WEST VIRGINIA 25276  
TELEPHONE 927-6400

MEMORANDUM

TO: Clacy Williams, Executive Director  
School Building Authority of West Virginia

FROM: Jerry B. Milliken *JBM*

RE: SBA Guidelines and Procedural Manual

DATE: September 28, 1994

This is in response to your memorandum, September 1, 1994, requesting review and comments concerning the draft of the revised SBA Guidelines and Procedures Handbook. Most of my comments are questions.

1. 100.10

- B., b. -  25% utilization appears to be omitted.  
25% is referenced in 300.10 buildings  
gross areas.
- C.  Ten year time line for implementation  
(Is it not presently in CEFP?)
- D. SBA 116 Facility Classification Form  
(SBS/WVDE 116)
- E.  Narrative on each facility...future use and  
scheduled improvements.  
(How, what extent? Is this not reflected  
with 116 form)
- F.  Facility Evaluation Instrument  
(Program spaces reflect changes in  
SBE Policy 6200, i.e. SE)
- G.  County assurance of compliance with SBE  
order...housing SE program.  
(How, What will be required?)

2. 100.40

- C.  Evaluation Report...8th year.  
(Do you/will you supply form?)

3. 202.00

✓ V. Emergency Fund Criteria...Act of God  
(Vandalism, terrorism...Appendix S)

4. 203.00

✓ E., 2.,a. - same as above

D. Appendix M

**APPENDIX B**

**FISCAL NOTE FOR PROPOSED RULES**

**Rule Title:** Guidelines & Procedures Handbook for the School Building Authority of West Virginia

**Type of Rule:**      Legislative      Interpretive   x   Procedural

**Agency** School Building Authority of West Virginia

**Address** 2300 Kanawha Boulevard, East

Charleston, WV 25311

**1. Effect of Proposed Rule**

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
<b><u>ESTIMATED TOTAL COST</u></b>	\$	\$	\$	\$	\$
<b>PERSONAL SERVICES</b>					
<b>CURRENT EXPENSE</b>					
<b>REPAIRS &amp; ALTERNATIONS</b>					
<b>EQUIPMENT</b>					
<b>OTHER</b>	5,000,000		5,000,000	5,000,000	5,000,000

**2. Explanation of above estimates:**

Modifications, additions and/or revisions in existing procedures have no fiscal affect on the budget of the SBA - \$5,000,000 in grant funds are provided from state sales tax for major improvements to school facilities

**3. Objectives of these rules:**

Updates existing procedures and adds procedures to implement new legislation

**Rule Title:** Guidelines & Procedures Handbook for the School Building Authority of West Virginia

**4. Explanation of Overall Economic Impact of Proposed Rule.**

**A. Economic Impact on State Government.**

Provides \$5,000,000 annually through 2005 for major improvements to public schools

**B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of Citizens.**

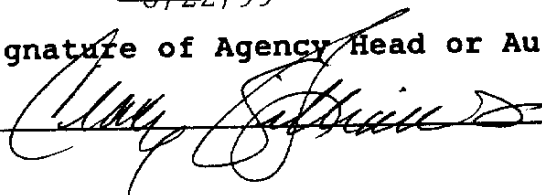
none

**C. Economic Impact on Citizens/Public at Large.**

none

**Date:** 8/22/95

**Signature of Agency Head or Authorized Representative**

 \_\_\_\_\_