

County School Facilities Consortium

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February 1, 2013

The Honorable Joan Buchanan
Chair, State Allocation Board Program Review Subcommittee
California State Assembly
State Capitol, Room 2148
Sacramento, CA 95814

Dear Assembly Member Buchanan:

On behalf of the County School Facilities Consortium (CSFC), an organization made up of 34 of California's county offices of education (COE) focused on school facilities, I am writing to provide our input in anticipation of the February 5, 2013 State Allocation Board (SAB) Program Review Hearing.

It is CSFC's understanding that the upcoming meeting is to be focused on the COE role within the State School Facility Program (SFP) and the Financial Hardship (FH) program.

In that spirit we are pleased to share background information, as well as more recent data on COE projects currently being constructed under the SFP.

As you know, COEs meet the needs of those students who are outside of the educational programs and services of their local school districts. When economic or technical conditions make county or regional services most appropriate for students, county offices provide a wide range of services, including special and vocational education, programs for youths at risk of failure, and instruction in juvenile detention facilities.

COEs also work with the school districts within their boundaries to ensure they are providing students with the best educational programs and services possible and remaining financially solvent in the process.

The programs, and therefore students, COEs often serve include:

Special Education: Special Needs, Severe and Non-Severe with state and federal laws of inclusion;

Alternative Education: For the purposes of the SFP "Alternative Education" means community day, county community, county community day, and continuation high schools. Community day schools are supported by supplemental apportionment for extended community day school attendance, in addition to base revenue funding.

Legislative Advocate:

Anna Ferrera
Murdoch, Walrath & Holmes
1130 K Street, Suite 210
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Community Day: Schools for students who have been expelled from school or who have had problems with attendance or behavior. COEs arrange programs and schedules accordingly. Community day schools are intended to have low student-teacher ratios, which are commonly determined in the collective bargaining process. Students benefit from learning support services that include school counselors and psychologists, academic and vocational counselors, and pupil discipline personnel. Students also receive collaborative services from school districts, law enforcement, probation, and human services agency personnel who work with at-risk youth.

Continuation: Continuation education provides a high school diploma program that meets the needs of students of ages sixteen to eighteen who have not graduated from high school, are not exempt from compulsory school attendance, and are deemed at risk of not completing their education.

County Community: These schools are public schools that are run by county offices of education. They educate students in kindergarten through grade twelve who are expelled from school or who are referred because of attendance or behavior problems. They also serve students who are homeless, on probation or parole, and who are not attending any school. Parents or guardians also may request that their child attend a county community school.

County Community Day: These schools are schools for students who have been expelled from school or who have had problems with attendance or behavior. They are run by school districts or county offices of education.

COE Audit Function

The county superintendent is responsible for examining and approving school district budgets and expenditures.

The passage of Assembly Bill 1200 (1991) gave the county superintendent additional powers to enforce sound budgeting to ensure the fiscal integrity of the district. The superintendent is also responsible for calling school district elections and assisting with school district emergencies by providing necessary services. In addition, several statutes now give county offices of education responsibility for monitoring districts for adequate textbooks, facilities, and teacher qualifications.

Local Contribution: COEs and Local Bonds

The Education Code does not provide COEs with the authority to issue bonds for this purpose per the code section 15276. Code sections that provide authority to the governing boards of school districts and community college districts, and to no other entity, to issue bonds for the purposes of school construction are in sections: 15100, 15264, and 15266.

Education Code 15276 states: “Notwithstanding any other provision of law, a county office of education may not order an election to determine whether bonds may be issued under this article to raise funds for a county office of education.”

Financial Hardship

Financial Hardship status allows a district or COE to request *up to* 100 percent state funding for their project. Financial Hardship status is reviewed by OPSC for continued FH status every six months.

Given that COEs are unable to issue local bonds and do not receive developer fees for school facility construction, the state has allowed COEs to qualify *ipso facto* for Financial Hardship status. However, not all county offices apply for Financial Hardship, nor do they all build or modernize under this status.

Data on Recent COE Projects:

Attached are data collected in a quick survey of our members in anticipation of this hearing. We hope you find it useful.

