

Public School Capital Construction Assistance Board Meeting Agenda



COLORADO
Department of Education

Vision

All students in Colorado will become educated and productive citizens capable of succeeding in society, the workforce, and life.

Goals

Every student, every step of the way



Date & Time:

July 28, 2016
2:00 p.m. – 5:00 p.m.

Location:

CASE Conference: 620 Village Road,
Breckenridge, CO 80424
Iris Room

Capital Construction Assistance Board Members

Tim Reed – Pro Tem Chair
Kathy Gebhardt
Cyndi Wright

Denise Pearson
Ken Haptonstall

Scott Stevens
Karl Berg

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Approve Agenda
- V. Approve Previous Meeting Minutes from June 28th, 2016 Meeting
- VI. Board Report
- VII. Director's Report
 - a. Facility Insight Update Review
- VIII. Discussion Items
 - a. Review of BEST Grant Application Process, Survey Feedback, and Staff & Board Recommendations
 - b. Review of BEST Charter School funded grants
 - c. Review Redlined Draft of the BEST Rules and Rulemaking Timeline
 - d. Review Redlined Draft of the Public School Facility Construction Guidelines
- IX. Future Meetings
 - August 24, 2016 – 8:00a.m.-4:30p.m. Location: TBD
 - September 28, 2016 – 1:00 p.m. Location: 201 E. Colfax Avenue, Room 101, Denver, CO 80203
 - October 26, 2016 – 1:00 p.m. Location: 201 E. Colfax Avenue, Room 101, Denver, CO 80203
- X. Public Comment
- XI. Adjournment

Public School Capital Construction Assistance Board Meeting Agenda



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All students in Colorado will become educated and productive citizens capable of succeeding in society, the workforce, and life.

Goals

Every student, every step of the way



Date & Time:

June 28th, 2016
10:00 a.m. – 2:00 p.m.

Location:

201 E. Colfax Ave. Rm. 101
Denver, CO 80203

Capital Construction Assistance Board Members

Lyndon Burnett – Chair
Cyndi Wright

Tim Reed
Denise Pearson
Ken Haptonstall

Scott Stevens
Karl Berg
Kathy Gebhardt

I. Call to Order – 10:04 A.M.

II. Pledge of Allegiance

III. Roll Call – Karl Berg, Denise Pearson, Tim Reed, Scott Stevens, Cyndi Wright, Lyndon Burnett. CDE Staff Attendees: Leanne Emm, Ashley Moretti, and Attorney General Heidi Dineen.

IV. Approve Agenda

- The CCAB Chairperson made the motion to amend the agenda
 - *Discussion: The CCAB Chairperson recommended the agenda be amended to elect a pro-tem CCAB Chairperson after the CCAB reconvenes from executive session. Since the current CCAB Chairperson (Lyndon Burnett) is term-limited, the elected pro-term CCAB Chairperson would serve as Chairperson until September 2016, when then the CCAB Chairperson would be elected.*
 - Denise Pearson 2nd the motion;
 - Motion to amend the agenda carried unanimously.

V. Executive Session

- The Public School Capital Construction Assistance Board will convene an Executive Session under section § 24-6-402(3)(a)(V), C.R.S., to review and discuss employee personnel matters that are subject of negotiations, specifically interviewing and making a recommendation to the CDE Commissioner on the hiring of an executive director for the Division.
 - The CCAB Chairperson made the motion to convene into Executive Session
 - Tim Reed 2nd the motion;
 - Motion to convene into Executive Session carried unanimously.

Executive Session - 10:07 A.M. – 1:04 P.M.

VI. Action Items

- a. Recommendation to CDE Commissioner regarding the appointment of the Division of Capital Construction's Director Position.
 - The CCAB Chairperson made the motion to recommend the appointment of Jim Owens as the Division of Capital Construction's Director Position.
 - Scott Stevens 2nd the motion;
 - Motion to recommend Jim Owens as Executive Director of the BEST Program carried unanimously.

Public School Capital Construction Assistance Board Meeting Agenda

- b. Elect a Pro-Tem CCAB Chairperson to serve as Chairperson until September 2016.
 - The CCAB Chairperson made the motion to elect Tim Reed as the pro-tem Chairperson.
 - Scott Stevens 2nd the motion;
 - Motion for Tim Reed to serve as Pro-Tem CCAB Chairperson carried unanimously.

Tim Reed transitioned into the CCAB Chairperson position.

VII. Future Meetings

- July 28th, 2016 – 2:00 p.m. Location: CASE Conference: 620 Village Road, Breckenridge, CO 80424
- August 24th, 2016 – 1:00 p.m. Location: 201 E. Colfax Avenue, Room 101, Denver, CO 80203
- September 28th, 2016 – 1:00 p.m. Location: 201 E. Colfax Avenue, Room 101, Denver, CO 80203

VIII. Public Comment – No one was signed up for public comment.

IX. Adjournment

- The CCAB Chairperson called for a motion to adjourn the meeting
 - Denise Pearson made the motion;
 - Lyndon Burnett 2nd the motion;
 - The motion to adjourn carried unanimously.

Meeting adjourned at 1:27 P.M

PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD AGENDA SHEET

MEETING DATE: July 28, 2016

SUBJECT: Review of BEST Grant Application Process, Survey Feedback, and Staff and Board Recommendations

TYPE: Action Information

BACKGROUND:

The Capital Construction Assistance Board, with the support of the Division, is focused on continually improving its processes and procedures to provide better customer service to our applicants and stakeholders. Each year the Capital Construction Assistance Board holds a lessons learned meeting to evaluate the effectiveness of the processes and procedures implemented during the prior grant cycle and to identify areas of improvement for future grant cycles.

STAFF RECOMMENDATION:

Discuss Capital Construction Assistance Board and Division's lessons learned from the prior grant cycle. Discuss proposed changes to the grant application, review process, grant selection meetings and the Capital Construction Assistance Board evaluation sheets.

Items to review:

- FY2016-17 Applicant Survey Results;
- League of Charter Schools Feedback
- FY2016-17 BEST Grant Application Evaluation Tool;
- BEST Grant Application;
- Staff Comments;
- Any other items related to the last grant cycle.

STAFF RECOMMENDED MOTION:

N/A

ATTACHMENTS:

FY2016-17 BEST Applicant Survey Results
League of Charter Schools Feedback
FY2016-17 BEST Grant Application Evaluation Tool
REDLINE FY201718 BEST Grant Application

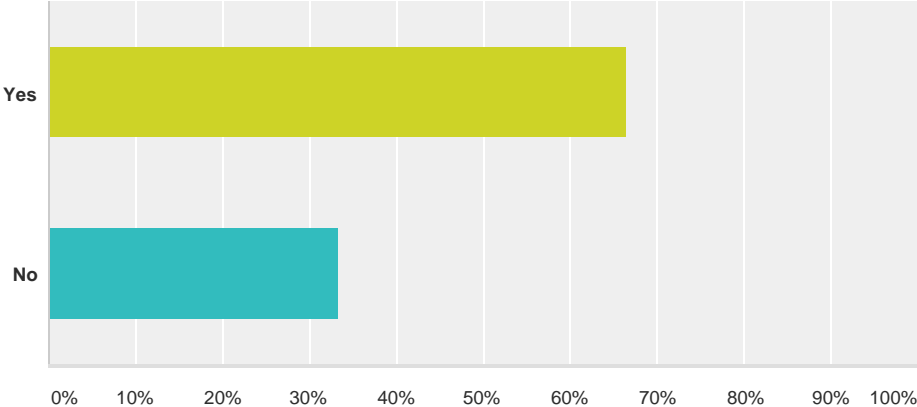


2016 Division of Capital Construction Client Satisfaction Survey

Q3

Was your application awarded a grant for the FY2016-17 BEST grant cycle?

Answered: 30 Skipped: 0



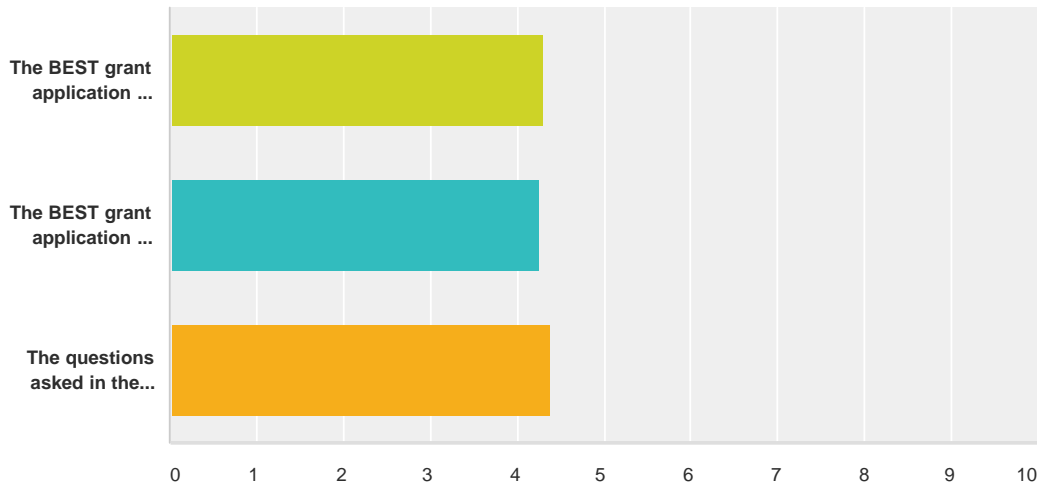
Answer Choices	Responses
Yes	66.67% 20
No	33.33% 10
Total	30

2016 Division of Capital Construction Client Satisfaction Survey

Q4

How would you describe the (online) BEST grant application?

Answered: 30 Skipped: 0



	Strongly Agree	Somewhat Agree	Neither Agree nor Disagree	Somewhat Disagree	Strongly Disagree	Total	Weighted Average
The BEST grant application was user friendly	43.33% 13	43.33% 13	10.00% 3	3.33% 1	0.00% 0	30	4.27
The BEST grant application was easy to navigate and complete	46.67% 14	33.33% 10	16.67% 5	3.33% 1	0.00% 0	30	4.23
The questions asked in the BEST grant application were appropriate and reasonable	53.33% 16	33.33% 10	10.00% 3	3.33% 1	0.00% 0	30	4.37

Q4. Comments:

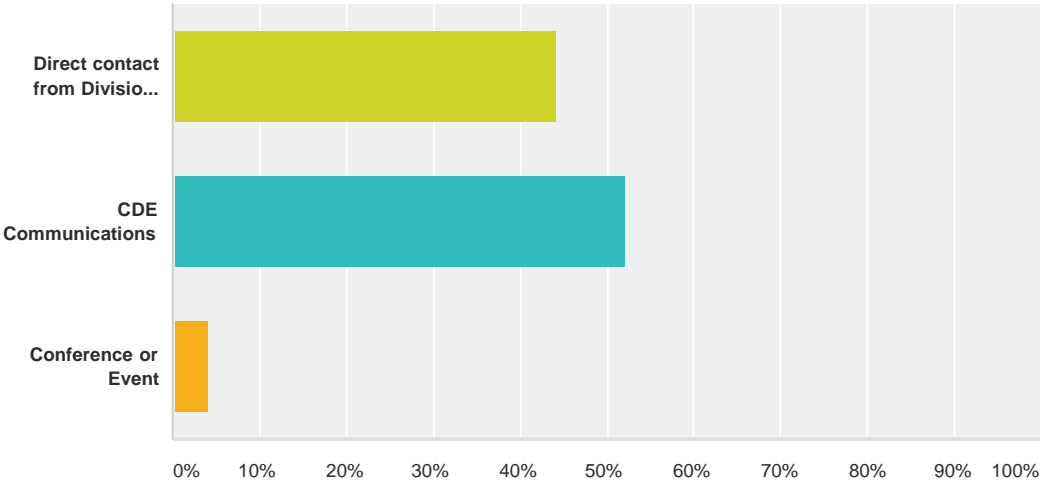
- The questions in the waiver application were at times confusing.
- In the waiver process, in particular, there were some questions that could have been clearer not only in the wording but what the particular purpose of the question was trying to accomplish for those reviewing it. One particular question is regarding non-M&O expenses. This question was very unclear in what the goal of the question was. It also would be good to not use abbreviations like M&O considering this could mean different things to different people.
- No, if you go to the training and take your time to complete the application it is doable.
- Sometimes it seemed it was hard to access different parts--budget, etc.
- Yes. It was difficult on a few of the questions to understand what you were looking for.
- Our Chief Accountant completed the supplemental grant application. If the Superintendent had been required to complete it, we would not be able to participate in the BEST program, because there were too many competing priorities in the district. The district had hired a person to write the original grant.
- It's just a ton of work on the district end. I think that protocols could be structured to provide clear directions and step by step processes of what districts need to do to address different projects. But I don't know. You guys have a better feel for this than I do. Once thing I DO know is that without the folks helping us at the BEST level we'd never get it done.

2016 Division of Capital Construction Client Satisfaction Survey

Q5

How did you hear or learn about the BEST Program?

Answered: 25 Skipped: 5



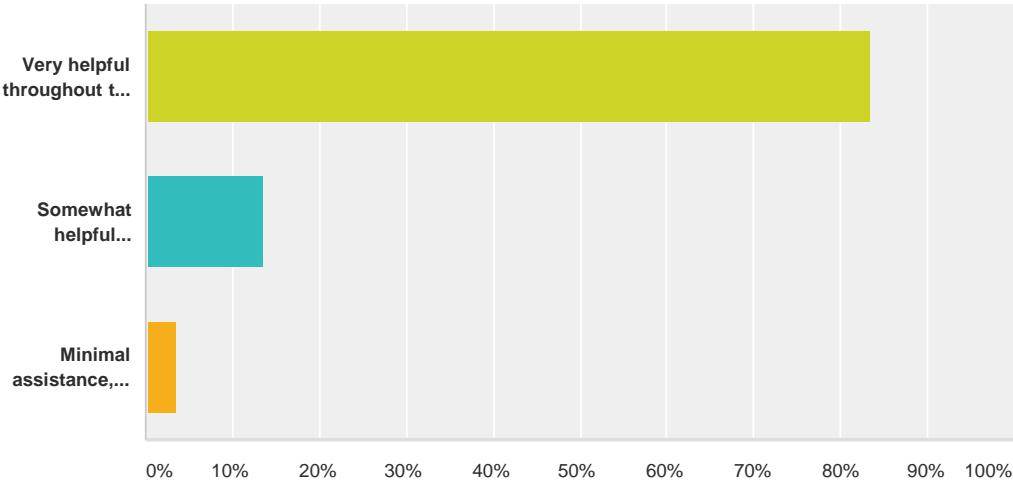
Answer Choices	Responses
Direct contact from Division staff	44.00% 11
CDE Communications	52.00% 13
Conference or Event	4.00% 1
Total	25

2016 Division of Capital Construction Client Satisfaction Survey

Q6

How would you describe the technical assistance provided to you by Division staff to help complete the BEST grant application process?

Answered: 30 Skipped: 0



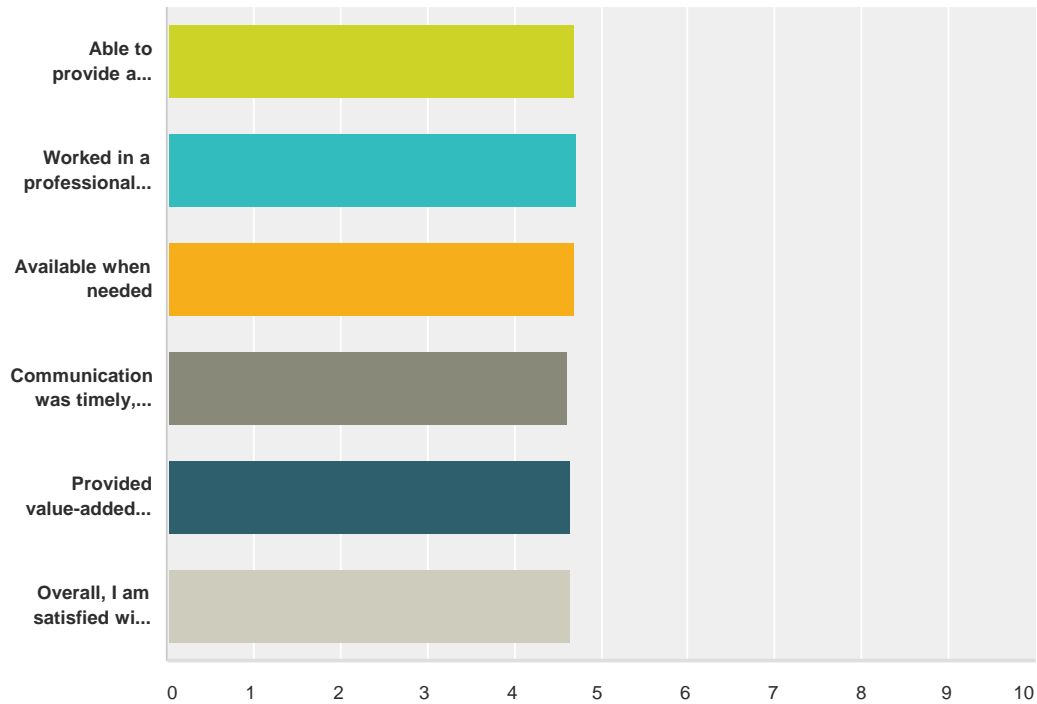
Answer Choices	Responses
Very helpful throughout the entire application process	83.33% 25
Somewhat helpful throughout the application process	13.33% 4
Minimal assistance, could have provided more direction	3.33% 1
Total	30

2016 Division of Capital Construction Client Satisfaction Survey

Q7

Please rate your level of satisfaction with the technical support received from Division staff:

Answered: 30 Skipped: 0



	Strongly Agree	Somewhat Agree	Neither Agree nor Disagree	Somewhat Disagree	Strongly Disagree	Total	Weighted Average
Able to provide a thorough understanding of the BEST grant program requirements	73.33% 22	23.33% 7	0.00% 0	3.33% 1	0.00% 0	30	4.67
Worked in a professional and collaborative manner	80.00% 24	16.67% 5	0.00% 0	0.00% 0	3.33% 1	30	4.70
Available when needed	70.00% 21	26.67% 8	3.33% 1	0.00% 0	0.00% 0	30	4.67
Communication was timely, thorough and appropriate	70.00% 21	26.67% 8	0.00% 0	0.00% 0	3.33% 1	30	4.60
Provided value-added knowledge and support throughout the grant application process	80.00% 24	13.33% 4	0.00% 0	3.33% 1	3.33% 1	30	4.63
Overall, I am satisfied with the support I received	73.33% 22	23.33% 7	0.00% 0	0.00% 0	3.33% 1	30	4.63

2016 Division of Capital Construction Client Satisfaction Survey

Q7. Comments:

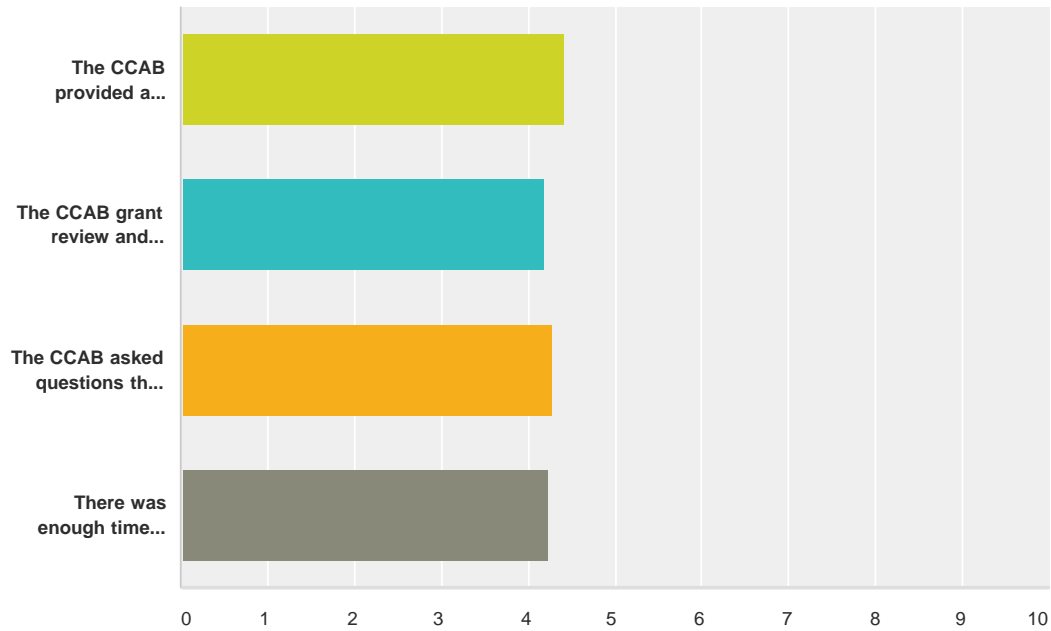
- Maybe the Division Staff could provide a prioritized list of projects to help the Board finalize their list and see where the disconnect arises. The group that spends the most time in researching the grants (the Division Staff) seems to have little input in the final outcome of the distribution of funds.
- Need consistency in recommendations and feedback. Both applications I worked on were directed to pursue a grant in a certain way, and then turned in a different direction halfway through.
- CDE - BEST goes above and beyond. BEST grant folks help us with general questions and advice in the construction arena.
- Cheryl was very helpful and supportive!
- Kevin was extremely helpful in providing value towards our successful applications. He is knowledgeable on all facets of the program and asks the right questions to ensure thoroughness. All CDE staff interaction was professional and enjoyable.
- We enjoyed working with Dustin and Anna very much, and they were both so helpful and supportive throughout the entire process.
- Anna and Dustin were awesome throughout the process. Extremely helpful.
- Kevin Huber was an amazing help. Couldn't be happier with my experience working with him.
- Very competent staff.

