

# DOE - Public School Academic Facilities & Transportation

## **Enabling Laws**

Act 292 of 2014

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:**

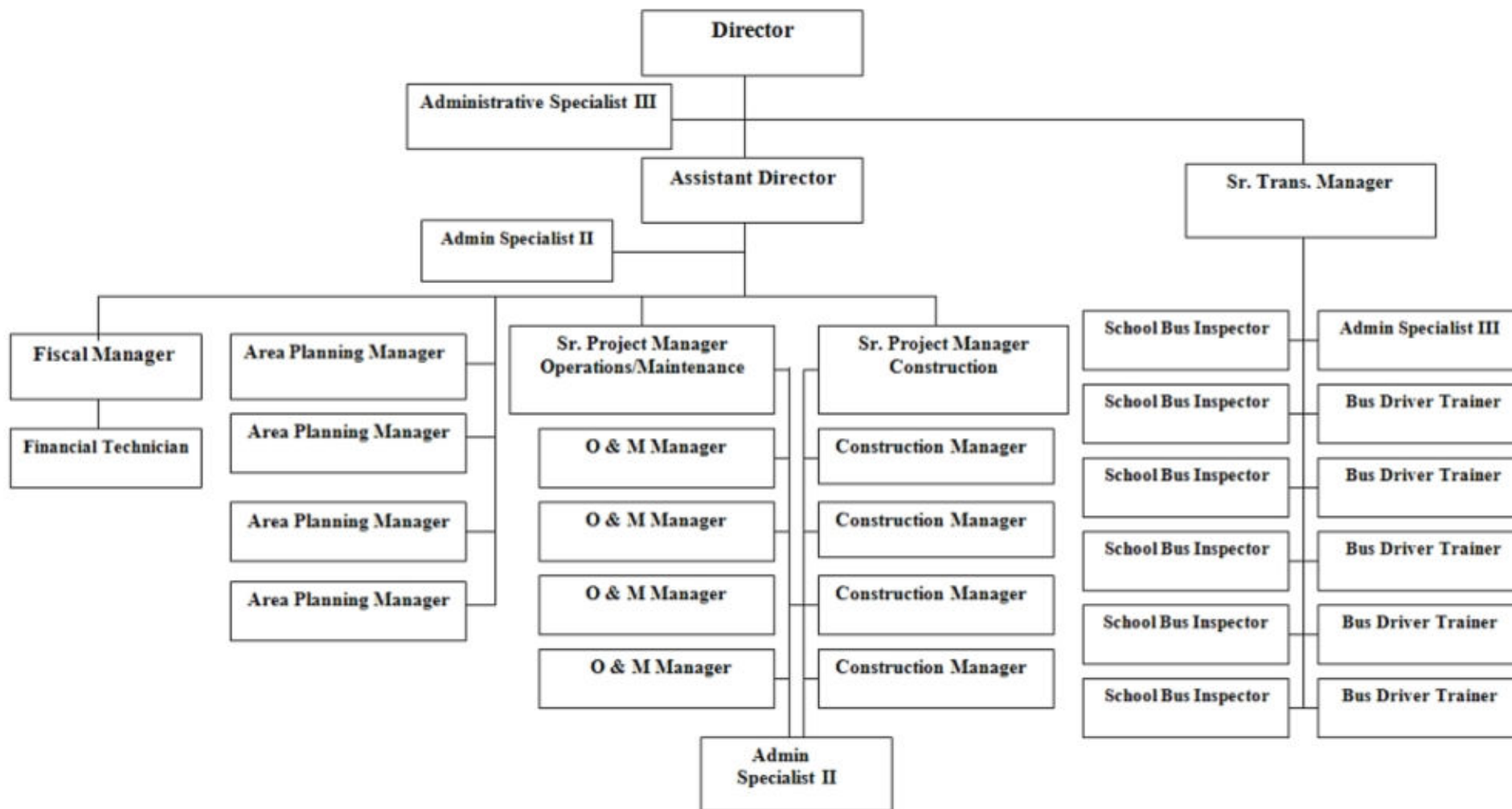
The Division's mission is to direct those activities, under the authorities given to it by law, to assist in ensuring that substantially equal access to adequate educational facilities and educational equipment is provided for all public school students in Arkansas. The Division performs the following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

### **DIVISION OF ACADEMIC FACILITIES AND TRANSPORTATION**

This program provides financial assistance to school districts for construction projects and transportation needs. There are no change level requests for the Division for the 2015-17 biennial budget.