Sincerely,



Anna Ferrera
Executive Director

AF:ad



MENDOCINO COUNTY OFFICE OF EDUCATION

PAUL A. TICHININ, SUPERINTENDENT OF SCHOOLS

2240 Old River Road • Ukiah, CA 95482-6156 • 707 467-5000 • Fax 707 462-0379

Anna Ferrera
County Schools Facilities Coalition

Dear Anna,

In response to your request for information regarding our participation in the state's School Facilities Program, I offer the following narrative.

Our county office has historically constructed needed facilities by setting aside a portion of each program dollar sometimes combining them with redevelopment funds. Once enough money was saved, facilities could be constructed. That was possible back in the days when ROP (now CTE) and Alternative Education programs received adequate funding.

Two years ago we began the process to apply for an SFP Modernization Grant to assist in the reconstruction of a tiny Community School campus. The campus consists of one 3600 square foot modular classroom building, on piers, that was installed in 1974 (almost 40 years ago) and several non-Field Act bungalows constructed over the years by ROP students.

These buildings are substandard compared to contemporary classrooms and they do not support 21 Century educational strategies or inspire the students to improve their performance.

Our project would demolish everything on the site, construct a basketball court, a very small parking area and install two high performance modular buildings with a total of 5844 square feet. This will nearly exactly duplicate the existing space but with conforming structures. The structures will house two classrooms, a real multipurpose area, counseling rooms and office space for support personnel. The total budget for the project is \$ 2,027,422.

The funding budget for the project is:

SFP Funding

SFP Modernization (30 pupil grants)	\$ 180,000	just	8.9%
High Performance Base grant	250,000		
High Performance Incentive grant	20,000		
Total State contribution	\$ 450,000	or	22%

MCOE Funds

Deferred Maintenance	1, 152,422		
Internal loan repaid by Alt Ed Program	425,000		
Total MCOE Contribution	\$ 1,577,422	or	78%

Grand Total **\$ 2,027,422**

As you can see, state modernization funding represents less than 9% of the total budget. Clearly the current funding formulas do not support the needs of students in counties with small programs. Yet the process to apply for the funding and the delays caused by the process are equal to those for large projects serving larger populations. If we had chosen to apply for Financial Hardship funding, the administrative effort would have increased significantly and the amount of money available to us would have been totally inadequate.

We would like to see a system that would fund the stated percentage of the actual costs of a complete school. Historically, the first obstacle has been for OPSC to define a complete school. The CDE has a review process to determine if a proposed project meets the student's educational needs and it does allow some flexibility for the peculiarities of local situations. Perhaps the two agencies could collaborate on a definition that would be common between them. That would remove some of the current administrative redundancy and regulatory conflict.

The second challenge is then to provide adequate financial support to reach that basic level of facilities. For small programs, a basic minimum grant plus a per-pupil grant might provide a more equitable funding formula.

I regret that these comments are late and I have limited experience with the program. However since our project application was received by OPSC 7 days before the program was closed to new applications; we continue to persevere until the last bond dollar is spent. I still have hope that our project will receive its small share and that our students will eventually have 21st century facilities that will inspire them to excel in their education.

Please contact me if I may be of any further assistance.

Sincerely



Stephen Turner
Director of Maintenance & Operations

CC: Paul Tichinin, County Superintendent
Vicki Todd, Associate Superintendent



MENDOCINO COUNTY OFFICE OF EDUCATION

PAUL A. TICHININ, SUPERINTENDENT OF SCHOOLS

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MCOE Community School Modernization Project



Front entrance and recreation area



Probation Officer's Office and Multipurpose Room



Classrooms on left and counselor's offices in far bungalow & trailer,

SAB Program Review Subcommittee Meeting on February 5, 2013

County Office of Education: Fresno

Contact: Jeff Becker, Director of Facilities & Operations

Email: jbecker@fcoe.org

An overview of your COE's facilities program:

FCOE has 300,000 square feet of facility space consisting of: administrative space (150,000) sf, 3 special education centers (30 crs, 55,000 sf), 2 community schools (18 crs, 43,000 sf), 26 special day classrooms (SDC) classrooms owned by FCOE but located on district campuses (35,000sf), 18 SDC classrooms provided by districts (17,000 sf). FCOE also operates a 147 acre outdoor education center. SFP Participation: FCOE has completed five new construction projects (1 local match and 4 financial hardship), three modernization projects (all financial hardship), and has one local match new construction project on the acknowledged list.