2016 Division of Capital Construction Client Satisfaction Survey

Q8

Please rate the BEST FY2016-17 grant cycle selection process performed by the Capital Construction Assistance Board (CCAB):

Answered: 30 Skipped: 0



	Strongly Agree	Somewhat Agree	Neither Agree nor Disagree	Somewhat Disagree	Strongly Disagree	N/A - Did not attend the selection meetings	Total	Weighted Average
The CCAB provided a thorough review of your grant application	63.33% 19	16.67% 5	13.33% 4	0.00% 0	3.33% 1	3.33% 1	30	4.41
The CCAB grant review and selection process was fair and transparent	63.33% 19	16.67% 5	0.00% 0	3.33% 1	13.33% 4	3.33% 1	30	4.17
The CCAB asked questions that were appropriate and easy to understand	50.00% 15	30.00% 9	3.33% 1	6.67% 2	3.33% 1	6.67% 2	30	4.25
There was enough time allotted for presentation, questions and answers	60.00% 18	16.67% 5	3.33% 1	13.33% 4	3.33% 1	3.33% 1	30	4.21

2016 Division of Capital Construction Client Satisfaction Survey

Q8. Comments:

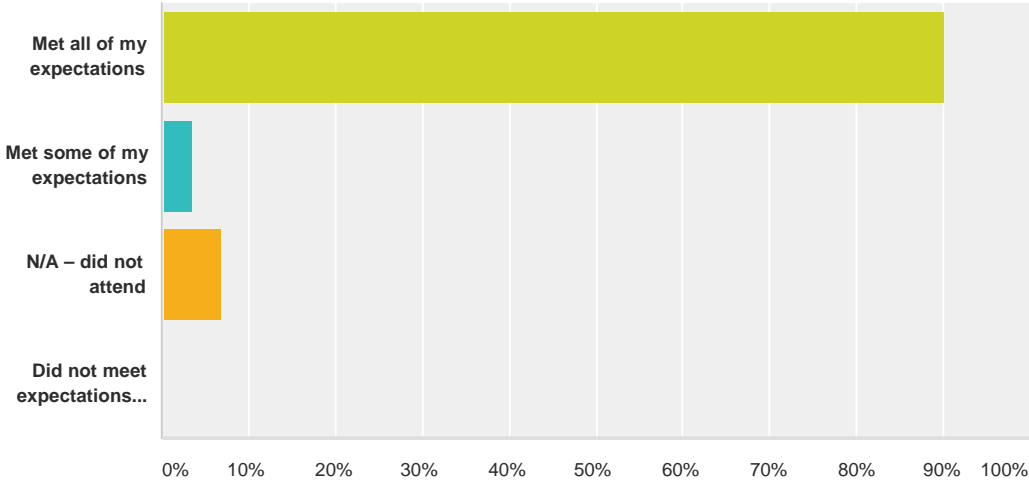
- 1) Fair and Transparent: There seems to be a disconnect between what the Division Staff think about a grant and what the Board seems to think; almost two different criteria. I think the Division staff should give the Board a prioritized list of projects to help the Board determine worthwhile projects. Some Board members still believed our project was a Priority 2 project when the Division Staff classified it as a Priority 1.
- 2) Fair and Transparent: Some of the Board seemed not to believe our cost estimates even when our contractor was there and confirmed the costs. They could have asked him more questions.
- 3) Fair and Transparent: The range of scores for our grant ranged from 83-133 points. It is hard to realize that great of range in scores if the rubric is used consistently among the Board members. Does each Board member understand what each rubric means; are the scores associated with each consistent with intent of the rubric.
- 4) Questions and answers: Some of the concerns stated on the rubric grading sheets were never brought up during questioning at our presentation. Although there is a limit of 2 minutes for presentations, there is not a limit to how many questions they can ask.
 - a) For instance, there were some concerns that if the school closed that it could be sold to a private organization if the district did not want to buy it. I didn't see this as part of the rubric grading criteria.
 - b) There were questions why the addition square footage was larger than the portable square footage. There were no questions at the presentation about why this could be? Maybe there are hallways now in the addition, bathrooms, state required class room sizes, etc.
 - c) There was a question about transparency in our selection process of a contractor. In our grant, we provided the process we used in selecting our contractor. Did that Board member read it. If there was a question about it, why didn't that Board member ask us a question about it?
 - d) One Board member did not understand how we leveraged funds by refinancing our bonds and selling our property to gain additional revenue to pay for our project? They could have asked.
- 5) Fair and Transparent: I think any school that is awarded a BEST grant deserves it. However, when asked is it fair, I'm not sure how to answer that question. However, when all is said and done, the money awarded to BEST grant projects between public schools and charter schools was totally lopsided. Out of \$60 million dollars only about \$114,721 went to charter schools this year. Even when projects looked similar to each other (roofing, boilers, fire sprinkler projects for instance) charter schools were below the cut off line for funding. This happened not only this year but last year as well. Last year, only \$41,927 out of \$47.5 million went to one charter school. It is hard to believe in two years that only two charter grant applications deserved funding.
- 6) Fair and transparent: At the outset of the BEST grant process, it was indicated that it was difficult to receive a waiver to a matching request. However, it seemed that most public schools that asked for a waiver to their matching requirement received one while most charter schools were denied.
- After the grant process, each application should be provided with specific feedback about how they scored, and why, so they can improve in the following year if needed.
- The Board still did not seem to understand the difference between the school doing a bond with essentially a "mortgage" to pay over 30 years, and bond monies approved by the voters. Although the BEST grant Board encouraged SCA to build a gym five years ago, since they do not fund them unless building a completely new facility, it was certainly held against us in the scoring process. We have the impression that the Board is not willing to fund charter schools, regardless of need.
- The discussion on the waiver did not allow for any additional time for explanation. If we could have stated a case for the waiver this would have been beneficial. Questions from the board were not direct and required reference to document which meant we had to read over the sections being questioned. For example "Can you explain the high percentage on question 8". This caused a lot of delay and paper shuffling and general confusion.
- I thought the board was especially knowledgeable this year. It would be great to have more access the expertise these folks have in the capital construction arena. It would be helpful to know their individual areas of expertise, this would help one to know the point of view that the question being asked was coming from.
- The board was very insightful, serious and professional. I appreciated the tone and positive attitude.
- Consider breaking program into two categories - large grant and mini-grant. Then allow large grant applicants more time and mini-grant applicants less time to present - possibly on different days. A district with a \$20M+ program may need more time to explain deficiencies than a district looking for a specific item (like a roof, security vestibule, etc.) to improve.
- The process was well done given the challenges of deciding among so many applications.

2016 Division of Capital Construction Client Satisfaction Survey

Q9

Did the grant selection meeting venue meet your expectations?
(i.e. good location, video, audio, access to restaurants & hotels)

Answered: 30 Skipped: 0



Answer Choices	Responses
Met all of my expectations	90.00% 27
Met some of my expectations	3.33% 1
N/A - did not attend	6.67% 2
Did not meet expectations, please explain why:	0.00% 0
Total	30

2016 Division of Capital Construction Client Satisfaction Survey

Q10

Specific to the grant selection meetings is there any other feedback you would like to offer to the Division Staff or Capital Construction Assistance Board?

Answered: 8 Skipped: 22

Q10. Comments:

- 1) Since there is no limit to the amount of time for questions from the Board, it seemed the Board did not thoroughly use the time allotted to dispel all of its concerns about any particular grant.
- 2) This year, every grant (except one) was sent to the short list (even projects that were classified as Priority 3 and 4). The reasoning seemed that all the grant projects sent to the short list were well written and deserved funding if enough funds were available. However, the Board knew that there were limited funds. Consequently, the vote to send grants to the short list seemed to be an inconsequential step. If that is the process in the future, the Board can eliminate that step and just grade all the grants and see where they fall. In fact, I'm not sure why there is a short list. If they grade all the grants as sent to them, the grants that would not have made the short list should be at the bottom of their ranked ordered list and would not receive funding anyway.
- We appreciate CCAB staff's assistance and direction. Would like more information on the new state-wide facilities study when available. Will the State study eliminate the need for in-house facility study revisions? Thanks!
- Keep it up. We understand the process, there are no "gotcha's" and it seems fair. My only concern is that we don't fund a new building when there is capacity in the district as might be the case with a charter school.
- Thank you for the intentional and professional process.
- Venue was much improved from last year! This was my second year attending the presentations and it seems like some of the larger grant applicants may benefit from a more thorough master planning process. Would like to see applicants (districts or charters) be able to apply for funding to do a comprehensive master plan, spend appropriate time & money on the plan - and then come back the next year with the most needed project from the master plan process for a grant.
- Keep up the good work.
- Thanks for being friendly. It's a daunting and intimidating process and one that is kind of stressful. The friendliness of the staff and board are greatly appreciated.

League of Charter School's feedback/suggestions on BEST grant review process (7/20/2016):

- Blind process
 - We'd like to see the board use a "blind" application process – i.e. a process where the school's name and type (traditional or charter) are left off the material the board members receive. Division staff would still have the school names, but not board members. In doing so, every project would be judged solely on its merits.
- More standardized rubric and/or more consistent use of the rubric (increased board training?)
 - There does not seem to be any definition/criteria of the standards associated with the rubric for grading. It seems that each board member can make up their own scoring standard. For example, the section of questions associated with did the school provide enough matching funds given their resources. One school received scores from 5 to 10 in this area. It would seem that if the state asked a school to match a certain amount and it did, that would score at least a 10. If other criteria are used, it would be nice to know so that schools can provide the necessary information to score higher on the rubric. Additionally, one school received aggregate scores as low as 83 and as high as 133. If there was strict adherence to a standardized rubric, there would not be such a huge variation in scoring.
- Prioritized project list from division staff
 - The group that spends the most time in researching the grants (the division staff) seems to have little input in the final outcome of the distribution of funds. Maybe some sort of process could be established whereby division staff provides a prioritized list of projects to help the board finalize their list and see where deviations occur.
- Board members must provide comments if giving scores below a certain point value
 - Right now all comments are optional. Would seem reasonable that if a board member does not at least somewhat agree with an applicant's adherence to a given scoring category, that the board member would provide an explanation as to what lowered the applicant's score in that category.

FY2016-17 BEST Grant Application Evaluation Tool

Applicant:		Board Member:		
Project Name:				
Grant Application Statutory Need				
Pursuant to 22-43.7-109(5) C.R.S., the board shall prioritize applications that describe public school facility capital construction projects deemed eligible for financial assistance based on the following criteria, in descending order of importance:				
Priority 1	This application addresses safety hazards or health concerns at existing public school facilities, including concerns relating to public school facility security.			
Priority 2	This application will relieve current overcrowding in public school facilities, including but not limited to allowing students to move from temporary instructional facilities into permanent facilities.			
Priority 3	This application is to incorporate technology into the educational environment.			
Priority 4	This application is for other types of capital improvements not addressed in priorities 1-3.			
Division Comments: After review of the application, the division would consider this project a priority ____.				
After Review of the Application, the Evaluator would Consider this Application a Priority:				
<i>(Optional Evaluator Comments & Notes)</i>				
Grant Application Scoring Key				
Strongly Disagree 1-2	Somewhat Disagree 3-4	Neutral 5-6	Somewhat Agree 7-8	Strongly Agree 9-10
Review each section below and provide a score for each question based on your review of the application.				
Conditions of the Entire Public School Facility				
Division Comments:				
Evaluator Review of Conditions of the Entire Public School Facility			Score 1-10 for Each	
The FCI or CFI from the statewide facility assessment, or an assessment provided by the applicant, supports the scope of the proposed project.				
The statewide facility assessment findings, or an assessment provided by the applicant, support the scope of the project.				
The due diligence performed by the applicant supports the scope of the project.				
Total out of 30:				
<i>(Optional Evaluator Comments & Notes)</i>				
Financial Capacity				
Division Comments:				
Evaluator Review of Financial Capacity			Score 1-10 for Each	
The amount of matching funds provided by the applicant is appropriate given their cited resources.				
The applicant has made efforts to leverage available resources to enhance their financial contribution to the project or provide cost efficiencies to the project.				
The applicant is contributing a suitable amount towards the capital needs of their facilities.				
Total out of 30:				
<i>(Optional Evaluator Comments & Notes)</i>				

FY2016-17 BEST Grant Application Evaluation Tool

Project Proposal

Division Comments:

Evaluator Review of Project Proposal

Score 1-10 for Each

The deficiencies presented by the applicant are compelling and clearly noted within the application.

The solution presented by the applicant resolves all deficiencies noted within the application.

The scope of work proposed in the solution appears to be reasonable and well planned.

The project is urgent in nature.

Total out of 40:

(Optional Evaluator Comments & Notes)

Other Application Considerations

Division Comments:

Evaluator Review of Other Application Considerations

Score 1-10 for Each

The project complies with the BEST Construction Guidelines.

The cost, cost per SF, and/or cost per pupil seem appropriate and supportable.

The SF of the project and/or SF per pupil seem reasonable and supportable.

The applicant is willing to pursue a fair, competitive, and transparent selection process for contractors and consultants.

Total out of 40:

(Optional Evaluator Comments & Notes)

Grand Total of All Scores:

Evaluator Recommendation to Shortlist this Application *(Check One)*

Recommended to Shortlist

Not Recommended to Shortlist

If the Application is Not Recommended to the Shortlist, Please Provide the Evaluator's Justification

Evaluator Notes Section for Information Only



Capital Construction Assistance Online Grant Application Tool

- [Return to Capital Construction Assistance Online Grant Application Process Steps Page](#)

PLEASE READ THOROUGHLY before logging in.

To obtain a user name and password, call [Anna-FitzerAshley Moretti](#) at 303-866-64842153. Requests **MUST** be by phone and from the district or charter school personnel. Due to security reasons, emailing of user names and passwords is not permitted.

Instructions:

Grant Submission - Print one completed application for your records and one for submitting to CDE with signatures.

- **Do not:** bind the application in a 3-ring binder, report folder, or book.
- **Do not:** staple any of the pages. Dividers/tabs are acceptable, but not necessary.
- **Do not:** send the pages loose but bind the application with a paper clip, binder clip or rubber band. If the application is too large to bind with a large binder clip, then separate into sections that fit a large binder clip and number the sections for order.

The original grant application with signatures must be submitted to **1580 Logan St. Suite 310, Denver CO 80203**, before 4 pm on February 24th, 2017^e.

- Pursuant to 22-43.7-109(a) C.R.S., the Division may only provide financial assistance for a capital construction project for a public school facility that the applicant owns or will have the right to own in the future under the terms of a lease-purchase agreement with the owner of the facility or a sublease-purchase agreement with the State
- If the Actual Match on this request is less than the CDE Listed Minimum Adjusted District Match Percentage:
 - **You will need to submit a Waiver Application along with this application.** (See Instructions on Page 2.)
- If the Actual Match on this request is less than 75%:
 - **This project might need to comply with Colorado's "High Performance Standard Certificate Program"**, pursuant to 24-30-1301 and 24-30-1305 C.R.S. Please call Scott Newell 303-866-6717 for additional information.

Photos: Please include an electronic copy (email, CD, flash drive, etc.) of your photos with the application. The photos should be hi-resolution and in a JPEG, GIF, PNG, or TIFF format only. Word documents, PDF's or PowerPoint's are not allowed. Photos should include:

- A photo of the front of the facility;
- A photo of a typical classroom;
- A photo of a typical corridor; and;
- A site plan, architectural rendering, or drawing of the proposed solution;
- Up to ten additional photos specific to the project.

- Paper copies will not be accepted.

Supporting Material - The original submitted grant application must include all the supporting items on the check-list below for a complete grant application or the application may not be accepted for consideration.

CHECK-LIST FOR A COMPLETE GRANT APPLICATION

The following must be included in the grant application or the application **may not be accepted**.

- CC-03 grant application
- Detailed project budget
- Electronic photos
- Waiver application if not providing the minimum applicant match
- Submittal requirements based on project scope

Please log in:

Username:

Passcode:

Required
 (To Obtain Benefit)
 FORM # PSF-CC03
 EDAC APPROVED
Approved 3/20/2015 for 2015-2016

- [Return to Capital Construction Assistance Online Grant Application Process Steps Page](#)

Capital Construction Assistance Online Grant Application Tool

This utility will allow you to Create, Edit and Print your Capital Construction Assistance Grant Applications (Form CC-03).

Currently Saved Application(s)			
Project Title	Cycle	Last Updated	Options
WMT Test	FY2016-17	12/14/2015	[View / Edit]
WMT Test 2	FY2016-17	12/14/2015	[View / Edit]

Create A New Application

Project Title:

Capital Construction Assistance Grant Application (Form CC-03)

- **Step 1:** Fill out each Application section completely. (A green check will appear next to completed sections.)
- **Step 2:** Once all sections are complete, **Click submit to print completed application for submission with the signature page.** Once printed have it signed, and deliver it with all supporting material to **1580 Logan St. Suite 310, Denver CO 80203, before 4 pm on February 24th, 2017th.**

Application Sections	Options	Status
-- Submittal Requirements Based on Project Scope	[Read Section]	✓
-- Statewide Facility Assessment	[Read Section]	✓
-- Waiver Application Guidelines	[Read Section]	✓
-- Competitive Selection Process for Vendors	[Read Section]	✓
-- The High Performance Certification Program (HPCP)	[Read Section]	✓
-- Required Signatures	[Read Section]	✓
-- Charter School Requirements	[Read Section]	✓
I. Type of Financial Assistance & II. Applicant Basic Data	[Enter Information]	✓
III. Facility Profile	[Enter Information]	✓
IV. Integrated Program Plan Data	[Enter Information]	✓
V. Detailed Project Cost Summary	[Enter Information]	✓
VI. Sample Contract for Awarded Projects	[Read Section]	✓
VII. Check-List for a Complete Grant Application & VIII. Applicant Approval	[Enter Information]	✓

>>> [[Print Completed Application for Submission](#)] <<<

If you are having trouble removing a red ✖ click on the "Print Completed Application for Submission" link to be directed to a help screen which will indicate the areas which still need to be completed.

Submittal Requirements Based on Project Scope

Please read and Agree at the bottom of this page.

Each grant applicant packet should include due diligence items to support the deficiencies and solution identified within the application. Below is a list of typical project scopes and the associated items needed. Electronic copies are preferred.

New school, major renovation and/or addition projects

- facilities master plan
- engineering reports
- plans or specifications
- scopes and estimates
- detailed schedule
- space requirements / program plan

Roof projects

- a roof audit or roof assessment
- minimum of 2 quotes required, 3 preferred
- roof projects will be reviewed in accordance with the Division's Roof Policies. [Click here to ensure your proposal meets the roof requirements](#)

Mechanical projects (HVAC, Boiler, Indoor Air Quality)

- indoor air quality reports
- engineering reports
- minimum of 2 quotes required, 3 preferred

Security or Safety

- [a completed safety / security grant questionnaire](#)
- minimum of 2 quotes required, 3 preferred

Minor renovations, remodels, and all other types of projects

- scopes and estimates
- minimum of 2 quotes required, 3 preferred

When applicable:

- engineering reports
 - plans or specifications
 - asbestos management plan
 - ADA survey
 - any other supporting documentation
-

Statewide Facility Assessment

Please read and Agree at the bottom of this page.

In 2009-2010, the Capital Construction Assistance Board conducted a Statewide Facility Assessment of all public school facilities throughout the State of Colorado. When reviewing applications for financial assistance, the Capital Construction Assistance Board takes into consideration data from the Statewide Facility Assessment.

It is the applicant's responsibility to review their school assessment reports and provide feedback to the Division for the facilities located within their district. To access your school assessment reports follow these instructions: <http://www.cde.state.co.us/cdefinance/ccaassessmentinstructions>

First time users will need to contact Dustin Guerin at 303-866-6263 or guerin_d@cde.state.co.us to get access. From there, you will be able to make comments about your facility data requiring updates or changes. Division staff will review all comments and may need to contact you for more information or clarification before revisions will be finalized.