### **State Contracts Over \$50,000 Awarded To Minority Owned Businesses Fiscal Year 2014**

None

### **Publications**

#### **A.C.A. 25-1-201 et seq.**

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution	Unbound Black & White Copies Produced During the Last Two Years	Cost of Unbound Copies Produced During the Last Two Years
		Governor	General Assembly				
On-Site Inspection Report	A.C.A. 6-21-813(b)	N	N	10	Required by Law to the Commission for Public School Academic Facilities and Transportation.	6	10.80
State Academic Facilities Master Plan	ACA 6-21-112(f)(16)	Y	Y	4	Statutory - required by October 1 of each even-numbered year.	0	0.00
Statewide State of Condition of Academic Facilities	ACA 6-21-112(f)(15)	Y	Y	4	Statutory	44	0.32

## Department Appropriation Summary

### Historical Data

### Agency Request and Executive Recommendation

Appropriation		2013-2014		2014-2015		2014-2015		2015-2016						2016-2017					
		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	2,338,211	31	2,509,106	32	2,552,126	32	2,535,088	32	2,535,088	32	2,535,088	32	2,535,940	32	2,535,940	32	2,535,940	32
2ZP	Academic Facilities Partnership	56,219,864	0	150,000,000	0	150,000,000	0	150,000,000	0	150,000,000	0	231,500,000	0	150,000,000	0	150,000,000	0	231,500,000	0
4HQ	Academic Facilities Catastrophic	250,552	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
F87	Charter Sch Fac Loan	0	0	5,000,000	0	25,000,000	0	5,000,000	0	5,000,000	0	5,000,000	0	5,000,000	0	5,000,000	0	5,000,000	0
G93	School Facility & Transp Asst-89th Sess	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total		58,808,627	31	161,020,644	32	181,063,664	32	161,046,626	32	161,046,626	32	242,546,626	32	161,047,478	32	161,047,478	32	242,547,478	32

Funding Sources			%		%			%		%		%		%		%		%	
Fund Balance	4000005	154,117,514	63.2	184,953,054	78.4			79,795,487	60.6	79,795,487	60.6	79,795,487	37.4	5,000,000	8.8	5,000,000	8.8	5,000,000	6.8
Div of Acad Fac & Trnsp Fund	4000193	2,338,211	1.0	2,509,106	1.1			2,535,088	1.9	2,535,088	1.9	2,535,088	1.2	2,535,940	4.5	2,535,940	4.5	2,535,940	3.5
Educ Fac Partnership Fund	4000217	34,828,951	14.3	34,828,951	14.8			34,828,951	26.4	34,828,951	26.4	51,328,951	24.1	34,828,951	61.2	34,828,951	61.2	51,328,951	69.9
General Improvement Fund	4000265	25,000,000	10.3	0	0.0			0	0.0	0	0.0	65,000,000	30.5	0	0.0	0	0.0	0	0.0
Trnfr frm DOE Pub School Fund	4000525	27,477,005	11.3	13,525,020	5.7			14,560,318	11.1	14,560,318	11.1	14,560,318	6.8	14,587,616	25.6	14,587,616	25.6	14,587,616	19.9
Total Funds		243,761,681	100.0	235,816,131	100.0			131,719,844	100.0	131,719,844	100.0	213,219,844	100.0	56,952,507	100.0	56,952,507	100.0	73,452,507	100.0
Excess Appropriation/(Funding)		(184,953,054)		(74,795,487)				29,326,782		29,326,782		29,326,782		104,094,971		104,094,971		169,094,971	
Grand Total		58,808,627		161,020,644				161,046,626		161,046,626		242,546,626		161,047,478		161,047,478		242,547,478	