Some specific examples of completed work:

Modernization Projects

Project Name	Date Built	Total Funding	Construction Budget (Hard Costs)	District Contribution	Population Served	Regulatory Scope (Fire, Life/Safety, Access, Structural)	Core Improvements	Educational Program / Core Improvements	Aesthetics	Technology
Ramacher Education Complex Modernization	2010	\$1,394,744 (incl. deferred maintenance)	\$ 1,122,114	\$299,297 (deferred maint.)	SDC - Severe	ADA, Fire and Life Safety	HVAC, roofing	Minimal	New architectural finishes	Intercom, data cabling
Comments: Special Education center for severe students. District contribution is deferred maintenance money. Six classrooms, MPR, warming kitchen, admin space. Budget allowed upgrade of fire and life safety and ADA to current code, new architectural finishes, and minimal educational program improvements. Technology improvements include new data cabling and intercom/PA system for campus.										
Monte Vista School Modernization	2008	\$1,435,959 (incl. deferred maintenance)	\$ 1,176,403	\$646,855 (deferred maint.)	SDC - Severe	ADA, Fire and Life Safety	HVAC, roofing	Minimal	New architectural finishes	Intercom, data cabling
Comments: Special Education center for severe students adjacent to traditional K-6 school. District contribution is deferred maintenance money. Eight classrooms, MPR, warming kitchen, admin space. Budget allowed upgrade of fire and life safety and ADA to current code, new architectural finishes, and minimal educational program improvements. Small restrooms in classrooms could not be upgraded due to budget and ADA requirements. Technology improvements include new data cabling and intercom/PA system for campus.										

New Construction Projects

Project Name	Date Built	Total Funding	Construction Budget (Hard Costs)	District Contribution	Population Served	Number of CRs	Medical Therapy Unit	Multi-purpose	Library	Administrative Space
Ramacher Addition	2003	\$ 2,381,135	\$ 1,975,258	\$ -	SDC - Severe	4	NA	No	No	No
Comments: Permanent portable project - 4 SDC-severe classrooms (1,440 square feet each), admin space (1,440 square feet), restroom (480 square feet), playground, parking, site drainage pond. All buildings are modular construction on permanent foundation and stucco in place with built up roofing system installed after placing buildings.										
Jefferson Elementary Classroom	2006	\$ 253,857	\$ 193,985	\$ 125,707	SDC - Severe	1	NA	No	No	No
Comments: Permanent portable - 1 SDC severe classroom (1,440 square feet), internal restroom and kitchenette. Building is modular construction on permanent foundation with wood siding. District contribution is from special education program funds.										
Kermit Koontz Education Complex	2009	\$ 9,240,767	\$ 6,753,124	\$ -	Community Schools/ SDC	12	NA	Two spaces totaling 2,400 sf	Yes - 960 sf	Police Officer, Psych, Mental Health, etc.
Comments: Project used a combination of 9-12, SDC-severe, and SDC-nonsevere grants. Permanent portable project, 12 classrooms (960 square feet each), two MPR spaces (2,400 square feet), library (960 square feet), admin space (3,498 square feet), 100 KW photovoltaic (in lieu of swimming pool). Site requires heavy admin load to service at risk students including police officer, two security officers, psychologist, substance abuse staff, principal, nurse, registrar, secretarial. Approximately \$1 mil savings to be returned to program.										

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County Office of Education: Fresno

Contact: Jeff Becker, Director of Facilities & Operations

Email: jbecker@fcoe.org

Challenges under Financial Hardship (FH) Program: Examples of creatively working within the FH program to house students.

The timing of projects under FH is critical. Prolonged FH reviews delay projects, preventing the adequate housing of students. COEs have had to accelerate or defer needed projects to meet FH requirements. The FH program does not have enough flexibility for COEs to make adjustments to projects to best use limited funding. The FH program also locks participants out of participating in certain programs such as Joint Use.

State vs. COE Funding: If not FH, what the program actually covers with the State Allowance vs. the need.