**** If your facility was not assessed by the State, it is the applicant's responsibility to provide an assessment or master plan to validate the conditions of the facility.**

"Please make sure you are familiar with your school assessment report, as the data will be used when grants are being reviewed. Click agree and continue below to continue."

Commented [KH1]: Need to revise - Facility Insight, depending on progress of assessments

Waiver Application Guidelines

Please read and Agree at the bottom of this page.

The BEST grant is a matching grant. Each applicant is assigned a unique minimum matching requirement, pursuant to 22-43.7-109(9) C.R.S., to identify their financial capacity. An applicant may apply to the Capital Construction Assistance Board for a waiver or reduction of the matching moneys requirement for their project if the applicant determines their minimum match is not reflective of their current financial capacity, pursuant to 22-43.7-109(10) C.R.S. The Capital Construction Assistance Board shall seek to be as equitable as practicable by considering the total financial capacity of each applicant pursuant to 22-43.7-109(11) C.R.S.

When filling out a waiver application, be specific when addressing each question. Each question relates to a specific match criteria factor and the applicant must explain the issues and impacts surrounding that criterion to demonstrate why it is not properly reflective of the conditions with the applicant. Please submit meeting minutes, award/non-award letters, official communications, budget documents or other relevant documentation to support the responses provided.

Waiver requests will be reviewed independent of the grant application. Upon review of the waiver application, the Capital Construction Assistance Board will make a motion to approve or deny the applicant's waiver request.

The Assistance Board may grant a waiver or reduction if it determines:

- That the waiver or reduction would significantly enhance educational opportunity and quality within a School District, Board of Cooperative Services, or Applicant school;
- That the cost of complying with the matching moneys requirement would significantly limit educational opportunities within a School District, Board of Cooperative Services, or Applicant school, or;
- That extenuating circumstances deemed significant by the Board make a waiver appropriate.

In order to apply for a waiver or reduction in your matching moneys requirement the applicant must complete a waiver application and submit it with the grant application by the grant application due date.

School district, BOCES or CSDB applicants please click on the following link to access your waiver application:

<http://www.cde.state.co.us/cdefinance/ccasdwaiverapp>

Charter school applicants please click on the following link to access your waiver application: <http://www.cde.state.co.us/cdefinance/ccacs waiverapp>

Waiver applications may not be granted

Competitive Selection Process for Vendors

Please read and Agree at the bottom of this page.

The CDE strives for a fair, transparent, competitive, documented bid/selection process for construction manager / general contractors, design/builders, design consultants, owners' representatives, planners, etc. As a requirement for obtaining BEST funding, the applicant has the option of agreeing to follow this selection process.

The following is required for the selection of various professionals where BEST funds will be requested:

- **Contact your BEST regional program manager before initiating a vendor selection.**
- Applicant will issue a detailed request for qualifications (RFQ) for each aspect of the project's scope for **all applicable vendors**. The applicant may contact CDE to request templates.
- Applicant will send a draft RFQ to their assigned regional program manager for review and comment prior to posting/distributing the RFQ. Criteria for selection of professional should be included in the RFQ, as well as any relevant CDE documents. CDE will provide comments to the applicant on the RFQ.
- The RFQ should be distributed to all potential bidders, posted in relevant publications and/or the capital construction listserv. The applicant shall keep records of the RFQ distribution.
- After reviewing the RFQ responses, the School Board/Selection Committee may conduct interviews.
 - The applicant shall notify the regional program manager when interviews are taking place and if requested the regional program manager will attend the interviews.
 - School Board/Selection Committee should use a rating system, and agreed-upon criteria to select a candidate.
- Provide a summary of the competitive process and summary rating sheet(s) prior to the award of the contract to the selected professional. Applicant should then provide feedback regarding the selection process to all applicants.
 - This summary to include the following:
 - Where the RFQ was advertised.
 - A copy of the final RFQ.
 - A written description of the selection process that includes a description of the results of the selection process (how many responses, how many interviews were conducted, how was selected vendor chosen, what questions were asked, etc.)
 - Scoring and selection process summary.
- Prior to executing a contract with the selected vendor, send a DRAFT copy of the contract to CDE for review and comment prior.
- When a project involves hard-bid selection of a contractor or installer, selection should be based on the lowest qualified bid. Contractors may be pre-qualified if deemed necessary for the scope of work. Discuss any pre-qualifications with your regional program manager. Please provide copies of bid results and analysis to your regional program manager.
- Where board policy requires local preference, the degree of preference should be quantified in the bid documents or RFP in advance.
- Please refer to the Consultant/Contractor Selection Guidelines for more details: <http://www.cde.state.co.us/cdefinance/capconsttechnical>

The High Performance Certification Program (HPCP)

Please read and Agree at the bottom of this page.

24-30-1305.5 C.R.S. require all new facilities, addition, and renovation projects with **25% or more** of state funds to conform to the High Performance Certification Program (HPCP) policy adopted by the Office of the State Architect (OSA) if the following applies:

- The new facility, addition, or renovation project contains 5,000 or more of building square feet, and;
- The project includes an HVAC system, and;
- If increased initial cost resulting from HPCP can be recouped by decreased operational costs within 15 years, and;
- In the case of a renovation project, the cost of the renovation exceeds 25% of the current value of the building.
- Project has NOT entered the design phase prior to January 1, 2008.

The HPCP requires projects target the highest possible LEED certification with the goal being LEED Gold. Projects are strongly encouraged to meet OSA's Sustainable Priorities in addition to the LEED prerequisites.

If the increased costs incurred by the HPCP exceed 5% of the total cost of the project a Division of Public School Capital Construction consultant review will be required.

If your project qualifies for the HPCP then your project is required to have a High Performance, green sustainability, consultant as part of your A&E team. Ensure your project budget has costs to cover this consultant.

In all cases high performance design, scope, and cost must be considered in all grant applications.

If you are unsure whether your project must conform to the HPCP, please contact your regional program manager.

Required Signatures

Please read and Agree at the bottom of this page.

It is important to note that a fully completed and signed application must be received by CDE by the due date and time. Please ensure you allow enough time to get the required signatures, late applications will not be accepted.

If the application is from a **school district**, it must be **signed by**:

- The preparer of the application;
- The school district superintendent;
- A school district board officer;

If the application is from a **charter school**, it must be **signed by**:

- The preparer of the application;
- The charter school director;
- The school district superintendent;
- A school district board officer;

If the application is from an **Institute Charter School**, it must be **signed by**:

- The preparer of the application;
- The Charter Schools Institute director;
- A Charter Schools Institute board officer;
- The institute charter school director.

If the application is from a **BOCES**, it must be **signed by**:

- The preparer of the application;
- The BOCES director;
- A BOCES board officer;

If the application is from a **Colorado School for Deaf & Blind**, it must be **signed by**:

- The preparer of the application;
- The Colorado School for Deaf & Blind director;
- A Colorado School for Deaf & Blind board officer;

Print 2 copies of this application - One for your records and one for submitting to CDE with signatures.

Provisions for Charter Schools

Please read and Agree at the bottom of this page.

As part of the grant submittal packet the charter school must include a letter, from their authorizer, indicating the authorizer's position on the application, pursuant to 22-43.7-109(3) C.R.S.

Click on "caution" icons (⚠) to read important instructions on sections that might cause problems with the processing of your application.

I. Type of Financial Assistance You Are Applying For:

(* Fields are required)

If a grant award results from this application the type of funding shall be determined by the Capital Construction Assistance Board and the State Board of Education.

Grant Cycle:	FY2016-17
* Has this project previously been applied for and not awarded?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	If "yes", what was the stated reason for the non-award?
	<input type="text"/>

Commented [KH2]: Put a character limit on this

II. Applicant Basic Data:

1) Applicant:	TEST
2) County:	CCGA
3) * Project Title:	<i>Please put the school type (ES, MS, HS) and describe the project in 3-5 words. For example: "ES Boiler Replacement", or "HS Safety Upgrades"</i>
	<input type="text" value="WMT Test"/>

III. Facility Profile

If the grant application is for more than one facility, enter each facility name, the physical address and then mark "Other" for facility type & enter "multiple facilities" for the explanation.

(* Fields are required)

1) * Facility Name:	<input type="text"/>
2) * Facility Address(es):	<input type="text"/>
3) * Facility Type: (check all that apply)	<input checked="" type="checkbox"/> Districtwide <input type="checkbox"/> Senior High School <input type="checkbox"/> Pre-School <input checked="" type="checkbox"/> Administration <input type="checkbox"/> Junior High <input type="checkbox"/> Middle School <input type="checkbox"/> Elementary <input type="checkbox"/> Vocational/Agricultural <input type="checkbox"/> Classroom <input type="checkbox"/> Library <input type="checkbox"/> Media Center <input type="checkbox"/> Cafeteria <input type="checkbox"/> Kitchen <input type="checkbox"/> Auditorium <input type="checkbox"/> Multi-purpose room <input type="checkbox"/> Learning Center ⚠ <input type="checkbox"/> Kindergarten <input type="checkbox"/> Other Please Explain: <input type="text"/>
4) * Facility Ownership:	Who is the facility owned by?

We are referring to owned in this case as not having any debt, loans or liens on the facility, if the facility is currently leased or financed select either "3rd party" or if the applicant is leasing or financing from their district select "School District".

- School District
- Charter School
- BOCES
- Colorado School for the Deaf and Blind
- 3rd Party - Please explain:

If the applicant is a Charter School, Institute Charter School, BOCES, or Colorado School for the Deaf and Blind, what happens to the facility if applicant relocates or ceases to exist?
(If applicant is a school district type NA)

Commented [KH3]: Character limit

5) * Facility Condition:

If this application is for the renovation, reconstruction, expansion, or replacement of an existing public school facility, describe the condition of the public school facility at the time it was purchased or constructed and, if the facility was not new or was not adequate as a public school facility, at that time, provide the rationale for purchasing the facility or constructing it in the manner in which you did.

FOR CHARTER SCHOOL APPLICANTS: Describe the history of capital improvements made to the facility by the charter school in order to make it suitable for their students.

6) * Facility Master Plan Status:
(Check one or more of the following)

- A Facility Master Plan has been Completed.
If you have completed a Facility Master Plan, please submit a copy with your application, unless it was submitted previously.
 - Copy attached Copy submitted previously
- A Facility Master Plan is underway, but not yet completed.
- A Facility Master Plan has not been completed.

IV. Integrated Program Plan Data

(* Fields are required)

1) * Project Description (select all that apply):

<input checked="" type="checkbox"/> Addition	<input type="checkbox"/> Handicapped Accessibility ADA	<input type="checkbox"/> Security
<input type="checkbox"/> Asbestos Abatement	<input type="checkbox"/> HVAC	<input type="checkbox"/> Site Work
<input type="checkbox"/> Boiler Replacement	<input type="checkbox"/> Lighting	<input type="checkbox"/> Water Systems
<input type="checkbox"/> Electrical Upgrade	<input type="checkbox"/> Renovation	<input type="checkbox"/> Window Replacement
<input type="checkbox"/> Energy Savings	<input type="checkbox"/> Roof	<input type="checkbox"/> New School
<input type="checkbox"/> Fire Alarm / Sprinkler	<input type="checkbox"/> School Replacement	<input type="checkbox"/> Land Purchase
<input type="checkbox"/> Other please explain: <input type="text"/>		
<input checked="" type="checkbox"/> Technology		

2) Please provide general information about your district or school, academics, educational programming, and information about the affected facilities, maintenance programs etc. (Max 4000 characters including spaces.)

3) Project Description:

Deficiency: In the deficiency section describe in detail the proposed projects existing conditions, deficiencies or issues that have caused you to pursue a BEST Grant.

(Minimum 250 characters including spaces.)

Solution: In the solution section, describe in detail the solution being proposed to address the deficiencies listed above. The solution section must include architectural, functional or construction standards used in determining the proposed solution.

(Minimum 250 characters including spaces.)

Urgency: In the urgency section, provide a timeframe for when the deficiency must be fixed before failure.

(Minimum 250 characters including spaces.)

Describe how this project will conform to the Public School Facility Construction Guidelines. List each section from the guidelines that pertains to your project, followed by the project's conformity. The guidelines can be found at:

<http://www.cde.state.co.us/cdefinance/ccabconstructionguidelines>

(Minimum 250 characters including spaces.)

Describe **IN DETAIL** the applicants plan for maintaining the capital construction project upon completion of the grant. This **should** include a capital renewal budget and maintenance plan demonstrating how the applicant will maximize the life of the project and how the applicant will budget the appropriate amount of funding to replace the project at the end of its useful life.

(Minimum 250 characters including spaces.)

4) * Is this project a major addition, renovation or new construction? (if no, move to question 5 below)

Yes No

If the capital construction project involves the construction of a new public school facility or a major renovation of an existing public school facility, a demonstration of the ability and willingness of the applicant to maintain the project over time that includes the establishment of a capital renewal budget and a commitment to make annual contributions to a capital renewal reserve within a school district's capital reserve fund or any functionally similar reserve fund separately maintained by an applicant that is not a school district.

Capital Renewal Reserve means moneys set aside by an applicant for the specific purpose of replacing major public school facility systems with projected life cycles such as roofs, interior finishes, electrical systems and heating, ventilating, and air conditioning systems.

At a minimum, each qualifying grantee must contribute \$100.00 per pupil for purposes creating their annual capital renewal reserve fund. October 1 FTE pupil counts, from the facilities that were impacted by the BEST Grant, will be used to calculate the annual contribution required. The budgeted amount shall be transferred into the grantees capital renewal fund by the end of each fiscal year, starting the fiscal year after construction is complete. Grantees may contribute more if they so choose.

Enter FTE for affected facilities based off your October 1, 2015-2016 pupil counts:

Pupil Count: x \$100 = \$

5) * Would the condition of adjacent structures or areas surrounding the new project have adverse impacts on the new construction?

Yes No

(If yes, please give a detailed explanation, including a plan to eliminate the hazard. Example: An existing roof leak would cause damage to the new ceiling project.)

Commented [KH4]: Move this whole section up above as an "Agree and continue" - get rid of calculation box

6) * All areas to be renovated must be investigated for asbestos containing material (ACM) prior to submitting a grant application. If ACM exists, the costs to address the ACM must be included in this grant application. Supplemental requests for abatement costs will not be considered. This investigation should include, but not be limited to, reviewing the district's AHERA plan, contacting the district's asbestos management consultant, and discussing this with the consultants / vendors assisting with the planning for this project.

Has the current AHERA plan been reviewed for this facility?

Yes No

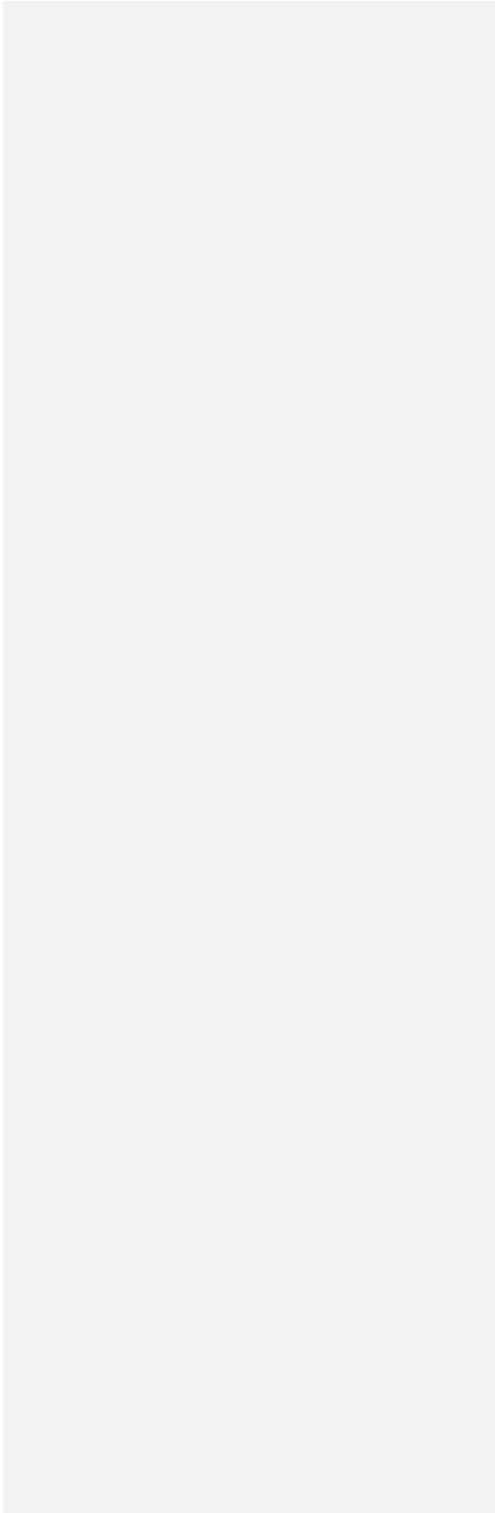
Has additional investigation beyond the AHERA report been completed?

Yes No


Note: If there is ACM, please include a breakdown of the costs associated with the anticipated removal of the identified ACM based on the additional investigation beyond the AHERA report.

V. Detailed Project Cost Summary

You must enter a zero for all values that don't apply.



Construction Type: New Construction *-or-* Renovation


A. CDE Listed Minimum Adjusted Match Percentage:	50%
B. Actual match on this request.  (If line B is less than line A submit a Waiver Application.)	<input type="text"/> %
C. Project Costs (must match total project costs from the applicants detailed project budget and all costs listed in section IV)	\$ <input type="text"/>
D. Applicant Grant Request	\$ <input type="text"/>
E. Applicant Match to this Project	\$ <input type="text"/>
F. Previous Grant Awards to this Project	\$ <input type="text"/>
G. Previous Matches to this Project	\$ <input type="text"/>
H. Future Grant Requests to this Project	\$ <input type="text"/>
I. Future Matches to this Project	\$ <input type="text"/>
J. Total All Phases	\$ <input type="text"/>

Please provide the following additional information from your detailed project budget

K. Where will the match come from?
(i.e.: Bond, General Fund, Capital Reserve Fund, or Other)

If Bond, when will election be held?

L. If the applicant is using a form of financing as a source of match, please describe the terms of the financing, the due diligence performed to arrive at the selected financing option and how the repayment terms fit into the applicant's overall budget.

M. Facility Area (Affected Square Feet): 	<input type="text"/>
N. Gross Square Feet:	<input type="text"/>
O. Number of pupils (from your Oct. 1 Pupil Count, not FTE):	<input type="text"/>
P. Cost Per Square Foot (Total Project Cost/Affected sq. ft.):	\$ <input type="text"/>
Q. Soft Costs - per square foot:	\$ <input type="text"/>
R. Hard Costs - per square foot:	\$ <input type="text"/>
S. Contingency % used in your budget:	<input type="text"/> %

T. Escalation % used in your budget: %

U. Anticipated Start Date (Month/Year):

V. Anticipated Completion Date (Month/Year):

W. How did you arrive at the estimate for this project and who aided in the process?

X. Project Management: Who will be overseeing the project? What are their responsibilities / qualifications, and any other information pertinent to managing the project:

Y. What options outside of the BEST grant has the applicant investigated to address the school's facility needs? Please include any options that resulted in funds to more effectively leverage the applicant's ability to contribute financial assistance to this project.

[How does your school budget annually to address the facilities capital outlay? \(examples of this can include: a per pupil allocation to a capital reserve type fund, carryover or maintenance of an existing fund balance designated for capital expenditures, lump sum general fund allocations, they do not currently budget for capital outlay, etc.\)](#)

[For reference capital outlay typically means money an organization spends to either purchase a fixed building asset or to extend its useful life.](#)

VI. Sample Contract for Awarded Projects

All awarded projects will be required to sign a contract similar to the one shown below:

- [Sample Contract for BEST Cash Grant Projects](#)

[By submitting an Application, the Grantee agrees that for all Project Expenses incurred prior to the Effective Date, in the event that the Department is unable to execute a Grant Agreement due to funding or other issues, the Grantee shall not seek reimbursement from the Department for any Project Expenses. In addition, Grantee acknowledges that if it takes on a Project prior to the Effective Date of an executed Grant Agreement, that it does so with its own funding and at the risk that the Department will not be able to reimburse the Grantee for that Project.](#)

By clicking "Agree and Continue" you are agreeing to the requirements listed in the contracts and understand they are a condition of your grant award.

VII. Check-List for a Complete Grant Application

(* Fields are required)

* Check each box to confirm that you have read each item and will include the required information

with your grant application submission.

The following must be included in the grant application or the application **may not be accepted**.

- CC-03 Grant Application
- Detailed Project Budget
- Electronic Photos
- Waiver Application if not providing the minimum applicant match
- Submittal requirements based on project scope

VIII. Applicant Approval

- If applicant is a **school district**, signatures need to include: The person who prepared the application; the school district superintendent; a school district board officer.
- If applicant is a **charter school**, signatures need to include: The person who prepared the application; the charter school director; the school district superintendent; a school district board officer.
- If applicant is an **institute charter school**, signatures need to include: The person who prepared the application; the charter school director; a charter school board officer; the director of the charter schools institute.
- If the applicant is a **BOCES**, signatures need to include: The person who prepared the application; the BOCES director; BOCES board member.
- If applicant is **The Colorado School for the Deaf and Blind**, signatures need to include: The person who prepared the application; The CSDB director; a CSDB board officer.

