

# DOE - Public School Academic Facilities & Transportation

## **Enabling Laws**

Act 142 of 2012

Act 928 of 2011

A.C.A. § 10-3-2201

A.C.A. § 6-19-101 et seq.

A.C.A. § 6-20-2501 et seq.

A.C.A. § 6-20-2601 et seq.

A.C.A. § 6 21-112 et seq.

## **History and Organization**

### **STATUTORY AUTHORITY:**

The Division of Public School Academic Facilities and Transportation (Division) was enabled under Act 90 of 2003 which constituted the Division of Public School Academic Facilities and Transportation under the Arkansas Department of Education (ADE). The Division was realigned under Act 1327 of 2005 which realigned the Division during the forming of the Commission for Public School Academic Facilities and Transportation (Commission). The responsibilities of the Division were further defined in Act 1426 and Act 2206, which sets out the programs for which the Division is responsible. The Division activities are detailed in Ark. Code Ann. §§ 6-20-2501 (Arkansas Public School Academic Facilities Funding Act); 6-21-112 (Division of Public School Academic Facilities and Transportation); 6-21-801 (Arkansas Public School Academic Facilities Program Act); 6-19-101 (Transportation).

### **MISSION STATEMENT:**

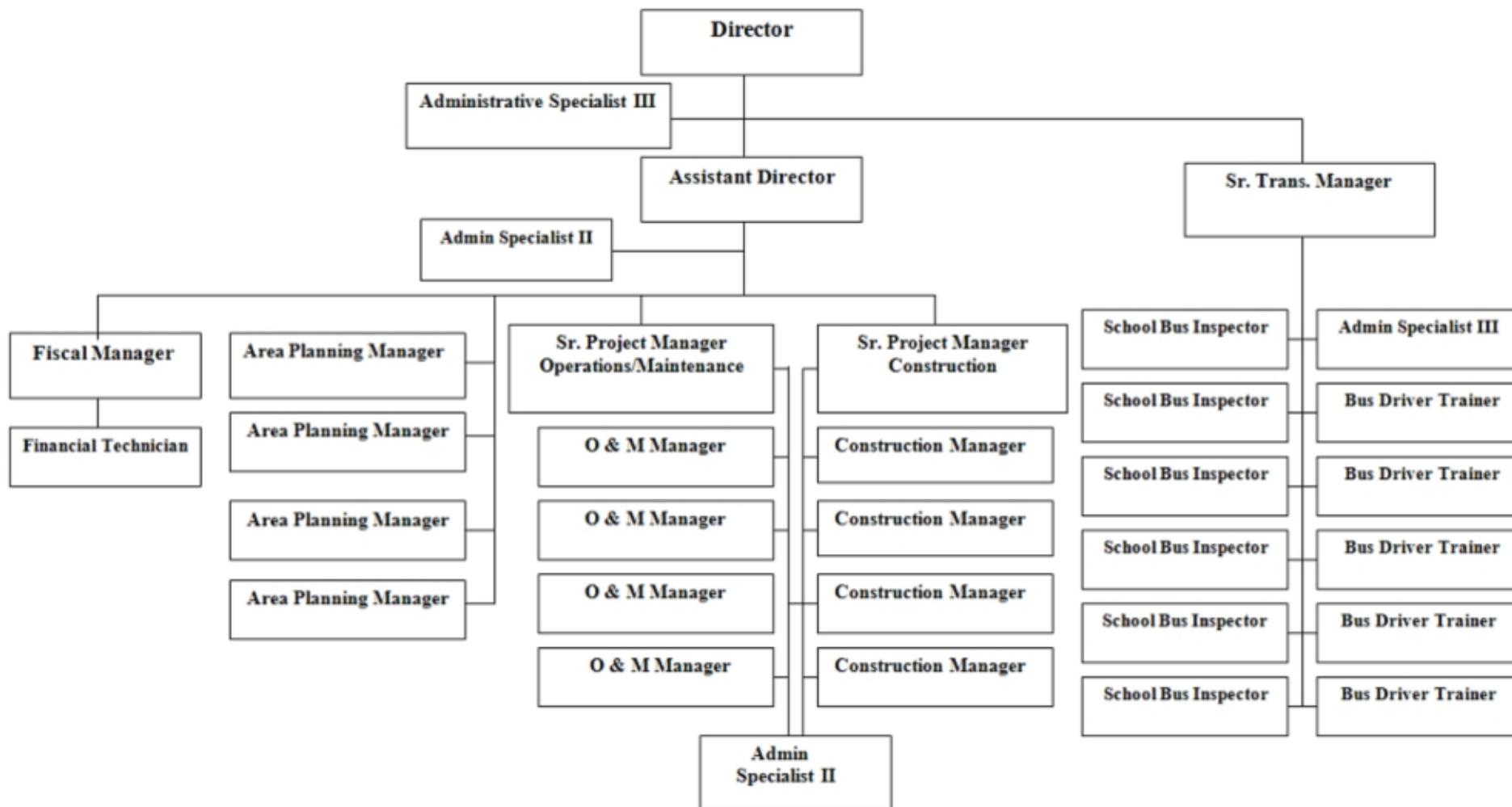
The Division's mission is to direct those activities, under the authorities given to it by law, to assist in ensuring that substantially equal access to adequate educational facilities and educational equipment is provided for all public school students in Arkansas. The Division performs the following functions:

1. Provides information/assistance to Legislative Academic Facilities Oversight Committee;
2. Establishes policies and procedures based on guidance from Academic Facilities Oversight Committee and the General Assembly;
3. Develops and implements the Arkansas Public School Academic Facilities Program Act to include, but is not limited to: development of

a statewide Master Plan and legislative reporting requirements; assist school districts in developing school district Master Plans; establish and maintain an Arkansas School Facility Manual school facility standards; establish and maintain an a Public School Facilities Custodial, Maintenance, Repair and Renovation Manual; a Public School Academic Equipment Manual; administration of the Facilities Distress Program; provide onsite inspection to ensure the adherence to Arkansas laws governing school construction and operations; administer and conduct school bus safety inspections and driver training programs;

4. Administers the programs of state financial participation in support of local academic facilities to include, but is not limited to: the bonded debt assistance program; Academic Facilities Immediate Repair Program; Academic Equipment Program; Transitional Academic Facilities Program; Academic Facilities Partnership Program; Academic Facilities Catastrophic Program; High Growth Loan Program;
5. Develops and implements an ongoing process to track the condition of all public school facilities in the state;
6. Develops a cost index methodology to compare the cost of repairing the condition of school facilities to the replacement of school facilities;
7. Conduct unannounced inspections of public school academic facilities;
8. Enforces, through planning, minimum standards for accessibility to public school academic facilities and programs for individual with disabilities;
9. Develops guidelines for competitive bidding, negotiation and other methods of procurement for public school academic facilities projects;
10. Develops incentive programs to reward school districts for innovative, effective, efficient use of local and state resources with regard to public school academic facilities;
11. Review applicable statutes, rules and regulations for conflicts with or omissions of energy related content;
12. Administers the school transportation program in the various school districts in Arkansas including without limitation, the training of school bus drivers and inspection of school buses;
13. Keeps records showing a description of each school district in the state, maps showing the school districts with current and accurate boundaries, the location of the academic facilities, and the electoral zones into which the school district has been divided;

- 14. Files reports to the Governor, Legislative committees on the state of condition of academic facilities statewide and the state academic facilities master plan;
- 15. Maintain a public access website dedicated to academic facilities;
- 16. Develop and implement a statewide needs priority list.



## Agency Commentary

### **AGENCY COMMENTARY DIVISION OF ACADEMIC FACILITIES AND TRANSPORTATION 2013-2015 BIENNIAL BUDGET REQUEST**

#### **PUBLIC SCHOOL ACADEMIC FACILITIES (2WB)**

This program provides financial assistance to school districts for construction projects and transportation needs. The Change Level request is to provide restoration of a Pool Position that was established by the authority of Section 27 of Act 126 of 2011. This same authority requires that if the agency requests the continuation of a Pool Position in the next fiscal year, it must request the position as a new position. The Pool Position established is G090C ADE Area Project Manager, Grade C123. The position is needed to provide additional technical supervision to the ten school bus driver trainers and school bus inspectors in the Division's Transportation Unit.