COEs must use what little local funding that they have to meet any administrative housing needs. Participation in the FH program forces COEs to address administrative housing needs through other means, most commonly, leases. Additionally, when a COE does move forward with an SFP project, the additional requirements unique to the programs we serve diminish the overall scope that can actually be completed.

Where the current program fails to meet COE facility needs.

The current program fails COEs in that grants are not adequate for the types of facilities needed by the populations COEs serve. This often results in compromises to the scope of a project. Loading standards for community schools do not reflect reality causing COEs to burn through eligibility at a higher rate without fully meeting the program demands for space. Additionally, the constraints of the financial hardship program make coordinating projects with school districts more difficult as the district's timing and FH timing may not be in agreement.

The "erosion" and impact of state regulatory requirements diminishing any improvement of the education learning environment.

The student populations served by county offices of education are the most difficult to house. Both the special education and community school population require smaller class sizes, additional facilities such as restrooms located in classrooms, and require more administrative support than a typical K-12 population. Additional, integrating special education classes with school districts creates another layer of complexity to COE student housing needs.

What compelled you to complete the work: major repairs needed, building deterioration, health and safety, AB 300?

How did you decide what to include as components of the projects to undertake?

FCOE was compelled to complete our SFP projects by the conditions at thirty year old special education sites that had never been upgraded. Deteriorating conditions created health and safety concerns as well as dissatisfaction with working conditions. Scope was determined by budget. FCOE was compelled to build a community school project in response to increasing enrollment (we were running double sessions at a 50 year old site.)

Anything else that state leaders should know about COE's under the SFP.

Overall, COEs have benefited from being able to participate in the SFP despite the difficulties of the FH program. If the program were more flexible, COEs would be better able to serve the most at-risk students.

Fresno County Office of Education



Kermit Koontz Education Complex Administration Building



Kermit Koontz Education Complex Classrooms

Fresno County Office of Education



Monte Vista School Modernization



Beth Ramacher Education Complex Modernization

SAB Program Review Subcommittee Meeting on February 5, 2013

County Office of Education:

Monterey

Contact:

Joshua Jorn

Email: jjorn@monterey.k12.ca.us

An overview of your COE's facilities program:

The MCOE has only two current modernization projects that have been submitted to OPSC. One project was submitted and will have a "true" unfunded approval and the other will be placed on the "acknowledged" list. The MCOE has three new construction projects that have been submitted to OPSC. Two of the projects were reduced to costs incurred due to lack of substantial progress (issues with lease agreement and architects dragging their feet through programming), and have been recently re-listed for design. One project is in design and has received a design grant.

Some specific examples of completed work:

Modernization

Project Name	Date Built	Total Funding	Construction Budget (Hard Costs)	District Contribution	Population Served	Regulatory Scope (Fire, Life/Safety, Access, Structural)	Core Improvements	Educational Program / Core Improvements	Aesthetics	Technology
Bard Blades ES	1952	0	\$2,500,000	\$1,100,000 (ARRA)	80 severe	Restrooms, Fire Alarm, access compliance, hardware, windows, HVAC, plumbing and sewer	(Unfunded Scope: Restrooms, access compliance related issues, public address, fire alarm)	Unfunded Scope: low voltage, phone and wall repair	Paint, Roof, playground, windows	X

Challenges under Financial Hardship (FH) Program: Examples of creatively working within the FH program to house students.

The state funding formula seems to be insufficient. The COE's can not take on the full scope required of a modernization project with the amount of apportionment received from pupil grants. We find ourselves only addressing issues with FLS, Access Compliance, and major mechanical/electrical. With growing changes in the programs and instruction, it is crucial that when modernizing a facility we consider new programming, and this is not accounted for in the pupil grants formula received.

Where the current program fails to meet COE facility needs.

See challenges statement

The "erosion" and impact of state regulatory requirements diminishing any improvement of the education learning

As mentioned above, the funding received based on pupil grant only covers the absolute necessities in modernization funding. We have little to no money left over for correctly programming and realigning the master plan of site, technology upgrades are often overlooked and of course aesthetics. The use of E Rate and federal/private grants and donations by stakeholders are what allows us as a COE to actually address the problems with aging and out dated sites.

What compelled you to complete the work: major repairs needed, building deterioration, health and safety, AB 300?