Applicant Name:	TEST
County:	CCGA
Project Name:	WMT Test
* Prepared By:	<input type="text"/>
Prepared By - Organization (if other than school district):	<input type="text"/>
* Prepared By - Phone Number:	<input type="text"/>
* Prepared By - E-mail Address:	<input type="text"/>
* School District Superintendent's Name	<input type="text"/>
* School District Board, or Charter Schools Institute Board, or BOCES Board or Colorado School for the Deaf and Blind Board, Board Officer name and title	<input type="text"/>
Charter School Director, or Institute Charter School Director's, or BOCES Director's or Colorado School for the Deaf and Blind Director's, Name (If Applicable)	<input type="text"/>

By signing this BEST grant application you certifying that you support the scope and proposed project and agree to the provisions set forth in the:

1. Submittal requirements based on project scope
2. Statewide facility assessment

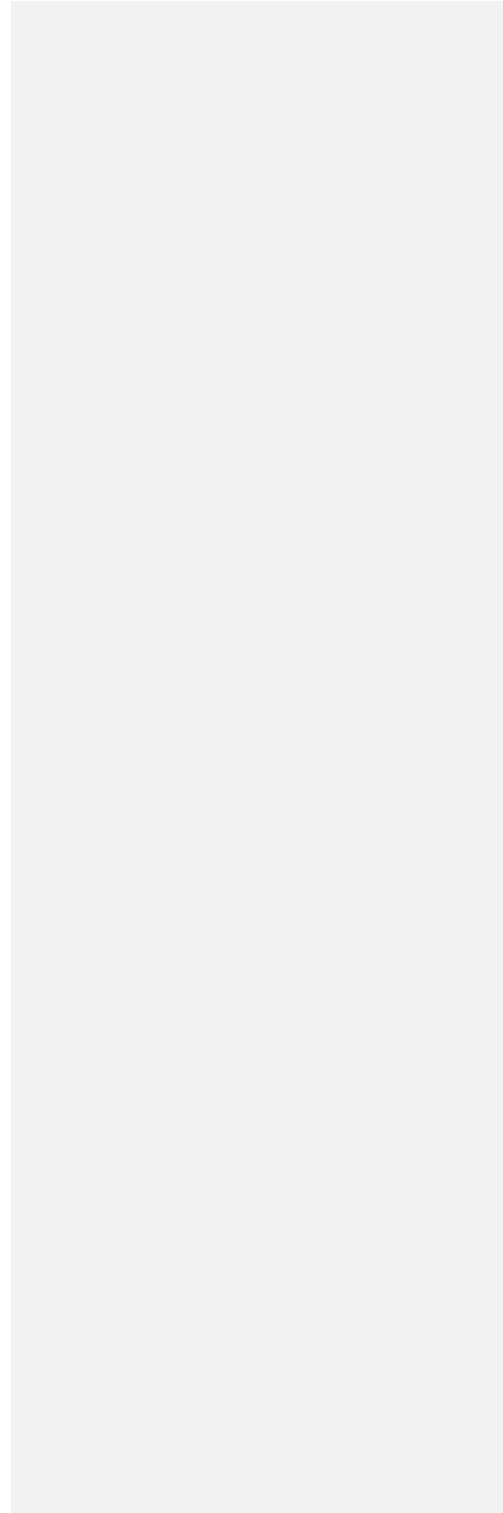
3. Waiver application guidelines
4. Competitive selection process for vendors
5. The high performance certification program
6. Required signatures
7. Charter school requirements

Fix the signature lines:

- School Board District **Officer** (line 3)
- Charter School Institute Board **Officer** (line 3)
- BOCES Board **Officer** (line 3)

Line 3 needs to say

- Add to line 2 - or Director of the Charter School Institute



PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD AGENDA SHEET

MEETING DATE: July 28, 2016

SUBJECT: Review of BEST Charter School funded grants

TYPE: Action Information

BACKGROUND:

The Capital Construction Assistance Board has requested a review of BEST funded projects, specifically districts and charter schools, to have a better understanding of how funds have been distributed over the last eight grant cycles.

STAFF RECOMMENDATION:

Review the attached spreadsheet that shows the comparison of district versus charter school BEST funded grants.

STAFF RECOMMENDED MOTION:

N/A

ATTACHMENTS:

District & Charter school BEST Grant Info



SUMMARY OF FUNDED SCHOOL DISTRICT AND CHARTER SCHOOL BEST GRANTS

ALL BEST GRANT CYCLES (through FY1516)														
*Please note: BOCES & CSDB's Projects are not included in these calculations	BEST Grant Contribution	Matching Contribution	Total BEST & Matching Contribution	Total Applications	Total # of Projects Funded	% of Applications Awarded	Total Students for Funded BEST Projects	Pupils in State of CO	% of Pupils helped through BEST	Pupils affected per Project	\$ per Pupil from BEST Grant	Waiver Letters Requested (excludes statutory)	Grant w/ Waiver Letter & Project Approved	% of Grants Approved w/ Waiver Letter
Total of All District Projects Funded	\$758,205,453.11	\$369,096,222.73	\$ 1,127,301,675.84	476	233	48.95%	139,802	899,112	15.55%	600	\$ 8,063.56	96	33	34.38%
								Pupils in CO CS						
Total of All CS Projects Funded	\$65,143,939.56	\$28,595,658.63	\$ 93,739,598.19	92	23	25.00%	9,126	108,793	8.39%	397	\$ 10,271.71	36	11	30.56%
Total of All BEST District & CS Projects Funded	\$ 823,349,392.67	\$ 397,691,881.36	\$ 1,221,041,274.03	568	256	45.07%	148,928	899,112	16.56%	582	\$ 8,198.87	132	44	33.33%

Districts are 84% of all applications submitted
 Charters are 16% of all applications submitted
 12.10% percentage of CS students

PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD AGENDA SHEET

MEETING DATE: July 28, 2016

SUBJECT: Review Redlined Draft BEST Rules and Rulemaking Timeline

TYPE: Action Information

BACKGROUND:

During the last legislative session there was two legislative bills passed that affect the BEST Rules and require amendments to be made.

The first bill is SB 16-072

Changes to the BEST Rules include:

- The definition of a charter school;
- Previously the board could only provide a BEST grant to a charter school that first occupied a public school facility on or after May 22, 2008, only if the public school facility occupied by the charter school complied with all public school facilities construction guidelines addressing health and safety at the time the charter school first occupied the facility. This requirement has been removed and now says: **THE BOARD MAY ONLY PROVIDE FINANCIAL ASSISTANCE FOR A CAPITAL CONSTRUCTION PROJECT FOR A PUBLIC SCHOOL IN EXISTENCE FOR AT LEAST THREE YEARS AT ANY TIME BEFORE THE BOARD RECEIVES AN APPLICATION FOR FINANCIAL ASSISTANCE.**
- Prioritization of grant applications. This has been amended
 - Now the program must prioritize applications in the following manner:
 - (a) Projects that will address safety hazards or health concerns at existing public school facilities, including concerns relating to public school facility security, **AND PROJECTS THAT ARE DESIGNED TO INCORPORATE TECHNOLOGY INTO THE EDUCATIONAL ENVIRONMENT.**
 - (b) Projects that will relieve overcrowding in public school facilities, including but not limited to projects that will allow students to move from temporary instructional facilities into permanent facilities.
 - (c) All other projects

The second bill is HB-1422

Changes to the BEST Rules include:

- New language related to providing financial assistance to an applicant that is in a leased facility.

STAFF RECOMMENDATION:

Review proposed revisions to the BEST rules and discuss any other changes which may be necessary. Once all proposed revisions have been agreed upon by the CCAB, Division staff will initiate the formal rule change process with the Secretary of State's Office. The public hearing for these rules will be scheduled for the September 2016 CCAB meeting.

ATTACHMENTS:

Redline draft of BEST Rules

Rulemaking timeline

SB 16-072

HB 16-1422 (School Finance Act)



COLORADO
Department of Education

COLORADO DEPARTMENT OF EDUCATION
DIVISION OF PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE
1 CCR 303-3
BUILDING EXCELLENT SCHOOLS TODAY GRANT PROGRAM

Authority

§ 22-43.7-106(2)(i)(I) C.R.S., the Public School Capital Construction Assistance Board may promulgate rules, in accordance with Article 4 of Title 24, C.R.S., as are necessary and proper for the administration of the BEST Act.

Scope and Purpose

This regulation shall govern the Building Excellent Schools Today (BEST) Public School Capital Construction Assistance Program pursuant to the BEST Act.

1. Definitions

- 1.1. "Applicant" means an entity that submits an Application for Financial Assistance to the Board, including:
 - 1.1.1. A School District;
 - 1.1.2. A District Charter School;
 - 1.1.3. An Institute Charter School;
 - 1.1.4. A Board of Cooperative Educational Services (BOCES);
 - 1.1.5. The Colorado School for the Deaf and Blind.
- 1.2. "Application" means the Application for Financial Assistance submitted by an Applicant.
- 1.3. "Assistance Fund" means the public school capital construction assistance fund created in § 22-43.7-104(1) C.R.S.
- 1.4. "Authorizer" means the School District that authorized the charter contract of a Charter School or, in the case of an Institute Charter School, as defined in § 22-43.7-106(1) C.R.S., the State Charter School Institute created and existing pursuant to § 22-30.5-502(6) C.R.S.
- 1.5. "BEST Act" means § 22-43.7-101 C.R.S. et seq.
- 1.6. "BEST Lease-purchase Funding" means funding from a sublease-purchase agreement entered into between the state and an entity as described in 2.1 pursuant to § 22-43.7-110(2) C.R.S.
- 1.7. "BEST Cash Grant" means cash funding as a matching grant.
- 1.8. "BEST Emergency Grant" means a request for Financial Assistance in connection with a Public School Facility Emergency.

- 1.9. "Board" means the Public School Capital Construction Assistance Board created in § 22-43.7-106 (1) C.R.S.
- 1.10. "Board of Cooperative Educational Services" or "BOCES" means a Board of Cooperative Services created and existing pursuant to § 22-5-104 C.R.S. that is eligible to receive State moneys pursuant to § 22-5-114 C.R.S.
- 1.11. "Capital Construction" means, pursuant to § 24-75-301 (1) C.R.S.:
- 1.11.1. Purchase of land, regardless of the value thereof;
 - 1.11.2. Purchase, construction, or demolition of buildings or other physical facilities, including utilities and state highways or remodeling or renovation of existing buildings or other physical facilities, including utilities and state highways to make physical changes necessitated by changes in the program, to meet standards required by applicable codes, to correct other conditions hazardous to the health and safety of persons which are not covered by codes, to effect conservation of energy resources, to effect cost savings for staffing, operations, or maintenance of the facility, or to improve appearance;
 - 1.11.3. Site improvement or development;
 - 1.11.4. Purchase and installation of the fixed and movable equipment necessary for the operation of new, remodeled, or renovated buildings and other physical facilities and for the conduct of programs initially housed therein upon completion of the new construction, remodeling, or renovation;
 - 1.11.5. Purchase of the services of architects, engineers, and other consultants to prepare plans, program documents, life-cycle cost studies, energy analyses, and other studies associated with any Capital Construction project and to supervise construction or execution of such Capital Construction projects;
 - 1.11.6. Any item of instructional or scientific equipment if the cost will exceed fifty thousand dollars.
- 1.12. "Capital Renewal Reserve" means moneys set aside by an Applicant that has received an award for a project for the specific purpose of replacing major Public School Facility systems with projected life cycles such as, but not limited to, roofs, interior finishes, electrical systems and heating, ventilating, and air conditioning systems.
- 1.13. "Charter School" means a Charter School as described in § 22-54-124 (1)(f.6)(I)(A) or (1)(f.6)(I)(B) C.R.S., ~~that has been chartered for at least five years on the date its Authorizer forwards an Application for Financial Assistance to the Board on the Charter School's behalf pursuant to § 22-43.7-103(7) C.R.S.~~
- 1.14. "Eligible Charter School" means a qualified charter school that is eligible for the Loan Program as defined in section 22-30.5-408(1)(c) C.R.S. and authorized to receive financial assistance pursuant to 22-43.7-109(7) C.R.S.
- 1.15. "Division" means the Division of Public School Capital Construction Assistance created in § 22-43.7-105 C.R.S.
- 1.16. "Financial Assistance" means BEST Cash Grants; BEST Lease-purchase Funding; BEST Emergency Grants; funding provided as matching grants by the Board from the Assistance Fund to an Applicant; or any other expenditure made from the Assistance Fund for the purpose of financing Public School Facility Capital Construction as authorized by the BEST Act.

- 1.17. "Grantee" means a School District, Charter School, Institute Charter School, BOCES or the Colorado School for the Deaf and Blind that has applied for Financial Assistance and received an award.
- 1.18. "Institute Charter School" means a Charter School chartered by the Colorado State Charter School Institute pursuant to § 22-30.5-507 C.R.S.
- 1.19. "Loan Program" means the charter school matching moneys loan program pursuant to 22-43.7-110.5 C.R.S.
- 1.20. "Matching Moneys" means moneys required to be used directly to pay a portion of the costs of a Public School Facility Capital Construction project by an Applicant as a condition of an award of Financial Assistance to the Applicant pursuant to § 22-43.7-109 (9) C.R.S and/or 22-43.7-110(2) C.R.S.
- 1.21. "Project" means the Capital Construction Project for which Financial Assistance is being requested.
- 1.22. "Public School Facility" means a building or portion of a building used for educational purposes by a School District, Charter School, Institute Charter School, a Board of Cooperative Education Services, the Colorado School for the Deaf and Blind created and existing pursuant to § 22-80-102(1)(a) C.R.S., including but not limited to school sites, classrooms, data centers, libraries and media centers, cafeterias and kitchens, auditoriums, multipurpose rooms, and other multi-use spaces; except that "Public School Facility" does not include a learning center, as defined in § 22-30.7-102(4) C.R.S., that is not used for any other public school purpose and is not part of a building otherwise owned, or leased in its entirety, by a School District, a Board of Cooperative Education Services, a Charter School, Institute Charter School, or the Colorado School for the Deaf and Blind for educational purposes.
- 1.23. "Public School Facility Construction Guidelines" means Public School Facility Construction Guidelines as established in § 22-43.7-107 C.R.S.
- 1.24. "Public School Facility Emergency" means an unanticipated event that makes all or a significant portion of a Public School Facility unusable for educational purposes or poses an imminent threat to the health or safety of persons using the Public School Facility.
- 1.25. "School District" means a School District, other than a junior or community college district, organized and existing pursuant to law in Colorado pursuant to § 22-43.7-103 (14) C.R.S.
- 1.26. "State Board" means the State Board of Education created and existing pursuant to section 1 of article IX of the State Constitution.
- 1.27. "Statewide Assessment" means the Financial Assistance priority assessment conducted pursuant to § 22-43.7-108 C.R.S.

2. Eligibility

- 2.1. The following entities are eligible to apply for Financial Assistance:
 - 2.1.1. A School District;
 - 2.1.2. A District Charter School or individual school of a School District if the school applies through the School District in which the school is located. The School District shall forward the Application from a Charter School or individual school of a School District to the Division with its comments;

- 2.1.3. An Institute Charter School;
- 2.1.4. A Board of Cooperative Educational Services (BOCES);
- 2.1.5. The Colorado School for the Deaf and Blind.

2.2. The Board may only provide Financial Assistance for a Project for a Public School Facility that the Applicant owns or will have the right to own in the future under the terms of a lease-purchase agreement with the owner of the facility or a sublease-purchase agreement with the state entered into pursuant to § 22-43.7-110(2) C.R.S.

2.3. The Board, with the support of the Division and subject to the approval of the State Board and the lessor of the property, may provide financial assistance as specified in this section to an applicant that is operating or will operate in the next budget year in a leased facility that is:

2.3.1. Listed on the state inventory of real property and improvements and other capital assets maintained by the Office of the State Architect pursuant to section 24-30-1303.5, C.R.S.; or

2.3.2. State-owned property leased by the State Board of Land Commissioners, described in section 36-1-101.5, C.R.S., to the applicant.

~~2.2. The Board may provide Financial Assistance to a Charter School that first occupies a Public School Facility on or after May 22, 2008, only if the Public School Facility occupied by the Charter School complied with all Public School Facilities Construction Guidelines addressing health and safety issues when the Charter School first occupied the facility.~~

2.4. The Board may only provide financial assistance for a capital construction project for a public school in existence for at least three years at any time before the Board receives an application for financial assistance.

~~2.3.2.5.~~ For a BEST Emergency Grant, the Applicant shall be operating in the Public School Facility for which Financial Assistance is requested.

3. Assistance Board

3.1. Conflict of Interest

3.1.1. In regard to Board members providing information to potential Applicants:

3.1.1.1. Board members shall exercise caution when responding to requests for information regarding potential Applications, especially in regard to questions that may increase the chances that the Board would give a favorable recommendation on an Application or Project.

3.1.2. If a potential or actual conflict of interest occurs with a Board member, the Board member will complete a Conflict of Interest disclosure form and it will be presented at the following CCAB meeting. The Division shall document the date of the disclosure, the name of the board member and conflict disclosed, and the documented disclosure shall be retained and made available at all board meetings which evaluation of applications or voting occurs.

3.1.3. Board members, and their firms, shall not present their position on the Board to School Districts, Charter Schools, Institute Charter Schools, BOCES, or the Colorado School for the Deaf and Blind as an advantage for using their firm over other firms in a bid to provide services on any capital construction project.

3.1.4. In regard to Board members avoiding potential conflicts of interest in evaluation of and voting on Applications:

3.1.4.1. If a Board member's firm has no prior involvement regarding the Project included in an Application and the Board member does not have a direct or indirect substantial financial interest in an Application, the Board member may appropriately vote on the Application, but may not bid or work on the Project. The Board member's firm may bid or work on the Project, so long as the Board member plays no role in the entire procurement process and the Board member discloses any conflict of interest;

3.1.4.2. No Board member shall participate in the Board's evaluation process, including voting, for any Application when the Board member has a direct or indirect substantial financial interest in the Project or Application or the Board member's firm has had prior involvement with the Applicant directly related to the Project or Application;

3.1.4.3. At all times Board members must exercise judgment and caution to avoid conflicts of interest and/or appearance of impropriety, and should inform the Division staff of any questionable situation that may arise. A Board member may recuse himself or herself from any vote.

3.1.4.4. Board members shall be aware of and comply with the Colorado Code of Ethics, section 24-18-108.5(2), C.R.S., and shall not perform any official act which may have a direct economic benefit on a business or other undertaking in which the member has a direct or substantial financial interest.

3.1.4.4.1. A financial interest means a substantial interest held by an individual which is (i) an ownership interest in a business, (ii) a creditor interest in an insolvent business, (iii) an employment or prospective employment for which negotiations have begun, (iv) an ownership interest in real or personal property, (v) a loan or any other, or (vi) a directorship or officer ship in a business.

3.1.4.4.2. An official action means any vote decision, recommendation, approval, disapproval or other action, including inaction, which involves the use of discretionary authority.

3.1.5. In cases where a Board member has violated the conflict of interest policy as determined by the board chair, the Division Director will notify the Board member's appointing authority of the violation in writing. In the event of a conflict involving the board chair, the vice-chair will make the determination.