#### **State Contracts Over \$25,000 Awarded To Minority Owned Businesses Fiscal Year 2012**

None

#### **Publications**

##### **A.C.A. 25-1-204**

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution
		Governor	General Assembly		
State Academic Facilities Master Plan	Act 1327 of 2005 Section 1(f) (14)	Y	Y	4	Statutory
Statewide State of Condition of Academic Facilities	Act 1327 of 2005 Section 1(f) (13)	Y	Y	4	Statutory

# Department Appropriation Summary

## Historical Data

## Agency Request and Executive Recommendation

Appropriation	2011-2012		2012-2013		2012-2013		2013-2014					2014-2015						
	Actual	Pos	Budget	Pos	Authorized	Pos	Base Level	Pos	Agency	Pos	Executive	Pos	Base Level	Pos	Agency	Pos	Executive	Pos
2WB Public School Academic Facilities	2,391,474	32	2,479,274	32	2,632,032	33	2,459,734	31	2,518,178	32	2,518,178	32	2,459,734	31	2,518,178	32	2,518,178	32
2ZP Academic Facilities Partnership	93,302,830	0	150,000,000	0	150,000,000	0	150,000,000	0	150,000,000	0	150,000,000	0	150,000,000	0	150,000,000	0	150,000,000	0
4HQ Academic Facilities Catastrophic	114,178	0	3,511,538	0	3,511,538	0	3,511,538	0	3,511,538	0	3,511,538	0	3,511,538	0	3,511,538	0	3,511,538	0
4HR Academic Facilities ECP	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4KT Academic Equipment	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
54Y Academic Facilities High Growth	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>95,808,482</b>	<b>32</b>	<b>155,990,812</b>	<b>32</b>	<b>156,143,570</b>	<b>33</b>	<b>155,971,272</b>	<b>31</b>	<b>156,029,716</b>	<b>32</b>	<b>156,029,716</b>	<b>32</b>	<b>155,971,272</b>	<b>31</b>	<b>156,029,716</b>	<b>32</b>	<b>156,029,716</b>	<b>32</b>

Funding Sources		%		%		%		%		%		%		%		%
Fund Balance 4000005	226,217,053	79.5	188,799,656	75.2			94,965,800	59.6	94,965,800	59.5	94,965,800	59.5	3,462,424	4.9	3,462,424	4.9
Ed Fac Prtnrsh Fund Trnsfr 4000057	(2,000,000)	(0.7)	0	0.0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Div of Acad Fac & Trnsp Fund 4000193	2,391,474	0.8	2,479,274	1.0			2,459,734	1.5	2,518,178	1.6	2,518,178	1.6	2,459,734	3.5	2,518,178	3.6
Educ Fac Partnership Fund 4000217	35,345,364	12.4	34,828,951	13.9			34,828,951	21.8	34,828,951	21.8	34,828,951	21.8	34,828,951	49.6	34,828,951	49.6
Trnfr frm DOE Pub School Fund 4000525	22,654,247	8.0	24,848,731	9.9			27,179,211	17.0	27,179,211	17.0	27,179,211	17.0	29,441,693	41.9	29,441,693	41.9
<b>Total Funds</b>	<b>284,608,138</b>	<b>100.0</b>	<b>250,956,612</b>	<b>100.0</b>			<b>159,433,696</b>	<b>100.0</b>	<b>159,492,140</b>	<b>100.0</b>	<b>159,492,140</b>	<b>100.0</b>	<b>70,192,802</b>	<b>100.0</b>	<b>70,251,246</b>	<b>100.0</b>
Excess Appropriation/(Funding)	(188,799,656)		(94,965,800)				(3,462,424)		(3,462,424)		(3,462,424)		85,778,470		85,778,470	
<b>Grand Total</b>	<b>95,808,482</b>		<b>155,990,812</b>				<b>155,971,272</b>		<b>156,029,716</b>		<b>156,029,716</b>		<b>155,971,272</b>		<b>156,029,716</b>	

ECP-Extraordinary Circumstances Program

Transfer is from unexpended balances in Debt Services Funding, General Facilities Funding and Supplemental Millage Incentive Funding.

Academic Facilities ECP, Academic Facilities High Growth, and Academic Equipment are to continue, but without appropriation. If there is need for these programs, appropriation will be reallocated by utilizing the Dept. of Education's reallocation special language.

## Agency Position Usage Report

FY2010 - 2011						FY2011 - 2012						FY2012 - 2013					
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total	
33	29	3	32	1	12.12 %	33	30	2	32	1	9.09 %	33	31	1	32	1	6.06 %

## **Analysis of Budget Request**

**Appropriation:** 2WB - Public School Academic Facilities

**Funding Sources:** EFT - Division of Academic Facilities and Transportation Fund

This appropriation provides resources for the operation of the Division of Public School Academic Facilities and Equipment. Act 1327 of 2005 revised the powers and duties of the Division of Public School Academic Facilities and Transportation to include developing and implementing the Arkansas Public School Academic Facilities Partnership Program and overseeing school transportation programs. The Commission for Public School Academic Facilities and Transportation is charged with overseeing the division during the implementation and operation of the Arkansas Public School Academic Facilities Program.