County Board directive to not only improve operation efficiencies, but aesthetics of aging and out dated sites. We are required to instruct our pupils with 21st century technology

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and instruction in a 21st century facility. AB 300 helped identify the pool of site related issues, and therefore generated a master list of deficiencies that are unattainable by funding standards.

Anything else that state leaders should know about COE's under the SFP.

The COE's have been required to adhere to certain requirements that would not allow us to participate in programs such as Joint Use and Career Technical Education Grants. When the legislature is looking at the new proposed SFP program it may behoove them to consider changing regulations to allow for COE participation in said programs.

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County Office of Education:

Orange County Department of Education

Contact:

Andrea Sullivan, Director, Facilities Planning and Maintenance & Operations

Email:

asullivan@ocde.us

An overview of your COE's facilities program:

OCDE has participated in the SFP since 2002 under Financial Hardship constructing new facilities for special education and community school students. OCDE has not participated in the modernization program due to the SFP requirement that land must either be owned by the COE or under a 40 year ground lease. Since Special Education students must be housed on a traditional school campus it is very difficult to acquire property and in many cases school districts will not enter into no-cost long term leases.

OCDE currently has one active new construction project (Community School #9) which has received a design apportionment, site only unfunded approval on January 23, 2013 and submitted a priorities in funding request for the unfunded approval to be converted to an apportionment.

Some specific examples of completed work:

New Construction

Project Name	Date Built	Total Funding	Construction Budget (Hard Costs)	District Contribution	Population Served	Number of CRs	Medical Therapy Unit	Multi-purpose	Library	Administrative Space
Special Classes at Mann Elementary, Anaheim City School District	Occupied Jan.2007	\$12,650,186 (incl. site acq.)	\$8,556,665	\$0	108-severe	12	X	joint use	joint use	X
Special Classes at University High School, Irvine Unified School District	Occupied Jan.2009	\$12,699,980 (no site acq.)	\$10,752,064	\$0	126-severe	14	X	joint use	joint use	X
Community School #1,6,10/Harbor Learning Center, OCDE	Occupied Fall 2010	\$22,344,981 (incl. site acq.)	\$17,987,089	\$0	594-community school, gr.9-12	22	NA	4 of 22 CR's used for MP	X	X
In Process										
Community School #9, OCDE (design & site only)	NA	Design: \$1,467,916 Site: \$3,960,391	estimated funding \$11,819,640	Design: \$438,262 Site: \$617,109	378-community school, gr.9-12	14	NA	X	X	X

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County Office of Education: Orange County Department of Education

Contact: Andrea Sullivan

Email: asullivan@ocde.us

Challenges under Financial Hardship (FH) Program: Examples of creatively working within the FH program to house students.

Mann Elementary - The timing of FH approvals and phased funding applications makes it extremely difficult to coordinate with districts on construction projects. OCDE did not have funds to acquire the adjacent property needed for the project. In order to ensure OCDE's project could move forward, the district was willing to purchase the property until our funding came through from the state. After this project (Mann) was closed, policy changes occurred no longer allowing funding for COE's to purchase property from school districts. COE's only other alternative to participate in the SFP and construct facilities is to enter into a 40 year ground lease. OCDE had two additional new construction projects in process that involved acquiring property from a school district. OCDE was able to negotiate a 40 year ground lease and proceed with one project. However the other project was contingent on site acquisition, so it was closed to costs incurred totaling \$647,136 a loss of eligibility of 17 severe pupil grants.

State vs. COE Funding: If not FH, what the program actually covers with the State Allowance vs. the need.

NA

Where the current program fails to meet COE facility needs.

The loading standards & grant amounts for community school funding do not align with program loading standards which cause COE's to over use pupil grants to fund new schools and prematurely exhaust eligibility. SFP loading is 35 pupils; Alternative Ed loading/teacher contract is 17-19 pupils for OCDE. COEs are using almost double the amount of grants to construct a new school. The SFP loading standard and grant amounts for community schools need to be adjusted to reflect the reduced loading with corresponding increase to the pupil grant amounts.

The "erosion" and impact of state regulatory requirements diminishing any improvement of the education learning environment.