4. Matching Requirement

4.1. Except as provided below in section 4.2, Financial Assistance may be provided only if the Applicant provides Matching Moneys in an amount equal to a percentage of the total cost of the Project determined by the Board after consideration of the Applicant's financial capacity, based on the following factors:

4.1.1. With respect to a School District's Application for Financial Assistance:

4.1.1.1. The School District's assessed value per pupil relative to the state average;

4.1.1.2. The School District's median household income relative to the state average;

4.1.1.3. The School District's bond redemption fund mill levy relative to the statewide average;

- 4.1.1.4. The percentage of pupils enrolled in the School District who are eligible for free or reduced-cost lunch;
 - 4.1.1.5. The school district's current available bond capacity remaining;
 - 4.1.1.6. The school district's unreserved fund balance as a percentage of its annual budget; and
 - 4.1.1.7. The amount of effort put forth by the School District to obtain voter approval for a ballot question for bonded indebtedness, including but not limited to, a ballot question for entry by the district into a sublease-purchase agreement of the type that constitutes an indebtedness of the district pursuant to § 22-32-127 C.R.S., during the ten years preceding the year in which the district submitted the Application, which factor may be used only to reduce the percentage of Matching Moneys required from a district that has put forth such effort and not to increase the amount of Matching Moneys required from any district;
 - 4.1.1.8. A School District shall not be required to provide any amount of Matching Moneys in excess of the difference between the School District's limit of bonded indebtedness, as calculated pursuant to § 22-42-104 C.R.S., and the total amount of outstanding bonded indebtedness already incurred by the School District.
- 4.1.2. With respect to a Board of Cooperative Education Services' Application for Financial Assistance:
- 4.1.2.1. The average assessed value per pupil of all members of the Board of Cooperative Education Services participating in the Project relative to the state average;
 - 4.1.2.2. The average median household income of all members of the Board of Cooperative Education Services participating in the Project relative to the state average;
 - 4.1.2.3. The average bond redemption fund mill levy of all members of the Board of Cooperative Education Services participating in the Project relative to the statewide average;
 - 4.1.2.4. The percentage of pupils enrolled in the member schools within the Board of Cooperative Education Services that are participating in the Project who are eligible for free or reduced-cost lunch;
 - 4.1.2.5. The average available bond capacity remaining of all members of the board of cooperative services participating in the capital construction project;
 - 4.1.2.6. The average unreserved fund balance as a percentage of the annual budget of all members of the board of cooperative services participating in the capital construction project; and
 - 4.1.2.7. The amount of effort put forth by the members of the Board of Cooperative Education Services to obtain voter approval for a ballot question for bonded indebtedness, including but not limited to a ballot question for entry by any member into a sublease-purchase agreement of the type that constitutes an indebtedness of the member pursuant to § 22-32-127 C.R.S., during the ten years preceding the year in which the Board of Cooperative Education Services submitted the Application, which factor may be used only to reduce the percentage of Matching Moneys required from a Board of Cooperative Education Services whose members, or any of them, have put forth such effort and not to increase the amount of Matching Moneys required from any Board of Cooperative Education Services.

4.1.3. With respect to a Charter School's Application for Financial Assistance:

- 4.1.3.1. The weighted average of the match percentages for the school districts of residence for the students enrolled in a district charter school or fifty percent of the average of the match percentages for all school districts in the state for an institute charter school;
- 4.1.3.2. Whether the charter school's authorizer retains no more than ten percent of its capacity to issue bonds;
- 4.1.3.3. Whether the charter school is operating in a district-owned facility at the time it submits its application;
- 4.1.3.4. In the ten years preceding the year in which the charter school submits the application, the number of times the charter school has attempted to obtain or has obtained:
 - 4.1.3.4.1. Bond proceeds pursuant to 22-30.5-404 C.R.S through inclusion in a ballot measure submitted by the charter school's authorizer to the registered electors of the school district;
 - 4.1.3.4.2. Proceeds from a special mill levy for capital needs pursuant to 22-30.5-405 C.R.S.;
 - 4.1.3.4.3. Grant funding for capital needs from a source other than the assistance fund; and
 - 4.1.3.4.4. Funding for capital construction from bonds issued on its behalf by the Colorado Educational and Cultural Facilities authority created and existing pursuant to 23-15-104(1)(a), C.R.S., or from some other source of financing.
- 4.1.3.5. If the charter school is a district charter school, the student enrollment of the charter school as a percentage of the student enrollment of the charter school's authorizing school district.
- 4.1.3.6. The percentage of students enrolled in the charter school who are eligible for the federal free and reduced-cost lunch program in relation to the overall percentage of students enrolled in the public schools in the State who are eligible for the federal free and reduced-cost lunch program.
- 4.1.3.7. The percentage of the per pupil revenue received by the charter school that the charter school spends on facility costs other than facilities operations and maintenance.
- 4.1.3.8. The charter school's unreserved fund balance as a percentage of its annual budget.
- 4.1.3.9. The match percentage for a charter school calculated based on the above criteria shall not be higher than the highest match percentage for a school district, or lower than the lowest match percentage for a school district, in the same grant cycle.

4.2. Waiver or reduction of Matching Moneys

- 4.2.1. An Applicant may apply to the Board for a waiver or reduction of the Matching Moneys requirement. Such application shall discuss unique issues demonstrating why the percentage is not representative of the Applicant's current financial state. The Board may grant a waiver or reduction if it determines:

4.2.1.1. That the waiver or reduction would significantly enhance educational opportunity and quality within a School District, Board of Cooperative Education Services, or Applicant school,

4.2.1.2. That the cost of complying with the Matching Moneys requirement would significantly limit educational opportunities within a School District, Board of Cooperative Education Services, or Applicant school, or

4.2.1.3. That extenuating circumstances deemed significant by the Board make a waiver appropriate.

4.2.2. An applicant must complete a waiver application and submit it to the Board in conjunction with their grant application. The waiver application shall explain issues and impacts in detail, including dollar amounts of the issues and impacts, and demonstrate why each of the factors used to calculate their Matching Moneys percentage are not representative of their actual financial capacity. The Board will determine the merit of the waiver by evaluating each wavier application using the prescribed wavier application evaluation tool.

4.3. Charter School matching moneys Loan Program.

4.3.1. The Charter School matching moneys Loan Program will assist Eligible Charter Schools in obtaining the Matching Moneys requirement for an award of Financial Assistance pursuant to 22-43.7-109 C.R.S.

4.3.2. An Eligible Charter School that chooses to seek a loan through the Loan Program shall apply to the Board to receive a loan.

4.3.3. To be an Eligible Charter School for the Loan Program means a Charter School that is described in section 22-30.5-104 or an Institute Charter School as that term is defined in section 22-30.5-502 has a stand-alone credit assessment or rating of at least investment grade by a nationally recognized rating agency at the time of issuance of any qualified Charter School bonds on behalf of the Charter School by the Colorado educational and cultural facilities authority pursuant to the "Colorado Educational and Cultural Facilities Authority Act", article 15 of title 23, C.R.S., and that has been certified as a qualified Charter School by the State Treasurer.

4.3.4. The Board may approve a loan for an Eligible Charter School in an amount that does not exceed fifty percent of the amount of Matching Moneys calculated for the Eligible Charter School pursuant to 22-43.7-109(9)(c) C.R.S.

4.3.5. If a loan is approved by the Board the project will be considered as a BEST Lease-Purchase project pursuant to 22-43.7-110.5(2)(b)C.R.S., and the proposed project must be one that is financeable.

4.3.6. The Board shall direct the State Treasurer to include the amount of a loan approved pursuant to the terms in the Lease-Purchase agreement entered into pursuant to 22-43.7-110 (2) C.R.S. to provide Financial Assistance to the Eligible Charter School for which the loan is approved.

4.3.7. Charter School Loan Program application

4.3.7.1. An application for a loan shall include:

- 4.3.7.1.1. Basic contact information, justification for seeking a BEST loan and documentation of a stand-alone credit assessment or rating of at least investment grade by a nationally recognized rating agency for the Charter School;
 - 4.3.7.1.2. Identify the Charter Schools current facilities and indicate if those facilities are owned, leased or in a lease-purchase agreement;
 - 4.3.7.1.3. A current credit disclosure statement along, any business notes payable or reviews, notices or warnings from the Charter School's authorizer;
 - 4.3.7.1.4. Financial information to include internal financial statements, CPA Audits and IRS 990's for the previous three years. Detailed operating budget for the current and next year. The Charter School's projected operating budget for the next five years. Enrollment figures for the previous three years, the current year and the following three years;
 - 4.3.7.1.5. CDE listed minimum match requirement for the BEST grant;
 - 4.3.7.1.6. Amount of total match provided by the Charter School for the BEST grant;
 - 4.3.7.1.7. Amount of the loan request for the BEST grant;
 - 4.3.7.1.8. A loan application from a Charter School shall include signatures of the District Superintendent, School Board Officer, and the Charter School Director;
 - 4.3.7.1.9. A loan application from an Institute Charter School shall include signatures of the Charter School Institute Director and the Institute Charter School Director;
 - 4.3.7.1.10. Applications that are incomplete may be rejected without further review.
- 4.3.8. Charter School Loan Program deadline for submission
- 4.3.8.1. The loan application, along with any supporting material, shall be submitted with the BEST grant application on or before the BEST grant application due date.
 - 4.3.8.2. An application will not be accepted unless it is received in the Board office by 4:30 p.m. on or before the deadline date determined by the board.
 - 4.3.8.3. The Board may, in its sole discretion and upon a showing of good cause in written request from an Applicant, extend the deadline for filing an Application.
- 4.3.9. To receive a loan through the Loan Program, an Eligible Charter School shall:
- 4.3.9.1. Authorize the State Treasurer to withhold moneys payable to the Eligible Charter School in the amount of the loan payments pursuant to 22-30.5-406 C.R.S.;
 - 4.3.9.2. Pay an interest rate on the loan that is equal to the interest rate paid by the State Treasurer on the Lease-Purchase agreement entered into pursuant to 22-43.7-110 C.R.S. to provide Financial Assistance to the Eligible Charter School for which the loan is approved;
 - 4.3.9.3. Amortize the loan payments over the same period in years as the Lease-Purchase agreement entered into pursuant to 22-43.7-110 C.R.S. to provide Financial Assistance to the Eligible Charter School for which the loan is approved; except that the Eligible

Charter School may pay the full amount of the loan early without incurring a prepayment penalty; and

4.3.9.4. Create an escrow account for the benefit of the state with a balance in the amount of six months of loan payments.

5. Applications

5.1. Deadline for submission

- 5.1.1. Except as provided below, Applications shall be filed with the Board on or before a date determined by the Board.
- 5.1.2. An Application will not be accepted unless it is received in the Board office by 4:00 p.m. on or before the deadline date determined by the Board. This does not apply to an Application in connection with a Public School Facility Emergency;
- 5.1.3. The Board may, in its sole discretion and upon a showing of good cause in a written request from an Applicant, extend the deadline for filing an Application.

5.2. The Board prefers Applications to be in electronic form, but one hard copy to the Board office is acceptable. Each Application shall be in a form prescribed by the Board and shall include, but not be limited to, the following (with supporting documentation):

- 5.2.1. A description of the scope and nature of the Project;
- 5.2.2. A description of the architectural, functional, and construction standards that are to be applied to the Project that indicates whether the standards are consistent with the Construction Guidelines and provides an explanation for the use of any standard that is not consistent with the Construction Guidelines;
- 5.2.3. The estimated amount of Financial Assistance needed for the Project and the form and amount of Matching Moneys that the Applicant will provide for the Project;
- 5.2.4. If the Project involves the construction of a new Public School Facility or a major renovation of an existing Public School Facility, a demonstration of the ability and willingness of the Applicant to renew the Project over time that includes, at a minimum, the establishment of a capital renewal budget and a commitment to make annual contributions to a Capital Renewal Reserve within a School District's capital reserve fund or any functionally similar reserve fund separately maintained by an Applicant that is not a School District;
- 5.2.5. If the Application is for Financial Assistance for the renovation, reconstruction, expansion, or replacement of an existing Public School Facility, a description of the condition of the Public School Facility at the time the Applicant purchased or completed the construction of the Public School Facility and, if the Public School Facility was not new or was not adequate at that time, the rationale of the Applicant for purchasing the Public School Facility or constructing it in the manner in which it did;
- 5.2.6. A statement regarding the means by which the Applicant intends to provide Matching Moneys required for the Project, including but not limited to voter-approved multiple-fiscal year debt or other financial obligations, gifts, grants, donations, or any other means of financing permitted by law, or the intent of the Applicant to seek a waiver of the Matching Moneys requirement. If an Applicant that is a School District or a Board of Cooperative Educational Services with a participating School District intends to raise Matching Moneys by obtaining voter approval to enter into a sublease-purchase agreement that constitutes an indebtedness

of the district as pursuant to § 22-32-127 C.R.S., it shall indicate whether it has received the required voter approval or, if the election has not already been held, the anticipated date of the election;

- 5.2.7. A description of any efforts by the Applicant to coordinate Capital Construction projects with local governmental entities or community-based or other organizations that provide facilities or services that benefit the community in order to more efficiently or effectively provide such facilities or services, including but not limited to a description of any financial commitment received from any such entity or organization that will allow better leveraging of any Financial Assistance awarded;
- 5.2.8. A copy of any existing Master Plan or facility assessment relating to the facility(ies) for which Financial Assistance is sought;
- 5.2.9. Any other information that the Board may require for the evaluation of the project;
- 5.2.10. An Application from a School District shall include signatures of the Superintendent and a District Board Officer;
- 5.2.11. An Application from a Charter School shall include signatures of the District Superintendent, School Board Officer, and the Charter School Director;
- 5.2.12. An Application from an Institute Charter School shall include signatures of the Charter School Institute Director and the Institute Charter School Director;
- 5.2.13. An Application from a Board of Cooperative Educational Services shall include signatures of the BOCES Director and a BOCES Board Officer;
- 5.2.14. An Application from the Colorado School for the Deaf and Blind shall include signatures of the Colorado School for the Deaf and Blind Director and a Colorado School for the Deaf and Blind Board Officer.

5.3. BEST Lease-Purchase Funding

- 5.3.1. In addition to the information required in section 5.2 above, the Applicant shall agree to provide any necessary documentation related to securing the lease-purchase agreement.

5.4. BEST Emergency Grants

- 5.4.1. Applicant shall contact the Division by phone, fax, or email. Appropriate follow up documentation will be determined based on type and severity of emergency, including financial need.
- 5.4.2. In the event the Governor declares a disaster emergency, pursuant to section 24-33.5-704(4) C.R.S., the Division shall, as soon as possible following the declaration of the disaster emergency, contact each affected school facility in any area of the State in which the Governor declared the disaster emergency to assess any facility needs resulting from the declared disaster emergency.
 - 5.4.2.1. The Division must report its findings to the Board as soon as possible following its outreach.
 - 5.4.2.2. In determining whether to recommend to the State Board that Emergency Financial Assistance be provided, the Board shall consider the findings that the Division provided to the Board.

5.4.3. The Board shall meet within fifteen days of receiving the Application for a BEST Emergency Grant to determine whether to recommend to the State Board that emergency Financial Assistance be provided, the amount of any assistance recommended to be provided, and any conditions that the Applicant shall meet to receive the assistance.

5.5. Applications that are incomplete may be rejected without further review.

5.6. The Board may request supplementation of an Application with additional information or supporting documentation.

6. Application Review

6.1. Time for Review

6.1.1. The Board, with the support of the Division, will review the Applications;

6.1.2. The Board will submit the prioritized list of Projects to the State Board for which the Board is recommending Financial Assistance according to the timeline established by the Board;

6.1.3. In the case of Financial Assistance that involves lease-purchase agreements, the prioritized list is subject to both the preliminary approval of the state board and the final approval of the capital development committee.

6.1.4. The Board may, in its discretion, extend these deadlines.

6.2. The Board, taking into consideration the Statewide Assessment, shall prioritize and determine the type and amount of the grant or matching grant for Applications for Projects deemed eligible for Financial Assistance based on the following criteria, in descending order of importance:

6.2.1. Projects that will address safety hazards or health concerns at existing Public School Facilities, including concerns relating to Public School Facility security, and projects that are designed to incorporate technology into the educational environment;

6.2.1.1. In prioritizing an Application for a Public School Facility renovation project that will address safety hazards or health concerns, the Board shall consider the condition of the entire Public School Facility for which the project is proposed and determine whether it would be more fiscally prudent to replace the entire facility than to provide Financial Assistance for the renovation project.

6.2.2. Projects that will relieve overcrowding in Public School Facilities, including but not limited to projects that will allow students to move from temporary instructional facilities into permanent facilities, and.

~~6.2.3. Projects that are designed to incorporate technology into the educational environment; and~~

~~6.2.4.~~ 6.2.3. All other projects.

~~6.2.5.~~ 6.2.4. Among other considerations, the Board may take into account the following in reviewing Applications:

~~6.2.5.1.~~ 6.2.4.1. The amount of the matching contribution being provided in excess of or less than the minimum;

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6.2.5.2.6.2.4.2. Whether the Applicant has been placed on financial watch by the Colorado Department of Education;

6.2.5.3.6.2.4.3. Overall condition of the Applicant's existing facilities;

6.2.5.4.6.2.4.4. The project cost per pupil based on number of pupils affected by the proposed Project;

6.2.5.5.6.2.4.5. The project life cycle.

6.2.5.6.6.2.4.6. The Public School Facility's Facility Condition Index (FCI), Colorado Facility Index (CFI), school priority score and construction guidelines score.

6.2.5.7.6.2.4.7. The Applicants ability to help itself, including available bonding capacity, planning and criteria in sections 4.1.1 or 4.1.2 or 4.1.3.

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6.3. Additional actions the Board may take when reviewing an Application:

6.3.1. The Board may modify the amount of Financial Assistance requested or modify the amount of Matching Moneys required;

6.3.2. The Board may recommend funding a project in its entirety or recommend a partial award to the project;

6.3.2.1. If a project is partially funded a written explanation will be provided.

6.4. The Board shall submit to the State Board the prioritized list of Projects. The prioritized list shall include:

6.4.1. The Board's recommendation to the State Board as to the amount of Financial Assistance to be provided to each Applicant approved by the Board to receive funding and whether the assistance should be in the form of a BEST Cash Grant, BEST Lease-purchase Funding or a BEST Emergency Grant.

6.5. In considering the amount of each recommended award of Financial Assistance, the Board shall seek to be as equitable as practical in considering the total financial capacity of each Applicant.

7. BEST Lease-purchase Funding

7.1. Subject to the following limitations, the Board may instruct the State Treasurer to enter into lease-purchase agreements on behalf of the state to provide Lease-purchase Funding for Projects for which the State Board has authorized provision of Financial Assistance.

7.2. Whenever the State Treasurer enters into a lease-purchase agreement pursuant to § 22-43.7-110 C.R.S., the Applicant that will use the facility funded with the Lease-purchase Funding shall enter into a sublease-purchase agreement with the state that includes, but is not limited to, the following requirements:

7.2.1. The Applicant shall perform all the duties of the state to maintain and operate the Public School Facility that are required by the lease-purchase agreement;

7.2.2. The Applicant shall make periodic rental payments to the state, which payments shall be credited to the Assistance Fund as Matching Moneys of the Applicant;

7.2.3. Ownership of the Public School Facility shall be transferred by the state to the Applicant upon fulfillment of both the state's obligations under the lease-purchase agreement and the Applicant's obligations under the sublease-purchase agreement.

8. Payment and Oversight

8.1. Payment.

- 8.1.1. All Cash Grant Financial Assistance Grantees must sign a grant contract with CDE outlining the terms and conditions associated with the Financial Assistance.
- 8.1.2. All Financial Assistance awarded is expressly conditioned on the availability of funds.
- 8.1.3. Payment of Financial Assistance will be on a draw basis. As a Grantee expends funds on a Project, the Grantee may submit a request for funds to the Division on a fund request form provided by the Division. The fund request shall be accompanied by copies of invoices from the vendors for which reimbursement is being requested and any other documentation requested by the Division.
 - 8.1.3.1. The Division will review the fund request and make payment. Payments will only be made for work that is included in the Project scope of work defined in the Application.
 - 8.1.3.2. If the Grantee is a School District, request for payment shall come from the School District. Requests will not be accepted from individual School District schools.
 - 8.1.3.3. If the Grantee is a District Charter School, request for payment shall come from the School District. Payment shall be made to the School District and the School District shall make payment to the charter school. The School District may not retain any portion of the moneys for any reason.
 - 8.1.3.4. If the Grantee is an Institute Charter School, request for payment shall come from the Charter School Institute and the Charter School Institute shall make payment to the Institute Charter School. Payment shall be made directly to the Charter School Institute.
 - 8.1.3.5. If the Grantee is a Board of Cooperative Educational Services, request for payment shall come from the Board of Cooperative Educational Services. Requests will not be accepted from individual Board of Cooperative Educational Services schools.
 - 8.1.3.6. If the Grantee is the Colorado School for the Deaf and Blind, request for payment shall come from the Colorado School for the Deaf and Blind.
- 8.1.4. Payment of BEST Lease-purchase Funding will be determined by the terms of the lease-purchase agreement and any subsequent sublease-purchase agreements.
- 8.1.5. Each grant cycle the Board ~~may~~ shall make a motion to authorize up to ~~54~~54% of the assistance fund dollars be used to address grant reserves for projects awarded in that given year.
 - 8.1.5.1. Grant reserve requests shall be submitted on a Division provided application;
 - 8.1.5.2. Grant reserve applications will be submitted to the Board as an action item at the board meeting following the date the grant reserve application was submitted to the Division.

8.1.5.3. Grant reserve draws shall be limited to issues that were unforeseen, unanticipated and could not have been known about or planned for at the time the Application was submitted.