Base Level Regular Salaries and Personal Services Matching includes Career Service payments for eligible employees. Personal Services Matching also includes a \$20 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$410 per month. Base Level salaries and matching do not include appropriation for a Cost of Living Adjustment or Merit Pay Increases.

Base Level appropriation and general revenue funding totals \$2,459,734 each year of the 2013-2015 Biennium in with thirty-one (31) regular positions and five (5) extra help positions.

The Agency Change Level request is for an increase in appropriation and general revenue funding in Regular Salaries and Personal Services Matching totaling \$58,444 in each year of the biennium. This request is to restore a Pool Position that was established in FY12 by the authority of Section 26 of Act 1074 of 2011.

The Executive Recommendation provides for the Agency Request.

## Appropriation Summary

**Appropriation:** 2WB - Public School Academic Facilities

**Funding Sources:** EFT - Division of Academic Facilities and Transportation Fund

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
		2011-2012 Actual	2012-2013 Budget	2012-2013 Authorized	2013-2014			2014-2015		
					Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	1,485,616	1,462,739	1,581,603	1,421,112	1,464,329	1,464,329	1,421,112	1,464,329	1,464,329
<b>#Positions</b>		<b>32</b>	<b>32</b>	<b>33</b>	<b>31</b>	<b>32</b>	<b>32</b>	<b>31</b>	<b>32</b>	<b>32</b>
Extra Help	5010001	0	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500
<b>#Extra Help</b>		<b>0</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>
Personal Services Matching	5010003	475,131	469,564	503,458	491,651	506,878	506,878	491,651	506,878	506,878
Operating Expenses	5020002	265,301	323,321	323,321	323,321	323,321	323,321	323,321	323,321	323,321
Conference & Travel Expenses	5050009	9,246	13,650	13,650	13,650	13,650	13,650	13,650	13,650	13,650
Professional Fees	5060010	0	0	0	0	0	0	0	0	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
Safety Training	5900046	156,180	207,500	207,500	207,500	207,500	207,500	207,500	207,500	207,500
<b>Total</b>		<b>2,391,474</b>	<b>2,479,274</b>	<b>2,632,032</b>	<b>2,459,734</b>	<b>2,518,178</b>	<b>2,518,178</b>	<b>2,459,734</b>	<b>2,518,178</b>	<b>2,518,178</b>
<b>Funding Sources</b>										
Div of Acad Fac & Trnsp Fund	4000193	2,391,474	2,479,274		2,459,734	2,518,178	2,518,178	2,459,734	2,518,178	2,518,178
<b>Total Funding</b>		<b>2,391,474</b>	<b>2,479,274</b>		<b>2,459,734</b>	<b>2,518,178</b>	<b>2,518,178</b>	<b>2,459,734</b>	<b>2,518,178</b>	<b>2,518,178</b>
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
<b>Grand Total</b>		<b>2,391,474</b>	<b>2,479,274</b>		<b>2,459,734</b>	<b>2,518,178</b>	<b>2,518,178</b>	<b>2,459,734</b>	<b>2,518,178</b>	<b>2,518,178</b>

## Change Level by Appropriation

**Appropriation:** 2WB - Public School Academic Facilities

**Funding Sources:** EFT - Division of Academic Facilities and Transportation Fund

### Agency Request

Change Level		2013-2014	Pos	Cumulative	% of BL	2014-2015	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>2,459,734</b>	<b>31</b>	<b>2,459,734</b>	<b>100.0</b>	<b>2,459,734</b>	<b>31</b>	<b>2,459,734</b>	<b>100.0</b>
C06	Restore Position/Approp	58,444	1	2,518,178	102.4	58,444	1	2,518,178	102.4

### Executive Recommendation

Change Level		2013-2014	Pos	Cumulative	% of BL	2014-2015	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>2,459,734</b>	<b>31</b>	<b>2,459,734</b>	<b>100.0</b>	<b>2,459,734</b>	<b>31</b>	<b>2,459,734</b>	<b>100.0</b>
C06	Restore Position/Approp	58,444	1	2,518,178	102.4	58,444	1	2,518,178	102.4

### Justification

C06	The ADE requests restoration of a Pool Position that was established by the authority of Section 26 of Act 1074 of 2011. This same authority requires that if the agency requests the continuation of a Pool Position in the next fiscal year, it must request the position as a new position. The Pool Position established is G090C ADE Area Project Manager, Grade C123. The position is needed to provide additional technical supervision to the ten school bus driver trainers and school bus inspectors in the Division's Transportation Unit.
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## **Analysis of Budget Request**