ECP-Extraordinary Circumstances Program

Transfer is from unexpended balances in Debt Services Funding, General Facilities Funding, and Supplemental Millage Incentive Funding. In FY15 and beyond, transfer is from unexpended balance in Debt Services Funding only. Academic Facilities ECP, Academic Equipment, and Academic Facilities High Growth are requested to continue, but without appropriation. If there is a need for these programs, appropriation will be reallocated by utilizing the Dept. of Education's reallocation special language.

Variance in Fund Balance is due to unfunded appropriation.

## Agency Position Usage Report

FY2012 - 2013						FY2013 - 2014						FY2014 - 2015					
Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused
	Filled	Unfilled	Total				Filled	Unfilled	Total				Filled	Unfilled	Total		
33	31	1	32	1	6.06 %	32	29	3	32	0	9.38 %	32	29	3	32	0	9.38 %

## **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 include the continuation of the previously authorized 2015 1% Cost of Living Adjustment and Career Service Payments for eligible employees. Personal Services Matching also includes a \$10 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$420 per month. Base Level salaries and matching do not include appropriation for Merit Pay Increases.

The Agency requests Base Level for the 2015-2017 Biennium.

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		2013-2014	2014-2015	2014-2015	2015-2016			2016-2017		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	1,450,165	1,482,503	1,491,739	1,500,694	1,500,694	1,500,694	1,501,394	1,501,394	1,501,394
<b>#Positions</b>		<b>31</b>	<b>32</b>	<b>32</b>	<b>32</b>	<b>32</b>	<b>32</b>	<b>32</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	473,080	479,632	513,416	487,423	487,423	487,423	487,575	487,575	487,575
Operating Expenses	5020002	234,105	323,321	323,321	323,321	323,321	323,321	323,321	323,321	323,321
Conference & Travel Expenses	5050009	10,764	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	170,097	207,500	207,500	207,500	207,500	207,500	207,500	207,500	207,500
<b>Total</b>		<b>2,338,211</b>	<b>2,509,106</b>	<b>2,552,126</b>	<b>2,535,088</b>	<b>2,535,088</b>	<b>2,535,088</b>	<b>2,535,940</b>	<b>2,535,940</b>	<b>2,535,940</b>
<b>Funding Sources</b>										
Div of Acad Fac & Trnsp Fund	4000193	2,338,211	2,509,106		2,535,088	2,535,088	2,535,088	2,535,940	2,535,940	2,535,940
<b>Total Funding</b>		<b>2,338,211</b>	<b>2,509,106</b>		<b>2,535,088</b>	<b>2,535,088</b>	<b>2,535,088</b>	<b>2,535,940</b>	<b>2,535,940</b>	<b>2,535,940</b>
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
<b>Grand Total</b>		<b>2,338,211</b>	<b>2,509,106</b>		<b>2,535,088</b>	<b>2,535,088</b>	<b>2,535,088</b>	<b>2,535,940</b>	<b>2,535,940</b>	<b>2,535,940</b>



## **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 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 line item appropriations to the Partnership Fund. During the First Extraordinary Session of 2013, a portion was redirected to health insurance, and replaced by General Revenue under the Executive Recommendation.

The Agency requests Base Level for the 2015-2017 Biennium.

The Executive Recommendation provides for the Agency Request, as well as additional appropriation of \$81.5 million and \$16.5 million in general revenue and \$65 million in General Improvement Funds as recommended by the Adequacy Committee for FY16 and additional appropriation of \$81.5 million and \$16.5 million in general revenue for FY17.