8.2. Oversight

- 8.2.1. When a Grantee completes Project, it shall submit a final report to the Division on a Division provided form before final payment will be made. Once the final report is submitted and final payment is made, the Project shall be considered closed.
- 8.2.2. If a Grantee has not used all Financial Assistance on a closed out BEST Cash Grant, the unused balance will be returned to the Assistance Fund.
- 8.2.3. If a Grantee has not used all Financial Assistance on a closed out Lease-Purchase Grant, the unused balance will be treated in accordance with the Board policy on returning Matching Moneys.
- 8.2.4. The Division may make site visits to review Project progress or to review a completed Project;
- 8.2.5. The Division may require a Grantee to hire additional independent professional construction management to represent the Applicant's interests, if the Division deems it necessary due to the size of the Project, the complexity of the Project, or the Grantee's ability to manage the Project with Grantee personnel.
- 8.2.6. Upon completion of a new school, major renovation or addition Project, the Grantee shall affix a permanent sign that reads: "Funding for this school was provided through the Building Excellent Schools Today Program from School Trust Lands," unless waived in writing by the Division.

9. Technical Consultation

- 9.1. The Division will provide technical consultation and administrative services to School Districts, Charter Schools, Institute Charter Schools, BOCES and the Colorado School for the Deaf and Blind.

PERMANENT RULEMAKING CALCULATOR

As of Jan 1, 2010 the Colorado Register will publish twice per month, on the 10th and the 25th

Enter Desired Effective Date
to view suggested rulemaking timeline

OR

Enter Hearing Notice Filing Date
to view suggested rulemaking timeline

MM/DD/YYYY
MM/DD/YYYY

File Notice on
or before:

Notice Filed:

Notice Published in
Colorado Register:

Notice Published in
Colorado Register:

Hold Hearing on
or after:

Hold Hearing on
or after:

Adopt Rules on *Enter Actual*
or before: *Adoption Date:*
to ensure eff date: MM/DD/YYYY

Adopt Rules on *Enter Actual*
or before: *Adoption Date:*
to ensure eff date: MM/DD/YYYY

10/30/2016

Request AG
Opinion by:

Request AG
Opinion by:

AG Issues *Enter Actual*
Opinion by: *AG Opinion Date:*
MM/DD/YYYY

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AG Issues *Enter Actual*
Opinion by: *AG Opinion Date:*
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File Rules on
or before:

File Rules on
or before:

Rules Published
in Register:

Rules Published
in Register:

Earliest Possible
Effective Date:

Earliest Possible
Effective Date:

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



SENATE BILL 16-072

BY SENATOR(S) Kerr, Kefalas, Newell, Crowder, Garcia, Aguilar, Heath, Hodge, Jahn, Johnston, Merrifield, Todd, Baumgardner, Cooke, Donovan, Guzman, Hill, Holbert, Marble, Martinez Humenik, Neville T., Roberts, Scott, Sonnenberg, Tate, Woods, Cadman;
also REPRESENTATIVE(S) Garnett and Wilson, Arndt, Court, Danielson, Duran, Esgar, Fields, Hamner, Kraft-Tharp, Lontine, Mitsch Bush, Moreno, Pettersen, Priola, Ryden, Vigil, Williams, Young, Lebsock.

CONCERNING AN INCREASE IN THE MAXIMUM TOTAL AMOUNT OF ANNUAL LEASE PAYMENTS AUTHORIZED FOR LEASE-PURCHASE AGREEMENTS ENTERED INTO UNDER THE "BUILDING EXCELLENT SCHOOLS TODAY ACT", AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 22-43.7-103, **amend** (7) as follows:

22-43.7-103. Definitions. As used in this article, unless the context otherwise requires:

(7) "Charter school" means a charter school as described in section

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

~~22-54-124 (1) (f.6) (I) (A) or (1) (f.6) (I) (B). that has been chartered for at least five years on the date its authorizer forwards an application for financial assistance to the board on the charter school's behalf.~~

SECTION 2. In Colorado Revised Statutes, 22-43.7-109, **amend** (1) (b), (3), (5) (a) (I), and (5) (b); and **repeal** (5) (c) as follows:

22-43.7-109. Financial assistance for public school capital construction - application requirements - evaluation criteria - local match requirements. (1) For fiscal years commencing on or after July 1, 2008, the board, with the support of the division and subject to the approval of the state board and, in the case of financial assistance that involves lease-purchase agreements, subject to both the preliminary approval of the state board and the final approval of the capital development committee, regarding financial assistance awards as specified in this section, shall provide financial assistance as specified in this section subject to the following limitations:

~~(b) The board may provide financial assistance to a charter school that first occupies a public school facility on or after May 22, 2008, only if the public school facility occupied by the charter school complied with all public school facilities construction guidelines addressing health and safety issues established by the board pursuant to section 22-43.7-107 (2) (a) at the time the charter school first occupied the facility. THE BOARD MAY ONLY PROVIDE FINANCIAL ASSISTANCE FOR A CAPITAL CONSTRUCTION PROJECT FOR A PUBLIC SCHOOL IN EXISTENCE FOR AT LEAST THREE YEARS AT ANY TIME BEFORE THE BOARD RECEIVES AN APPLICATION FOR FINANCIAL ASSISTANCE.~~

(3) A CHARTER SCHOOL THAT CHOOSES TO APPLY FOR FINANCIAL ASSISTANCE MUST APPLY DIRECTLY TO THE BOARD. A charter school shall notify its authorizer ~~that it intends to apply~~ IF THE CHARTER SCHOOL APPLIES for financial assistance. ~~at least four months prior to the application submission deadline. The charter school shall forward its application for financial assistance to its authorizer, which shall forward the application to the board together with a letter indicating the authorizer's position on the application.~~ THE AUTHORIZER FOR AN APPLYING CHARTER SCHOOL MAY SUBMIT A LETTER TO THE BOARD STATING ITS POSITION ON THE APPLICATION. The Colorado school for the deaf and blind shall ALSO apply for financial assistance directly. Financial assistance awarded to a charter

school as a matching cash grant shall be provided to the authorizer, which shall distribute all financial assistance received as a grant to the charter school and may not retain any portion of such moneys for any purpose. All other financial assistance shall be provided in the form of lease payments made by the board directly to a lessor or trustee as required by the terms of the applicable lease-purchase agreement.

(5) The board, taking into consideration the financial assistance priority assessment conducted pursuant to section 22-43.7-108, shall prioritize applications that describe public school facility capital construction projects deemed eligible for financial assistance based on the following criteria, in descending order of importance:

(a) (I) Projects that will address safety hazards or health concerns at existing public school facilities, including concerns relating to public school facility security, AND PROJECTS THAT ARE DESIGNED TO INCORPORATE TECHNOLOGY INTO THE EDUCATIONAL ENVIRONMENT.

(b) Projects that will relieve overcrowding in public school facilities, including but not limited to projects that will allow students to move from temporary instructional facilities into permanent facilities; AND

~~(c) Projects that are designed to incorporate technology into the educational environment; and~~

SECTION 3. In Colorado Revised Statutes, 22-43.7-110, **amend** (2) (a) (III) and (2) (a) (IV); and **add** (2) (a) (V) and (2) (a) (VI) as follows:

22-43.7-110. Financial assistance - grants - lease-purchase agreements. (2) Subject to the following requirements and limitations, the board may also instruct the state treasurer to enter into lease-purchase agreements on behalf of the state to provide financial assistance to applicants by financing public school facility capital construction projects for which the state board has recommended and the capital development committee has authorized the provision of financial assistance that involves a lease-purchase agreement pursuant to section 22-43.7-109 (7):

(a) Subject to the limitation specified in paragraph (b) of this subsection (2), the maximum total amount of annual lease payments payable by the state during any fiscal year under the terms of all

outstanding lease-purchase agreements entered into by the state treasurer as instructed by the board pursuant to this subsection (2) is:

(III) Sixty million dollars for the 2010-11 fiscal year; ~~and~~

(IV) Eighty million dollars for the 2011-12 fiscal year and for each fiscal year thereafter THROUGH THE 2015-16 FISCAL YEAR;

(V) NINETY MILLION DOLLARS FOR THE 2016-17 FISCAL YEAR; AND

(VI) ONE HUNDRED MILLION DOLLARS FOR THE 2017-18 FISCAL YEAR AND FOR EACH FISCAL YEAR THEREAFTER.

SECTION 4. Appropriation. For the 2016-17 state fiscal year, \$5,000,000 is appropriated to the department of education for use by the division of public school capital construction assistance. This appropriation is from the public school capital construction assistance fund created in section 22-43.7-104 (1), C.R.S. To implement this act, the department may use this appropriation for public school capital construction assistance board - lease payments.

SECTION 5. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Bill L. Cadman
PRESIDENT OF
THE SENATE

Dickey Lee Hullinghorst
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO

1 PROGRAM RESERVE FUND OF THE DISTRICT. THE DISTRICT MAY EXPEND
2 MONEY FROM THE TOTAL PROGRAM RESERVE FUND ONLY TO OFFSET THE
3 AMOUNT OF A REDUCTION IN THE DISTRICT'S STATE SHARE CAUSED BY
4 APPLICATION OF THE NEGATIVE FACTOR PURSUANT TO SECTION 22-54-104
5 (5) (g); EXCEPT THAT, IN A BUDGET YEAR IN WHICH THE SCHOOL DISTRICT
6 LEVIES FOR ITS TOTAL PROGRAM THE NUMBER OF MILLS CALCULATED
7 PURSUANT TO SECTION 22-54-106 (2) (a) (II), IF THE BALANCE OF THE
8 TOTAL PROGRAM RESERVE FUND EXCEEDS AN AMOUNT EQUAL TO THE
9 DISTRICT'S TOTAL PROGRAM FOR THAT BUDGET YEAR MULTIPLIED BY THE
10 NEGATIVE FACTOR CALCULATED PURSUANT TO SECTION 22-54-104 (5) (g)
11 FOR THAT BUDGET YEAR, THE DISTRICT MAY EXPEND THE AMOUNT OF THE
12 EXCESS BALANCE. ANY MONEY REMAINING IN THE FUND AT THE END OF A
13 FISCAL YEAR MUST REMAIN IN THE FUND AND MAY BE USED IN FUTURE
14 YEARS ONLY AS PROVIDED IN THIS PARAGRAPH (j).

15 **SECTION 9.** In Colorado Revised Statutes, 22-43.7-109, add
16 (1.5) as follows:

17 **22-43.7-109. Financial assistance for public school capital**
18 **construction - application requirements - evaluation criteria - local**
19 **match requirements - rules.** (1.5) (a) NOTWITHSTANDING ANY
20 PROVISION OF THIS ARTICLE TO THE CONTRARY, FOR FISCAL YEARS
21 COMMENCING ON OR AFTER JULY 1, 2016, AND SUBJECT TO RULES
22 ADOPTED BY THE BOARD PURSUANT TO PARAGRAPH (b) OF THIS
23 SUBSECTION (1.5), THE BOARD, WITH THE SUPPORT OF THE DIVISION AND
24 SUBJECT TO THE APPROVAL OF THE STATE BOARD AND THE LESSOR OF THE
25 PROPERTY, MAY PROVIDE FINANCIAL ASSISTANCE AS SPECIFIED IN THIS
26 SECTION TO AN APPLICANT THAT IS OPERATING OR WILL OPERATE IN THE
27 NEXT BUDGET YEAR IN A LEASED FACILITY THAT IS:

- 1 (I) LISTED ON THE STATE INVENTORY OF REAL PROPERTY AND
2 IMPROVEMENTS AND OTHER CAPITAL ASSETS MAINTAINED BY THE OFFICE
3 OF THE STATE ARCHITECT PURSUANT TO SECTION 24-30-1303.5, C.R.S.; OR
4 (II) STATE-OWNED PROPERTY LEASED BY THE STATE BOARD OF
5 LAND COMMISSIONERS, DESCRIBED IN SECTION 36-1-101.5, C.R.S., TO THE
6 APPLICANT.
- 7 (b) THE BOARD SHALL PROMULGATE RULES RELATING TO THE
8 AWARD OF FINANCIAL ASSISTANCE PURSUANT TO THIS SUBSECTION (1.5).
- 9 (c) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT AN AWARD
10 OF FINANCIAL ASSISTANCE PURSUANT TO THIS SUBSECTION (1.5) MUST BE
11 USED TO PRESERVE OR ENHANCE THE VALUE OF STATE-OWNED, LEASED
12 PROPERTY.

13 SECTION 10. In Colorado Revised Statutes, 23-8-101.5, **amend**
14 (4) (d) as follows:

15 23-8-101.5. **Definitions.** As used in this article, unless the context
16 otherwise requires:

17 (4) "Education provider's per pupil revenues" means:

18 (d) For a facility school, the ~~state average per pupil revenues~~
19 AMOUNT RECEIVED BY A FACILITY SCHOOL PURSUANT TO SECTION
20 22-54-129 (2) (c) (II), C.R.S.

21 SECTION 11. **Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety.

PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD AGENDA SHEET

MEETING DATE: July 28, 2016

SUBJECT: Review proposed Public School Facility Construction Guidelines

TYPE: Action Information

BACKGROUND (Include any statutory authority):

The Division of Capital Construction has reviewed and updated the Public School Facility Construction guidelines to reference current documents and code. The Capital Construction Assistance Board will review the proposed Public School Facility Construction Guidelines document which in will replace the existing Public School Facility Construction Guidelines.

Changes include:

Article 3- Code, Documents, and Standards incorporated by reference.

Article 4-4.1.2- Classroom Acoustics, 4.1.6- Plumbing, 4.1.7- Fire Management, 4.1.8 Path of Egress, 4.1.11- Health Code Standards, 4.1.12- Food Preparation Equipment and Maintenance, 4.1.13 Emergency Care Room, 4.1.14.6/4.1.14.7/4.1.14.8/4.1.15.1 LEED, 4.4.1.2-CO-CHPS, 4.4.4.7-Landscaping.

The Capital Construction Assistance Board may propose additional changes as necessary.

STAFF RECOMMENDATION

Review proposed revisions to the construction guidelines and discuss any other changes which may be necessary. Once all proposed revisions have been agreed upon by the CCAB, Division staff will finalize the formal rule change process with the Secretary of State’s Office. The public hearing for these rules will be scheduled for the September 2016 CCAB meeting.

STAFF RECOMMENDED MOTION (If this is an action item)

N/A

ATTACHMENTS:

Proposed Public School Facility Guidelines Draft

COLORADO DEPARTMENT OF EDUCATION
DIVISION OF PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE

1 CCR 303(1)

PUBLIC SCHOOL FACILITY CONSTRUCTION GUIDELINES

Article 1 – Purpose and Authority to Promulgate Rules

1.1. Purpose

1.1.1. Section 22-43.7-107(1)(a), C.R.S. states, The board shall establish public school facility construction guidelines for use by the board in assessing and prioritizing public school capital construction needs throughout the state as required by section 22-43.7-108, C.R.S. reviewing applications for financial assistance, and making recommendations to the state board regarding appropriate allocation of awards of financial assistance from the assistance fund only to applicants. The board shall establish the guidelines in rules promulgated in accordance with article 4 of title 24, C.R.S.

1.1.2. Section 22-43.7-107(1)(b), C.R.S. states, It is the intent of the general assembly that the Public School Facility Construction Guidelines established by the board be used only for the purposes specified in section 1.1.1 above.

1.1.3. The Public School Facility Construction Guidelines shall identify and describe the capital construction, renovation, and equipment needs in public school facilities and means of addressing those needs that will provide educational and safety benefits at a reasonable cost.

1.2. Statutory Authority

1.2.1. Section 22-43.7-106(2)(i)(I) C.R.S. states, the board may promulgate rules in accordance with article 4 of title 24, C.R.S. The board is directed to establish Public School Facility Construction Guidelines in rule pursuant to 22-43.7-107(1)(a), C.R.S.

Article 2 – Definitions

2.1. The definitions provided in 22-43.7-103, C.R.S., shall apply to these rules. The following additional definitions shall also apply:

“C.R.S.” means Colorado Revised Statutes.

“ES” means Elementary School.

“F.T.E.s” means Full Time Equivalent Students.

“Gross Square Feet (GSF)” means the total area of the building (inclusive of all levels as applicable) of a building within the outside faces of the exterior walls, including all vertical circulation and other shaft (HVAC) areas connecting one floor to another.

“Guidelines” means the Public School Facility Construction Guidelines.

“Historical significance” means having importance in the history, architecture, archaeology, or culture of this state or any political subdivision thereof or of the United States, as determined by the state historical society.

“HS” means High School.

“K12” means Kindergarten through 12th Grade School that is under all one facility / campus.

“MS” means Middle School.

“SF” means Square Foot.

“S.T.E.M.” means Science, Technology, Engineering, & Mathematics.

Article 3 – Codes, Documents and Standards incorporated by reference

- 3.1. The following materials are incorporated by reference within the Public School Facility Construction Guidelines:
 - 3.1.1. ASHRAE 90.1-2013 Energy Standard for Buildings Except Low-Rise Residential Buildings.
 - 3.1.2. ASHRAE Standard Benchmark Energy Utilization Index (October 2009).
 - 3.1.3. ASHRAE Standard 189.1 - 2011 Standard for the Design of High-Performance Green Buildings.
 - 3.1.4. **ANSI/ASA S12.60-2010/ Part 1**, Acoustical Performance Criteria, Design Requirements, and Guidelines for Schools, **Part 1 Permanent Schools**
 - 3.1.5. International Code Council's International Plumbing Code (2015) **amended by Rules and Regulations of the Colorado State Plumbing Board 3 CCR 720-1, 2016-4-1**
 - 3.1.6. National Fire Protection Association (NFPA) 70: National Electrical Code (2014).
 - 3.1.7. **National Fire Protection Association (NFPA) 13: Standard for the Installation of Sprinkler Systems, 2013 Edition**
 - 3.1.8. ~~LEED 2009 for Schools New Construction and Major Renovations.~~
 - 3.1.9. ~~CO CHPS Criteria for New Construction and Major Modernizations (2009).~~
 - 3.1.10. ~~ASHRAE Standard 62.1-2013 Ventilation for Acceptable Indoor Air Quality (2013).~~
 - 3.1.11. ~~Environmental Protection Agency's Safe Water Drinking Act (1996).~~
 - 3.1.12. **National Fire Protection Association (NFPA) 72: National Fire Alarm and Signaling Code, 2013 Edition.**
 - 3.1.13. **National Fire Protection Association (NFPA) 80: Standard for Fire Doors and Other Opening Protectives, 2016 Edition**
 - 3.1.14. ASHRAE Standard 62.1-2013 Ventilation for Acceptable Indoor Air Quality (2013).
 - 3.1.15. **Colorado** Department of Public Health and Environment which references Air Quality, Hazardous Waste, Public and environmental health, Radiation Control, Solid Waste and Water Quality. ~~Environmental Protection Agency's Safe Water Drinking Act (1996).~~
 - 3.1.16. **International Fire Code (IFC) – 2015 Edition, First Printing: May 2014 (Copyright 2014 by International Code Council, Inc. - Washington, D.C.), including Appendices B and C.**
 - 3.1.17. **International Mechanical Code - 2015 Edition, First Printing: May 2014 (Copyright 2014 by International Code Council, Inc. - Washington, D.C.)**
 - 3.1.18. **International Energy Conservation Code (IECC) - 2015 Edition, First Printing: May 2014 (Copyright 2014 by International Code Council, Inc. - Washington, D.C.)**
 - 3.1.19. **International Existing Building Code – 2015 Edition, First Printing: May 2014 (Copyright 2014 by International Code Council, Inc. - Washington, D.C.)**

3.1.20. All projects shall be constructed and maintained in accordance with the codes and regulations as currently adopted by the Colorado Division of Fire Prevention & Control which incorporates current building, fire, existing building, mechanical, and energy conservation codes.

3.2. The Division shall maintain copies of the complete texts of the referenced incorporated materials, which are available for public inspection during regular business hours with copies available at a reasonable charge. Interested parties may inspect the referenced incorporated materials by contacting the Director of the Division of Public School Capital Construction Assistance, 1580 Logan Street, Suite 310, Denver, Colorado 80203.

3.3. This rule does not include later amendments or editions of the incorporated material.

Article 4 - These Guidelines are not mandatory standards to be imposed on school districts, charter schools, institute charter schools, the boards of cooperative services or the Colorado School for the Deaf and Blind. As required by statute, the Guidelines address:

4.1 Health and safety issues, including security needs and all applicable health, safety and environmental codes and standards as required by state and federal law. Public school facility accessibility.

4.1.1 Sound building structures. Each building should be constructed and maintained with sound structural foundation, floor, wall and roof systems.

4.1.1.1 - All building structures shall conform to all applicable codes adopted by the Colorado Division of Fire Prevention and Control in 8 CCR 1507-30. ~~IBC-2015 and ANSI S12.60, Acoustical Performance Criteria, Design Requirements, and Guidelines for Schools.~~

4.1.2 Classroom Acoustics. To address issues of reverberation time and background noise in classrooms refer to ANSI/ASA S12.60-2010/ Part 1, American National Standard Acoustical Performance Criteria, Design Requirements, and Guidelines for Schools, Part 1: Permanent Schools.