**Appropriation:** EFP - Programs of the Public School Academic Facilities & Transportation

**Funding Sources:** EFP - Educational Facilities Partnership Fund

This appropriation provides resources for The Arkansas Public School Academic Facilities Funding Act, which established the programs for the state financial participation in local projects relating to academic facilities and equipment and assisting school districts with transportation programs. The programs are the Academic Facilities Immediate Repair Program, the Transitional Academic Facilities Program, the Academic Facilities Partnership Program, the Academic Equipment Program, Academic Facilities Catastrophic Program and the Academic Facilities Extraordinary Circumstances Program. Additionally, the Academic Facilities High Growth line item was added during the 2009-2011 Biennium.

State participation under any program will be based on an academic facilities wealth index. The Division of Public School Academic Facilities and Transportation establishes the formulas used for determining basic project costs on a per student basis.

The funding sources for these programs comes from fund balance, general revenue and through A.C.A. § 6-20-2503, which authorizes the transfer of savings in the Public School Fund for Debt Service Funding, General Facilities Funding and Supplemental Millage Incentive line item appropriations to the Partnership Fund.

The Agency requests Base Level of \$150,000,000 each year of the 2013-2015 Biennium.

The Executive Recommendation provides for the Agency Request.

## Appropriation Summary

**Appropriation:** EFP - Programs of the Public School Academic Facilities & Transportation

**Funding Sources:** EFP - Educational Facilities Partnership Fund

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item	Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
	2011-2012 Actual	2012-2013 Budget	2012-2013 Authorized	2013-2014			2014-2015		
				Base Level	Agency	Executive	Base Level	Agency	Executive
Academic Facilities Partnership 5100004	93,302,830	150,000,000	150,000,000	150,000,000	150,000,000	150,000,000	150,000,000	150,000,000	150,000,000
Academic Facilities ECP 5900046	0	0	0	0	0	0	0	0	0
Academic Facilities High Growth 5900046	0	0	0	0	0	0	0	0	0
Academic Equipment 5900046	0	0	0	0	0	0	0	0	0
Academic Facilities Catastrophic 5900046	114,178	3,511,538	3,511,538	3,511,538	3,511,538	3,511,538	3,511,538	3,511,538	3,511,538
<b>Total</b>	<b>93,417,008</b>	<b>153,511,538</b>	<b>153,511,538</b>	<b>153,511,538</b>	<b>153,511,538</b>	<b>153,511,538</b>	<b>153,511,538</b>	<b>153,511,538</b>	<b>153,511,538</b>
<b>Funding Sources</b>									
Fund Balance 4000005	226,217,053	188,799,656		94,965,800	94,965,800	94,965,800	3,462,424	3,462,424	3,462,424
Ed Fac Prtnrshp Fund Trnsfr 4000057	(2,000,000)	0		0	0	0	0	0	0
Educ Fac Partnership Fund 4000217	35,345,364	34,828,951		34,828,951	34,828,951	34,828,951	34,828,951	34,828,951	34,828,951
Trnfr frm DOE Pub School Fund 4000525	22,654,247	24,848,731		27,179,211	27,179,211	27,179,211	29,441,693	29,441,693	29,441,693
<b>Total Funding</b>	<b>282,216,664</b>	<b>248,477,338</b>		<b>156,973,962</b>	<b>156,973,962</b>	<b>156,973,962</b>	<b>67,733,068</b>	<b>67,733,068</b>	<b>67,733,068</b>
<b>Excess Appropriation/(Funding)</b>	<b>(188,799,656)</b>	<b>(94,965,800)</b>		<b>(3,462,424)</b>	<b>(3,462,424)</b>	<b>(3,462,424)</b>	<b>85,778,470</b>	<b>85,778,470</b>	<b>85,778,470</b>
<b>Grand Total</b>	<b>93,417,008</b>	<b>153,511,538</b>		<b>153,511,538</b>	<b>153,511,538</b>	<b>153,511,538</b>	<b>153,511,538</b>	<b>153,511,538</b>	<b>153,511,538</b>

ECP-Extraordinary Circumstances Program

Transfer is from unexpended balances in Debt Services Funding, General Facilities Funding and Supplemental Millage Incentive Funding.

Academic Facilities ECP, Academic Facilities High Growth, and Academic Equipment are to continue, but without appropriation. If there is need for these programs, appropriation will be reallocated by utilizing the Dept. of Education's reallocation special language.