## 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		2013-2014	2014-2015	2014-2015	2015-2016			2016-2017		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Academic Facilities Partnership	5100004	56,219,864	150,000,000	150,000,000	150,000,000	150,000,000	231,500,000	150,000,000	150,000,000	231,500,000
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	250,552	3,511,538	3,511,538	3,511,538	3,511,538	3,511,538	3,511,538	3,511,538	3,511,538
Total		56,470,416	153,511,538	153,511,538	153,511,538	153,511,538	235,011,538	153,511,538	153,511,538	235,011,538

Funding Sources										
Fund Balance	4000005	154,117,514	179,953,054		74,795,487	74,795,487	74,795,487	0	0	0
Educ Fac Partnership Fund	4000217	34,828,951	34,828,951		34,828,951	34,828,951	51,328,951	34,828,951	34,828,951	51,328,951
General Improvement Fund	4000265	20,000,000	0		0	0	65,000,000	0	0	0
Trnfr frm DOE Pub School Fund	4000525	27,477,005	13,525,020		14,560,318	14,560,318	14,560,318	14,587,616	14,587,616	14,587,616
Total Funding		236,423,470	228,307,025		124,184,756	124,184,756	205,684,756	49,416,567	49,416,567	65,916,567
Excess Appropriation/(Funding)		(179,953,054)	(74,795,487)		29,326,782	29,326,782	29,326,782	104,094,971	104,094,971	169,094,971
Grand Total		56,470,416	153,511,538		153,511,538	153,511,538	235,011,538	153,511,538	153,511,538	235,011,538

ECP-Extraordinary Circumstances Program

FY14 Transfer is from unexpended balances in Debt Services Funding, General Facilities Funding, and Supplemental Millage Incentive Funding. For FY15 and beyond, transfer is from unexpended balance in Debt Services Funding only.

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

## Change Level by Appropriation

**Appropriation:** 2ZP - Academic Facilities Partnership  
**Funding Sources:** EFP - Educational Facilities Partnership Fund

### Agency Request

Change Level		2015-2016	Pos	Cumulative	% of BL	2016-2017	Pos	Cumulative	% of BL
BL	Base Level	150,000,000	0	150,000,000	100.0	150,000,000	0	150,000,000	100.0

### Executive Recommendation

Change Level		2015-2016	Pos	Cumulative	% of BL	2016-2017	Pos	Cumulative	% of BL
BL	Base Level	150,000,000	0	150,000,000	100.0	150,000,000	0	150,000,000	100.0
C19	Executive Changes	81,500,000	0	231,500,000	154.3	81,500,000	0	231,500,000	154.3

### Justification

C19	The Executive Recommendation provides for additional appropriation of \$81,500,000 and general revenue funds of \$16,500,000 and general improvement funds of \$65,000,000 in FY16 and additional appropriation of \$81,500,000 and general revenue funding of \$16,500,000 in FY17.								
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## **Analysis of Budget Request**

**Appropriation:** F87 - Charter Sch Fac Loan

**Funding Sources:** MCS - Charter Loans

This appropriation provides short-term loans to open-enrollment public charter schools. It was established in 2014, and initial funding was provided through a one-time transfer from the General Improvement Fund. The Walton Family Foundation, in partnership with the Arkansas Development Finance Authority, has agreed to provide an in-kind matching contribution of ten million dollars to secure long-term capital bond financing of up to fifty million dollars for these entities.

The Agency requests Base Level for the 2015-2017 Biennium.

The Executive Recommendation provides for the Agency Request.

## Appropriation Summary

**Appropriation:** F87 - Charter Sch Fac Loan

**Funding Sources:** MCS - Charter Loans

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		2013-2014	2014-2015	2014-2015	2015-2016			2016-2017		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Loans	5120029	0	5,000,000	25,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000
Total		0	5,000,000	25,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000
<b>Funding Sources</b>										
Fund Balance	4000005	0	5,000,000		5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000
General Improvement Fund	4000265	5,000,000	0		0	0	0	0	0	0
Total Funding		5,000,000	5,000,000		5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000
Excess Appropriation/(Funding)		(5,000,000)	0		0	0	0	0	0	0
Grand Total		0	5,000,000		5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000