A lack of funds available in the SFP have shifted State agency staff priorities from working cooperatively with districts/COEs to meet students needs and maximize opportunities within the SFP to restrictive interpretations used to recapture as much funding as possible from projects that have been completed causing serious financial harm to FH districts/COE's and has eroded confidence in the program. A lack of experience/understanding of how projects develop result in staff taking a more narrow view of timing of when expenditures need to take place and put expenses at risk of being disallowed in a particular phase of a project/funding.

What compelled you to complete the work: major repairs needed, building deterioration, health and safety, AB 300?

How did you decide what to include as components of the projects to undertake?

Most OCDE Special Education programs operate in 25 year old portables at school district campuses. Every year OCDE programs are subject to being bumped out of facilities or off campus on short notice depending on changes in the host district's program/facility needs. OCDE owned and constructed facilities are needed to provide permanent appropriate educational facilities, resources and services for special needs students. The only way for OCDE to meet these needs is to participate in the SFP under Financial Hardship.

Anything else that state leaders should know about COE's under the SFP.

There needs to be recognition that COE's are responsible to provide a myriad of instructional & administrative support services outside of direct student instruction in a school setting. CC finance housing for support functions/facilities, and other COE activities, without penalty in providing student housing. The SAB should consider an exclusion of COE funds that are pledged for specific categories of COE facility projects providing housing for support programs.

Orange County Department of Education



Mann Elementary School Special Classes



University High School – Deaf and Hard of Hearing



Community School #1, 6, 10/Harbor Learning Center

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County Office of Education:

Riverside County Office of Education (RCOE)

Contact:

Lindsay Currier, Facilities Planner

Email:

lcurreier@rcoe.us

An overview of your COE's facilities program:

RCOE has 13 current new construction projects that are either under construction, substantially complete or complete and waiting for an audit. We also have two modernization projects that are under construction on substantially complete

Some specific examples of completed work:

Modernization

[illegible]

New Construction

[illegible]

SAB Program Review Subcommittee Meeting on February 5, 2013

County Office of Education:

Contact:

Email:

Challenges under Financial Hardship (FH) Program: Examples of creatively working within the FH program to house students.

It is a challenge to stay within budget when a project takes so long to complete. For example: A project is designed, time goes by, then when it bids it comes in way under budget. We are not allowed to use the money for outstanding items because it would be considered added scope and we are not allowed to declare any savings even though it is a "Grant"

State vs. COE Funding: If not FH, what the program actually covers with the State Allowance vs. the need.

Where the current program fails to meet COE facility needs.

We are not able to use funding to build or modernize administrative facilities. COE's have many mandates to provide support and training for our districts

The "erosion" and impact of state regulatory requirements diminishing any improvement of the education learning environment.

Modernization funding very rarely is enough to do any needed work outside of the ADA upgrades

What compelled you to complete the work: major repairs needed, building deterioration, health and safety, AB 300?

How did you decide what to include as components of the projects to undertake?

The need of the program and health and safety of our Staff and students. We create a "required by law" list, a "need" list and a "want" list. The items are prioritized and then a cost is added. We then can only do the top items that the funding covers.

Anything else that state leaders should know about COE's under the SFP.

COE's need the ability to use funding for administrative facilities. We also do not load an alternative education classroom with 27 students which is what is used for standard loading. We load our classrooms closer to 15 students.

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County Office of Education: Contra Costa

Contact:

Email:

An overview of your COE's facilities program:

Some specific examples of completed work:

Modernization

[illegible]

New Construction

[illegible]

SAB Program Review Subcommittee Meeting on February 5, 2013

County Office of Education: Contra Costa

Contact: John F. Hild

Email: jhild@cccoe.k12.ca.us

Challenges under Financial Hardship (FH) Program: Examples of creatively working within the FH program to house students.

Difficulty in maintaining project continuity with the FH renewal process taking so long to complete. Also, bare bones funding under FH.
State vs. COE Funding: If not FH, what the program actually covers with the State Allowance vs. the need.

Where the current program fails to meet COE facility needs.

The "erosion" and impact of state regulatory requirements diminishing any improvement of the education learning environment.

What compelled you to complete the work: major repairs needed, building deterioration, health and safety, AB 300?
How did you decide what to include as components of the projects to undertake?

Major system replacements and technology upgrades
Anything else that state leaders should know about COE's under the SFP.