4.1.3 Roofs. A weather-tight roof that drains water positively off the roof and discharges the water off and away from the building. All roofs shall be installed by a qualified contractor who is approved by the roofing manufacturer to install the specified roof system and shall receive the specified warranty upon completion of the roof. The National Roofing Contractors Association divides roofing into two generic classifications: low-slope roofing and steep-slope roofing. Low-slope roofing includes water impermeable, or weatherproof types of roof membranes installed on slopes of less than or equal to 3:12 (fourteen degrees). Steep slope roofing includes water-shedding types of roof coverings installed on slopes exceeding 3:12 (fourteen degrees).

4.1.3.1 - Low slope roofing systems:

4.1.3.1.1- Built-up – minimum 4 ply, type IV fiberglass felt, asphalt BUR system. Gravel or cap sheet surfacing required.

4.1.3.1.2- Ethylene Propylene Diene Monomer - minimum 60 mil EPDM membrane, with a ballasted or adhered system.

4.1.3.1.3- Poly Vinyl Chloride - minimum 60 mil PVC membrane adhered or mechanically attached systems.

4.1.3.1.4- Thermal Polyolefin - minimum 60 mil membrane adhered or mechanically attached systems.

4.1.3.1.5- Polymer-modified bitumen sheet membrane - Styrene-Butadiene-Styrene (SBS) membranes only, to be used only as a component of a built-up system noted above.

4.1.3.2 - Steep slope roofing systems:

- 4.1.3.2.1- Asphalt shingles - minimum 50 year spec asphalt shingles, UL Class A.
 - 4.1.3.2.2- Clay tile and concrete tile - minimum 50 year spec clay or concrete tile, UL Class A.
 - 4.1.3.2.3- Metal roof systems for steep-slope applications - minimum 24 gage prefinished steel, standing seam roof system with a minimum 1.5" seam height.
 - 4.1.3.2.4- Slate - ¼" minimum thickness, 50 year spec. UL Class A.
 - 4.1.3.2.5- Synthetic shingles - minimum 50 year spec, UL Class A.
- 4.1.4 Electrical and distribution systems Systems – Power Distribution and Utilization.** Safe and secure electrical service and distribution systems shall be designed and installed to meet the ~~National Fire Protection Association 70: National Electrical Code (2014)~~ National Electrical Code (NEC, NFPA 70); edition as enforced by the Colorado State Buildings Programs (SBP), unless otherwise more stringent based on local Authority Having Jurisdiction (AHJ), and ANSI/ASHRAE/IES Standard 90.1-2013 "Energy Standard for Buildings Except Low-Rise Residential Buildings".
- 4.1.4.1– Energy use intensity should not exceed the U.S. Department of Energy (DOE) building benchmarks, and shall conform to ASHRAE Standard Benchmark Energy Utilization Index (October 2009).
 - 4.1.4.2- Emergency lighting shall operate when normal lighting systems fail in locations and shall conform to all applicable codes adopted by the Colorado Division of Fire Prevention and Control in 8 CCR 1507-30.
- 4.1.5 Lighting Systems.** Lighting systems shall be designed and installed to achieve appropriate lighting levels utilizing energy-efficient lighting fixtures and energy-saving automatic and manual control systems.
- 4.1.5.1 - Lighting systems shall be designed and installed to meet the National Electrical Code (NEC, NFPA 70) edition as enforced by the Colorado State Buildings Programs (SBP), unless otherwise more stringent based on local Authority Having Jurisdiction (AHJ).
 - 4.1.5.2– Illuminance levels shall meet the requirements for applicable spaces as recommended within in the Illuminating Engineering Society (IES) Handbook, and dictated by the Rules and Regulations Governing Schools in the State of Colorado 6 CCR 1010-6.
 - 4.1.5.3– Lighting power density shall not exceed the values indicated in ANSI/ASHRAE/IES Standard 90.1-2013.
 - 4.1.5.4 - Lighting Control Systems shall be provided to comply with ANSI/ASHRAE/IES Standard 90.1-2013.
- ~~4.1.6 Mechanical systems. Systems – Heating, Ventilation, and Air Conditioning (HVAC). A safe and energy efficient mechanical systems that shall be designed and installed to provide proper ventilation, proper sound levels and maintains the building temperature and relative humidity, while achieving appropriate sound levels. The mechanical system shall be designed, maintained and installed utilizing current State and Federal building codes, and shall conform to all applicable codes adopted by the Colorado Division of Fire Prevention and Control in 8 CCR 1507-30.~~
- 4.1.6.1 – Mechanical systems shall be designed and installed to meet the International Mechanical Code, International Fuel Gas Code, International Building Code, and other Codes as adopted by the Colorado Division of Fire Prevention and Control in 8 CCR 1507.
 - 4.1.6.2- Healthy building indoor air quality (IAQ) shall be provided through the use of the mechanical heating, ventilation and air conditioning (HVAC) systems, or by operable windows, and by reducing air infiltration and water penetration with a tight building envelope, in compliance with the enforced International Building Code and ASHRAE Standard 62. 1- 2013.

- 4.1.6.3 - Mechanical systems shall comply with: ASHRAE Standard 62.1-2013 Ventilation for Acceptable Indoor Air Quality, ASHRAE **Standard** 90.1-2013 Energy Standard for Buildings Except Low-Rise Residential Buildings, and ASHRAE Standard 189.1-2014 Standard for the Design of High-Performance Green Buildings.
- 4.1.6.4 **Sound levels due to mechanical equipment shall comply with Occupational Safety & Health Administration Standard 1910.95 and ANSI/ASA Standard S12.60-2010 Part 1 for acoustical considerations within school facilities.**
- 4.1.7 Plumbing Systems.** ~~A potable water source and supply system that complies with the Colorado Primary Drinking Water Regulations, 5 CCR 1003-4, Waste Water, Storm water, Domestic Water and Plumbing Supporting HVAC shall be in compliance with Division of Fire Prevention and Control in 8 CCR1507 and the Colorado Department of Health & Environment regulations. the Environmental Protection Agency's Safe Water Drinking Act, and the International Code Council's 2015 International Plumbing Code.~~
- 4.1.8 Fire management. Fire Protection Systems.** Building fire **detection**, alarm and emergency notification systems in all school facilities shall be designed in accordance with **State** requirements. Exceptions ~~include unoccupied very small single story buildings, sheds and temporary facilities~~ where code required systems are not mandatory and the occupancy **classification according to the International Building Code 2015** does not warrant a system. All fire management systems shall conform to all applicable codes adopted by the Colorado Division of Fire Prevention and Control in 8 CCR 1507-30 **and the adopted Fire Code.**
- 4.1.8.1 - Types of fire alarm notifications systems.
- 4.1.8.1.1– Internal audible and visual alarms.
- 4.1.8.1.2– External alarm monitoring and dispatch via internet / modem, telephone, radio, or cellular monitoring systems.
- 4.1.8.2 - **Automatic Sprinkler Systems in Group E Occupancy a sprinkler system shall be provided as noted in the adopted Fire Code. Refer to the adopted Fire Code for exceptions.**
- 4.1.8.2.1 All Group E fire areas greater than 12,000 square feet in area.
- 4.1.8.2.2 Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.
- 4.1.8.3 - ~~Types of fire suppression systems~~ **Fire Protection Water Supplies.**
- 4.1.8.3.1- Fire hydrants.
- 4.1.8.3.2- Static fire water storage tanks.
- 4.1.9 **Paths Means of egress.** A continuous and unobstructed **path of vertical and horizontal egress travel from any occupied portion of a building or structure to a public way. A means of egress consists of three separate and distinct parts: the exit access, the exit and the exit discharge.** ~~path of egress from any point in the school that provides accessible routes to an area of refuge, a horizontal exit, or public way. Reference 2015 International Building Code, Chapter 2, Definitions .A facility building code analysis shall be conducted to determine all code requirements.~~
- 4.1.10 **Facilities with safely managed hazardous materials.** Potential hazardous materials in building components, which are identified in the Asbestos Hazard Emergency Response Act (AHERA) report, may include: asbestos, radon, lead, lamps and devices containing mercury. Additional hazardous materials may include: science chemicals, cleaning chemicals, blood-borne pathogens, acid neutralization tank for science departments, and bulk fuel storage (UST/AST) management that may be stored by the occupant.

- 4.1.10.1 - Public schools shall comply with all AHERA criteria and develop, maintain, and update an asbestos management plan, to be kept on record at the school district. This should include a building survey of the exterior of the building, and identification of all friable, non-friable, and trace asbestos materials. Reference regulation Number 8, Control of Hazardous Air Pollutants, 5 CCR 1001-10.
- 4.1.10.2 - All new facilities and additions shall conduct radon testing following completion of construction within nineteen months after occupancy as required by Colorado Department of Public Health and Environment, 6 CCR 1010-6.
- 4.1.10.3 - Lead based paint. All schools shall conform to the regulations adopted by the Colorado Air Quality Control Commission governing the abatement of lead-based paint from target housing (constructed prior to 1978) and child-occupied facilities, reference C.R.S. 25-5-1101.
- 4.1.11 **Security.** The degree of resistance to, or protection from, harm. It applies to any vulnerable and valuable asset; such as a person, building or dwelling. Security provides "a form of protection where a separation is created between the assets and the threat." These separations are generically called "controls," and sometimes include changes to the asset or the threat. These separations and degrees of resistance can be achieved through several models and techniques.
 - 4.1.11.1 - Video Management Systems (VMS).
 - 4.1.11.1.1 - Cameras. Video cameras are typically used to implement a video management system. In new construction, these should be internet protocol (IP) cameras on Power over Ethernet (PoE) cabling infrastructure, with color CCD, day-night operation and supplemental IR illuminators and environmental accessories as required for application, ~~high definition over coax cameras, or analog cameras.~~ Cameras should support motion activation, digital zoom and focus, ~~pan-tilt-zoom functionality,~~ and standard video compression. Fixed and pan-tilt-zoom (PTZ) cameras shall be considered to meet requirements. Consideration shall be given to cameras with integral audio microphones.
 - 4.1.11.1.2 - ~~Closed circuit or IP video recorders.~~ Monitoring & Recording Systems. - A central video management system should be capable of monitoring live feeds from multiple cameras from a central location and remote locations, recording all video, searching and reviewing recorded video, and exporting video to portable digital media. ~~to digital media. Acceptable recorders include: network video recorder (NVR), high definition composite video interface (HD-CVI), digital video recorder (DVR).~~ A minimum of 30 days of storage of all videos at 15fps (frames per second) is required.
 - 4.1.11.1.3 ~~All video management systems should be integrated into their local first responder's alert notification system.~~
 - 4.1.11.2 - Controlled Access.
 - 4.1.11.2.1 - ~~Manual.~~ General Requirements
 - 4.1.11.2.1.1 - The number of entryways into the building or onto the campus should be limited. New construction shall be designed to restrict normal entrance to only one or two locations, with no recessed doorways, provided that sufficient entryways are available for fire department access and shall conform to all applicable codes adopted by the Colorado Division of Fire Prevention and Control in 8 CCR 1507-30.

- 4.1.11.2.1.2 - All exterior doors shall be locking and equipped with panic bars to open readily from the egress side. Panic bars should utilize flush push bar hardware to prevent chaining doors shut.
 - 4.1.11.2.1.2.1 - Unless a door is intended for ingress, exterior doors should not have handles and locks on the outside. In all cases exposed hardware should be minimized, provided that sufficient entryways are available for fire department access and shall conform to all applicable codes adopted by the Colorado Division of Fire Prevention and Control in 8 CCR 1507-30.
 - 4.1.11.2.1.3 - Doors should be constructed of steel, aluminum alloy, or solid-core hardwood. If necessary, glass doors should be fully framed and equipped with burglar-resistant tempered glass. Translucent glass should be avoided in all cases.
 - 4.1.11.2.1.4 - Exit doors with panic push-bars should be "Access Control Doors" per the codes adopted by the Colorado Division of Fire Prevention and Control in 8 CCR 1507-30, to prevent easy access by criminals and vandals, or in a lock-down / lock-out situation.
 - 4.1.11.2.1.5 - Heavy-duty metal or solid-core wooden doors should be used at entrances in areas containing expensive items. These areas include classrooms, storerooms, and custodians' rooms. Interior doorway doors should also be heavy-duty metal or solid-core wooden doors.
 - 4.1.11.2.1.6 - Door hinges should have non-removable pins.
 - 4.1.11.2.1.7 - Door frames should be constructed of pry-proof material.
 - 4.1.11.2.1.8 - Armored strike plates shall be securely fastened to the door frame in direct alignment to receive the latch easily.
- 4.1.11.3 - Automated ~~Locking Mechanisms. Acceptable automated controlled access includes: automatic identification card/badge readers.~~
- 4.1.11.3.1.1 ~~Use of automated locking mechanisms (electronic access control) should be considered for exterior doors identified for entry and select interior doors associated with the main entry vestibule.~~
 - 4.1.11.3.1.2 ~~Acceptable automated electronic access control systems include RF-based proximity credential readers and biometric scanning devices. If the electronic access control systems are to be utilized the following shall apply:~~
 - 4.1.11.3.1.2.1 ~~- Faculty, staff, and administration.~~ School personnel may be issued ~~additional tools~~ credentials for authenticating their identity in order to maintain efficient access to school facilities.
 - 4.1.11.3.1.2.2 ~~Student. Schools shall expect students to carry some form of verifiable identification, if automated access to school facilities is to be provided.~~
 - 4.1.11.3.1.2.3 ~~Students are not necessarily expected to carry electronic access control credentials. During normal arrival times, electronic locking~~

systems may be disengaged via a timer while entries are monitored by school personnel.

4.1.11.3.1.2.4 All exterior doors shall utilize door position switches to notify staff of open doors and eliminate “door propping”.

4.1.11.3.1.2.5 Doors utilizing electronic access controls shall “fail secure” from the unsecure side. Free egress shall not be inhibited from the secure side in any scenario.

4.1.11.4 Manual Locking Devices

4.1.11.4.1 Use of a manual locking mechanism, such as traditional cylinder and key locks, should be provided for all interior doors requiring access control.

4.1.11.4.2 Manual and Electronic access control should not be used on the same door.

4.1.11.5 Emergency Lockdown

4.1.11.5.1 All exterior doors shall be able to be quickly and automatically secured from a position of safety (Administrative desk, Principal's office, etc) without traveling to each individual exterior door.

4.1.11.5.2 Interior doors to occupied spaces shall be capable of quickly being secured from the inside by school personnel. Locking of doors may be done via manual deadbolt or automatic locking mechanism. Locking mechanism shall not interfere with automatic closing and latching functions required by the fire code and may have door sidelights, or door vision glass that allow line of sight into the corridors during emergencies, and shall conform to all applicable codes adopted by the Colorado Division of Fire Prevention and Control in 8 CCR 1507-30.

4.1.11.6 Intrusion Detection

4.1.11.6.1 A system shall be put in place to identify, alarm, and notify authorities in the case of unauthorized entry.

4.1.11.7 Alarm System

Passive infrared (PIR) sensors shall be located interior to all building entries to monitor human movement.

4.1.11.7.1.1 – An alarm keypad shall be located at selected building entries to arm and disarm the intrusion detection system.

4.1.11.7.1.2 – A manual alarm device shall be located in a position of safety (Administrative desk, Principal's office, etc.) to force intrusion detection system into alarm status.

4.1.11.7.1.3 – The intrusion detection shall notify local authorities or monitoring company upon alarm status.

4.1.11.8 Security Integration

4.1.11.8.1 The Video Management System (VMS), Access Control System, and Intrusion Detection System may be components of an integrated security solution.

4.1.11.9 - ~~Front door security~~ Main Entry Physical Security

4.1.11.9.1 - Building vestibules. Where appropriate, buildings shall employ double entry door designs that provide a secured area for visitors to authenticate and gain clearance. Known as “man traps”, security vestibules solve several common security issues such as students opening doors for visitors, visitors bypassing check-in points, direct access to the interior from attackers, piggy-back entrances, and propped doors.

4.1.11.9.2 - Video based entrance intercom systems. Building designs shall allow for school personnel to be able to monitor incoming visitors from a safe location out of reach, or line of sight from incoming visitors who have not yet been authenticated or cleared for entry. These entry points shall use remote video and access control technology to conduct multi-factor authentication of incoming visitors (e.g. visual verification and ID, PIN/password and ID, or biometric and other form of visual identification).

4.1.11.9.2.1 - Video based entrance systems shall use IP technology to allow access control to be conducted by school personnel from multiple locations, so that multiple personnel can provide coverage for screening incoming visitors. ~~, eliminating entry system override or “door propping”.~~

4.1.11.9.2.2 - ~~Video entrance systems shall be integrated with school communication, alarm, or school database systems to allow personnel to screen visitors.~~

4.1.11.9.3 - Line of sight. The front entrance should be designed to maximize the line of sight distance for school occupants to detect an intruder from each relevant perimeter (e.g. classroom to hallway, office or guard station to entryway, or entryway to exterior fence access, or exterior fence access to property perimeter).

4.1.11.10 - ~~Door lock / intrusion detection. Doors should have sufficient data cabling to a central interim distribution frame (IDF) or master distribution frame (MDF) to support access control/door release mechanisms, door sensors, IP Authentication sensors, and/or IP surveillance cameras as well as power cabling sufficient to support such hardware.~~

~~4.1.11.10.1 Interior classroom doors shall have locking hardware for lock downs, which does not interfere with automatic closing and latching functions required by the fire code and may have door sidelights, or door vision glass that allow line of sight into the corridors during emergencies, and shall conform to all applicable codes adopted by the Colorado Division of Fire Prevention and Control in 8 CCR 1507-30.~~

4.1.11.11 - Event alerting and notification (EAN) system. An EAN system that utilizes an intercom / phone system with communication devices located in all classrooms and throughout the school to provide efficient inter-school communications, and communication with local fire, police, and medical agencies during emergency situations.

4.1.11.12 - Secure sites should include the following:

4.1.11.12.1 - Locations to avoid.

4.1.11.12.2 - Location of utilities.

- 4.1.11.12.3 - Roof access.
 - 4.1.11.12.4 - Lighted walkways.
 - 4.1.11.12.5 - Secured playgrounds.
 - 4.1.11.12.6 - Bollards at main entrances and shop areas with overhead doors.
 - 4.1.11.12.7 - Signage.
- 4.1.12 **Health code standards.** Schools, including labs, shops, vocational and other areas with hazardous substances shall conform to the Department Of Public Health and Environment, [Division of Environmental Health and Sustainability, 6 CCR 1010-6 Rules and Regulations Governing Schools in the State of Colorado. ~~Rules and Regulations Governing Schools: 6 CCR 1010-6.~~](#)
- 4.1.13 **Food preparation equipment and maintenance.** Food preparation and associated facilities equipped and maintained to provide sanitary facilities for the preparation, distribution, and storage of food as required by Department Of Public Health And Environment, [Division of Environmental Health and Sustainability, 6 CCR 1010-6 Rules and Regulations Governing Schools in the State of Colorado. ~~Rules and Regulations Governing Schools Consumer Protection Division, Colorado Retail Food Establishments Rules and Regulations: 6 CCR 1010-2.~~](#)
- 4.1.14 **Health Emergency care room.** A separate [health emergency](#) care room shall be provided and ~~This room shall have a dedicated bathroom, and~~ shall comply with the Department Of Public Health and Environment, [Division of Environmental Health and Sustainability, 6 CCR 1010-6 Rules and Regulations Governing Schools in the State of Colorado. ~~Rules and Regulations Governing Schools 6 CCR 1010-6.~~](#)
- 4.1.15 **A site that safely separates pedestrian and vehicular traffic and is laid out with the following guidelines:**
- 4.1.15.1 - Physical routes for basic modes (busses, cars, pedestrians, and bicycles) of traffic should be separated as much as possible from each other. If schools are located on busy streets and/or high traffic intersections, coordinate with the applicable municipality or county to provide for adequate signage, traffic lights, and crosswalk signals to assist school traffic in entering the regular traffic flow.
 - 4.1.15.2 - When possible, provide a dedicated bus staging and unloading area located away from students, staff, and visitor parking.
 - 4.1.15.3 - Provide an adequate driveway zone for stacking cars on site for parent drop-off/pick-up zones. Drop-off area design should not require backward movement by vehicles, and be one-way in a counterclockwise direction where students are loaded and unloaded directly to the curb/sidewalk. Students should not have to load or unload where they have to cross a vehicle path before entering the building. It is recommended all loading areas have “No Parking” signs posted.
 - 4.1.15.4 - Provide well-maintained sidewalks and a designated safe path leading to the school entrance(s).

4.1.15.5 - Building service loading areas and docks should be independent from other traffic and pedestrian crosswalks. If possible, loading areas shall be located away from school pedestrian entries.

4.1.15.6 - Facilities should provide bicycle access and storage **if appropriate**.

4.1.15.7 - Fire lanes shall conform to all applicable codes adopted by the Colorado Division of Fire Prevention and Control in 8 CCR 1507-30 **or the local fire department. Local fire department must adhere to the codes adopted by DFPC.**

4.1.15.8 - Playgrounds shall comply with the **ICC A117.1-2009 Accessible and Usable Buildings and Facilities** and shall conform to all applicable codes adopted by the Colorado Division of Fire Prevention and Control in 8 CCR 1507-30.

4.1.16 **Severe weather preparedness.**

4.1.16.1 - Designated emergency shelters ~~shall be constructed as category IV buildings and~~ shall conform to all applicable codes adopted by the Colorado Division of Fire Prevention and Control in 8 CCR 1507-30 and ICC 500.

4.2 Technology, including but not limited to telecommunications and internet connectivity technology and technology for individual student learning and classroom instruction.

4.2.1 Educational facilities for individual student learning, classroom instruction, online instruction and associated technologies, connected to the Colorado institutions of higher education distant learning networks "Internet" and "Internet two."

~~4.2.2 Educational facilities with standards-based wired and wireless network connectivity.~~

4.2.2 Educational facilities shall be supplied with standards-based wired and wireless network connectivity.

4.2.3 Security and associated filtering and intrusion control for internal voice, video and data networks **shall be provided.**

4.2.4 External internet service provider (ISP) connection and internal wide area network (WAN) connections meeting or exceeding recommended guidelines of the state education technology education directors association (SETDA) broadband imperative, and devices meeting or exceeding recommended specifications according to the most current version of technology guidelines for the partnership for assessment of readiness for college and careers (PARCC) assessments.

4.2.5 Provide school administrative offices with web-based activity access.

~~4.2.6 Administrative software individual educational programs (IEP), individual learning programs (ILP), and personal learning plans (PLP).~~

~~4.2.7 Emergency power backup, redundant a/c for voice, video and data systems.~~

~~4.2.8 Bi-Directional Amplification (BDA). Signal boosters that enhance in-building signals across a range of frequencies.~~

4.2.9 Building shall be constructed with long-term sustainable technology infrastructure. Facilities should be built with sufficient data cabling and/or conduit and power infrastructure to allow for maximum flexibility as technological systems are upgraded and replaced in the future. A plan for technology lifecycle review intervals should be put in place for review at 2-4 year intervals.

4.2.9.1 **Applicable Standards.** The design and installation of technology systems shall comply with:

4.2.9.1.1 ANSI/TIA/EIA-568-C

4.2.9.1.2 ANSI/TIA/EIA-569

4.2.9.1.3 ANSI/TIA/EIA-606-B

4.2.9.1.4 ANSI/TIA/EIA-607-B

4.2.9.1.5 ANSI/BICSI 001-2009, Information Transport Systems Design Standard for K-12 Educational Institutions

~~4.2.10—Data center and non-data centers—~~Telecom Equipment Rooms

4.2.10.1 - Uninterruptible power ~~center~~ supplies (UPS). ~~IDF and MDF locations should be wired with 30 Amp or 40 Amp power circuits to support sufficient backup power systems to maintain secure systems operation during a power outage, or intentional school attack.~~ Telecom Rooms (TRs) and Equipment Rooms (ERs) shall be provided with UPS equipment to provide continuous clean power to communications systems for a minimum of 90 minutes.

4.2.10.1.1 - ~~Data center and non-data centers should be backed up by a generator.~~

4.2.10.2 Generators. A backup generator shall be considered for providing backup power to telecommunications systems of backup power is required beyond 9 minutes, or if the generator is already located for other purposes.

4.2.10.3 Heating, Ventilation and Air Conditioning (HVAC). Mechanical equipment shall be used to accommodate heating loads within TRs and ERs. Ventilation-only systems may be used in spaces with limited equipment, active cooling systems should be considered for larger rooms. Maintained space temperatures shall target 65 degrees F. peak space temperatures shall not exceed 90 degrees F.

4.2.10.3.1 Direct evaporative cooling systems shall not be used, due to lack of control on humidity levels.

4.2.10.4 Alarms shall be provided to notify assigned school personnel if environmental conditions approach or exceed bounds of operational conditions.

4.2.11 Connectivity standards.

4.2.11.1 - Wireless. Data cabling shall be planned to support appropriately spaced multiple-antenna wireless networking infrastructure allowing for ~~a centrally located antenna every 2500 to 5000 square feet (or preferably performing a professional site survey/ resonance analysis)~~ wireless access points to support expected quantity of connected devices and required bandwidth. Support for 802.11b/g/n, 802.11ac, and/or newer protocols are recommended.

4.2.11.2 - Wired.

4.2.11.2.1 - Cabling. All new runs of copper data cable should be ~~augmented—category~~ Category 6 cable or newer standards. Any data ~~jack outlet~~ should be ~~backed~~ supplied by two cables ~~runs~~. Unshielded twisted pair (UTP) shall be used unless local conditions warrant otherwise.

4.2.11.2.2 - ~~Intermediate distribution frame (IDF) or Main distribution frame (MDF).~~ Telecom Rooms (TRs) and Equipment Rooms (ERs). ~~Data closets~~ TRs and ERs shall be connected by conduit and a combination of copper and fiber optic cable to allow for maximum data performance and upgradeability.

4.2.11.2.3 - ~~IDF or MDF TR~~ to classroom. Classrooms should have a data ~~jack outlet~~ on the wall at the front and back of the room ~~as well as data cable to the door for access control and a data jack on the ceiling near the front of the room for projection and/or smart board equipment as well as security/PA/clock devices~~ at a minimum for network/ internet access.

Additional cabling may be warranted for security, audiovisual and special systems purposes.

4.2.11.2.4 - ~~IDF TR~~ to office, and library or technology/media centers. Any areas designed for independent work or study should have a dedicated data-jack outlet with two copper cable runs each.

4.2.11.2.5 - ~~IDF TR~~ to common areas, auditorium, and cafeteria. Common areas should contain ~~one data jack per forty feet of linear wall space and such jacks shall be distributed at reasonably equal spacing throughout the room~~ data outlets located as required to support program and curriculum requirements.

4.3 Building site requirements. Functionality of existing and planned public school facilities for core educational programs, particularly those educational programs for which the State Board has adopted state model content standards. Capacity of existing and planned public school facilities, taking into consideration potential expansion of services for the benefit of students such as full-day kindergarten and preschool- and school-based health services and programs.

4.3.1 Traditional education model, S.T.E.M. & Montessori / Expeditionary education models.

4.3.1.1 - Minimum occupancy requirements for schools:

Median Gross Square Foot (GSF) Per Pupil								
F.T.E.s	Traditional ES (K-5)		Traditional MS (6-8)		Traditional HS (9-12)		Traditional K-12	
	GSF/Pupil	Total GSF	GSF/Pupil	Total GSF	GSF/Pupil	Total GSF	GSF/Pupil	Total GSF
100	151	15,064	161	16,102	192	19,183	164	16,393
200	146	29,197	159	31,813	190	38,030	161	32,298
300	141	42,401	157	47,136	188	56,540	159	47,715
400	137	54,674	155	62,068	187	74,713	157	62,645
500	132	66,017	153	76,610	185	92,550	154	77,087
600	127	76,429	151	90,763	183	110,050	152	91,041
700	123	85,912	149	104,526	182	127,214	149	104,508
800	118	94,464	147	117,899	180	144,041	147	117,488
900	113	102,086	145	130,883	178	160,531	144	129,979
1000	109	108,778	143	143,476	177	176,685	142	141,984
1100	104	114,540	142	155,680	175	192,502	140	153,500
1200	99	119,371	140	167,494	173	207,982	137	164,529

Median Gross Square Foot Per Pupil - Alternate Programs (Expeditionary (Exp.), Montessori (Mtsri.), S.T.E.M.)												
F.T.E.s	Alt. ES (GSF/Pupil)			Alt. MS (GSF/Pupil)			Alt. HS (GSF/Pupil)			Alt. K12 (GSF/Pupil)		
	Exp.	Mtsri.	S.T.E.M.	Exp.	Mtsri.	S.T.E.M.	Exp.	Mtsri.	S.T.E.M.	Exp.	Mtsri.	S.T.E.M.
100	160	161	156	171	169	166	203	198	201	174	172	180
200	155	156	151	169	167	164	202	196	199	171	170	177
300	150	151	146	167	165	162	200	194	197	169	167	175
400	145	146	141	164	163	160	198	192	195	166	164	172
500	140	141	137	162	161	158	196	191	194	163	162	169
600	135	136	132	160	159	156	194	189	192	161	159	167
700	130	131	127	158	157	154	193	187	190	158	157	164
800	125	126	122	156	155	152	191	185	188	156	154	161
900	120	121	117	154	153	150	189	184	187	153	152	159
1000	115	116	113	152	151	148	187	182	185	151	149	156
1100	110	111	108	150	149	146	186	180	183	148	146	153
1200	105	106	103	148	147	144	184	179	181	145	144	151

Square Foot Values - Assembly								
F.T.E.s	ES Assembly		MS Assembly		HS Assembly		K12 Assembly	
	Cafeteria	Auditorium	Cafeteria	Auditorium	Cafeteria	Auditorium	Cafeteria	Auditorium
100	675	1,300	675	1,500	675	1,700	675	1,700
200	1,200	1,600	1,200	1,800	1,200	2,000	1,200	2,000
300	1,800	1,900	1,800	2,100	1,800	2,300	1,800	2,300
400	2,400	2,400	2,400	2,600	2,400	2,800	2,400	2,800
500	3,000	2,700	3,000	2,900	3,000	3,100	3,000	3,100
600	3,600	3,000	3,600	3,200	3,600	3,400	3,600	3,400
700	4,200	3,900	4,200	3,900	4,200	3,900	4,200	3,900
800	4,800	4,200	4,800	4,200	4,800	4,200	4,800	4,200
900	5,400	4,500	5,400	4,500	5,400	4,500	5,400	4,500
1000	6,000	4,800	6,000	4,800	6,000	4,800	6,000	4,800
1100	6,600	5,100	6,600	5,100	6,600	5,100	6,600	5,100
1200	7,200	5,400	7,200	5,400	7,200	5,400	7,200	5,400

- Cafeteria Capacity assumes three (3) seatings without a secondary function overlay.

- Auditorium Capacity SF is sized for 1/3 of General enrollment and is inclusive of stage (size varies: 1,000 to 1,800); Basis is 9 SF per seat (1/3 FTES) plus stage at various sizes, stage includes a small amount of storage or similar support.

Square Foot (SF) Values - Core Classrooms (Minimum (Min) classroom size = 675 sf)								
F.T.E.s	ES Min (24-30 FTES)		MS Min (24-30 FTES)		HS Min (24-30 FTES)		K12 Min (24-30 FTES)	
	SF/Pupil	Total SF	SF/Pupil	Total SF	SF/Pupil	Total SF	SF/Pupil	Total SF
Kindergarten	38	1,140	-	-	-	-	38	1,140
Grade 1	32	960	-	-	-	-	32	960
Grade 2	32	960	-	-	-	-	32	960
Grade 3	32	960	-	-	-	-	32	960
Grade 4	30	900	-	-	-	-	30	900
Grade 5	30	900	-	-	-	-	30	900
Grade 6	-	-	30	900	-	-	30	900
Grade 7	-	-	28	840	-	-	28	840
Grade 8	-	-	28	840	-	-	28	840
Grade 9	-	-	-	-	28	840	28	840
Grade 10	-	-	-	-	28	840	28	840
Grade 11	-	-	-	-	28	840	28	840
Grade 12	-	-	-	-	28	840	28	840
Montessori	40	1,200	40	1,200	40	1,200	40	1,200
Expeditionary	36	1,080	36	1,080	36	1,080	36	1,080

Square Foot (SF) Values - Exploratory Spaces (minimum size = 675 sf)								
F.T.E.s	ES Min (24-30 F.T.E.s)		MS Min (24-30 F.T.E.s)		HS Min (24-30 F.T.E.s)		K12 Min (24-30 F.T.E.s)	
	SF/Pupil	Total SF	SF/Pupil	Total SF	SF/Pupil	Total SF	SF/Pupil	Total SF
Comp/Tech	30		32	-	32	-	32	
Music	35		35	-	35	-	35	
Science	38		40		44		44	
Lecture	28		28		28		28	
Art	35		40		45		45	
Gym / MP	3,000 SF (50'x60')		5,400 SF (60'x90')		7,300 SF (70'x104')		7,300 SF (70'x104')	
Special Ed	37		37		37		37	
VoAg	-	-	-	-	60	-	60	-
Media Center	1200 sf (30 occ)		2400 sf (60 occ)		3600 sf (60 occ)		3600 sf (60 occ)	
"Gymnasium"	4,400 SF (See notes)		4,400 SF (See notes)		-		-	

- ES Gymnasium basis is 50'X60' play area; Capacity Assumes (GE*.25)/7 periods (without fixed seats)

- MS Gymnasium basis is 60'X90' play area; Capacity Assumes (GE*.5)/7 periods (without fixed seats)

- HS Gymnasium basis is 70'X104' practice gym; Capacity Assumes (GE*.5)/7 periods (with limited fixed seats) Note: National Federation of State High School Association's standards outline an "ideal" court for high school age as 84'x50' (and not greater than 94'x50')

- "Gymnasium" basis is 50'x60' play area and 1000 SF platform stage with 400 SF storage

Instructor / Support Areas		
Space Type:	Square Feet	Notes:
Office - typical	120	
Office - large	150	
Work room	250	Multiple individual (or in aggregate) may be required due to scale
Team planning (conf)	240	12-16 occupants (assembly use)
Instruction - sm group	320	16 occupants (classroom use)
Storage	50	Ave per instructor
Staff toilets	50	Multiple may be required due to scale

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4.3.2 Other rooms.

4.3.2.1 - Facilities with preschools shall comply with Rules Regulating Child Care Centers (Less Than 24-Hour Care) 12 CCR 2509-8 and shall comply with the Colorado Department of Public Health and Safety's Regulations Governing Child Care, 6 CCR 1010-7.

4.3.2.2- Special education classrooms. Special Education classrooms and facilities meeting or exceeding the accessibility and adaptive needs of the current and reasonably anticipated student population, in accordance with Section 504 and Title II of the Americans with Disabilities Act, the Exceptional Children's Educational Act, and Individuals with Disabilities Education Act.

4.4 Building performance standards and guidelines for green building and energy efficiency.

Section 24-30-1305.5 C.R.S., requires all new facilities, additions, and renovation projects funded with 25% or more of state funds to conform with the High Performance Certification Program (HPCP) policy adopted by the Office of the State Architect (OSA) if:

- The new facility, addition, or renovation project contains 5,000 or more building square feet; and
- The project includes an HVAC system; and
- If increased initial cost resulting from HPCP can be recouped by decreased operational costs within 15 years, and
- In the case of a renovation project, the cost of the renovation exceeds 25% of the current value of the property.

4.4.1 High Performance Certification Programs.

4.4.1.1 The Department of Personnel and Administration, Office of the State Architect has determined the following three guidelines as meeting the High Performance Certification Program (HPCP) requirements per C.R.S.24-30-1305.5; the U.S. Green Building Council, Leadership in Energy and Environmental Design – New Construction (USGBC LEED™-NC) guideline with Gold as the targeted certification level; and the Green Building Initiative (GBI), Green Globes guideline with Three Globes the targeted certification level; and for the Colorado Department of Education, K-12 construction, the Collaborative for High Performance Schools (US-CHPS) is an optional guideline with Verified Leader as the targeted certification level.

4.4.1.2 – LEED, or Leadership in Energy and Environmental Design (~~LEED~~) (for schools) is a globally recognized symbol of excellence in green building. ~~LEED, or LeadReference LEED 2009 for Schools New Construction and Major Renovations.~~

4.4.1.2.1 LEED is an internationally recognized certification system that measures a building using several metrics, including: energy savings, water efficiency, sustainable land use, improved air quality, and stewardship of natural resources.

4.4.1.2.2 Points are awarded on a 100-point scale, and credits are weighted to reflect their potential environmental impacts. Different levels of certification are granted based on the total number of earned points. The four progressive levels of certification from lowest to highest are: certified, silver, gold and platinum.

4.4.1.3 United States Collaborative for High Performance Schools (US-CHPS).- ~~Priority Outcomes of the CHPS National Core Criteria~~ US-CHPS reflects the three priority outcomes of the Core Criteria. These are, in order of importance.

~~4.4.1.3.1 Maximize the health and performance of students and staff.~~

~~4.4.1.3.2 Conserve energy, water and other resources in order to save precious operating dollars.~~

~~4.4.1.3.3 Minimize material waste, pollution and environmental degradation created by a school.~~

~~4.4.1.3.4 The CHPS National Technical Committee has weighted the available point totals for prerequisites and credits in seven categories to reflect these three priorities.~~

~~4.4.1.3.5 The US-CHPS Criteria is a benchmarking system that defines the attributes of a high performance school. The criteria addresses site and materials selection, energy and water efficiency, indoor environmental quality, innovation, performance, and integrated delivery, and provide high performance school strategies that can be used by schools and districts and their design teams for new campuses, buildings and major modernizations.~~

~~4.4.1.3.6 The CO-CHPS Criteria for New Construction and Major Modernizations (2009) requires the project achieves a 25% reduction in total energy cost savings compared to ASHRAE 90.1-2013 Energy Standard for Buildings Except Low-Rise Residential Buildings, set an ENERGY STAR goal of at least 75, and use the resulting site Energy Use Intensity (EUI) as a performance target and utilize the Flex Energy design tool.~~

4.4.2 Renewable energy strategies.

4.4.2.1 - Solar Photovoltaic / Solar Thermal.

4.4.2.2 - Geothermal / Geo exchange.

4.4.2.3 - Wind.

4.4.2.4 - Passive Solar Design.

4.4.3 Energy management plan.

4.4.3.1 - Energy programs assist with creating a culture of energy efficiency within a school. Reference Energy Star Guidelines for Energy Management to help develop a plan.

4.4.4 Other energy efficient options.

4.4.4.1 - ENERGY STAR Labeled HVAC / mechanical systems.

4.4.4.2 - Windows, doors, and skylights (collectively known as fenestration).

4.4.4.3 - Building Envelope.

4.4.4.3.1- The interface between the interior of the building and the outdoor environment, including the walls, roof, and foundation – serves as a thermal barrier and plays an important role in determining the amount of energy necessary to maintain a comfortable indoor environment relative to the outside environment.

4.4.4.3.2- Roof. Roof design and materials can reduce the amount of air conditioning required in hot climates by increasing the amount of solar heat that is reflected, rather than absorbed, by the roof. For example, roofs that qualify for ENERGY STAR® are estimated to reduce the demand for peak cooling by 10 to 15 percent.

4.4.4.3.3- Insulation is important throughout the building envelope.

4.4.4.4 - Lighting.

4.4.4.4.1 - Light emitting diodes (LEDs), compact fluorescents (CFLs) and fluorescent lighting should be considered over traditional incandescent lighting.

4.4.4.5 - Commissioning, retro commissioning and re-commissioning.

4.4.4.5.1 - Commissioning ensures that a new building operates initially as the owner intended and that building staff are prepared to operate and maintain its systems and equipment.

4.4.4.5.2 - Retro commissioning is the application of the commissioning process to existing buildings.

4.4.4.5.3 - Re-commissioning is another type of commissioning that occurs when a building that has already been commissioned, undergoes another commissioning process.

4.4.4.6 - Measurement and verification. Measurement and verification (M&V) is the term given to the process for quantifying savings delivered by an Energy Conservation Measure (ECM), as well as the sub-sector of the energy industry involved with this practice. M & V demonstrates how much energy the ECM has avoided using, rather than the total cost saved.

4.4.5 - **Landscaping**

4.4.5.1.1 Irrigation: Consider water management which could include reducing storm-water run-off, preventing erosion and decreasing the effects of soil expansion.

4.4.5.1.2 Plant Materials: Consider Native materials, Xeriscaping.

4.4.5.1.3 Grass/ Sod Areas: Consider use of grass/ sod areas, consider water use, alternate options if planting sports fields.

4.4.6 – **Permitting**

4.4.6.1 Application for public school construction projects permits can be made at the DFPC website, www.colorado.gov/dfpc > Sections >_Fire & Life Safety > Permits and Construction > School Construction.

4.4.6.2 If a local building department has entered into a memorandum of understanding (MOU) with DFPC, that local building department is considered a Prequalified Building Department (PBD). A School District may, at its discretion, choose to apply for permit through DFPC or the PBD that has jurisdiction of construction projects for the location of the school construction project. The list of PBD' is available on the DFPC website, School Construction.

4.5 The historic significance of existing public school facilities and their potential to meet current programming needs by rehabilitating such facilities.

4.5.1 Buildings that are 50 years or older at the time of application may be subject to the State Register Act 24-80.1-101 to 108 in determining if the affected properties have historical significance.

4.5.1.1 - Historical significance means having importance in the history, architecture, archaeology, or culture of this state or any political subdivision thereof or of the United States, as determined by the state historical society.

4.5.2 When determining if a facility should be replaced, the cost to rehabilitate versus the cost to replace should be evaluated.